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U.S. GOVERNMENT
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FEDERAL REGISTER

Vol. 82 Tuesday,

No. 68 April 11, 2017

Pages 17379–17530

OFFICE OF THE FEDERAL REGISTER

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2017–0233; Airspace Docket No. 17–AWA–1]

Amendment of Class C Airspace; Little Rock, AR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule, technical amendment.

SUMMARY: This action modifies the Little Rock, AR, Class C airspace area by amending the legal description to update the current airport name and updated airport reference point (ARP) information to match the FAA's aeronautical database and charted information. Additionally, exclusion language is added to the legal description to ensure flight safety and address any potential for confusion where the Class C and restricted area R–2403B airspace areas overlap. This action does not change the boundaries, altitudes, or operating requirements of the Class C airspace area.

DATES: Effective date 0901 UTC, June 22, 2017. The Director of the FEDERAL REGISTER approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *http://www.faa.gov/air_traffic/publications/.* For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA, call (202) 741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.*

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

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of 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 updates the airport name and ARP coordinates for the Bill and Hillary Clinton National/Adams Field airport that is contained in the Little Rock, AR, Class C airspace description and adds language excluding a restricted area that overlaps the Class C airspace area.

History

Class C airspace areas are designed to improve air safety by reducing the risk of midair collisions in high volume airport terminal areas and to enhance the management of air traffic operations in that area. During a recent review of the Little Rock, AR, Class C airspace area description, the FAA identified that the airport's name and ARP geographic coordinates were incorrect. Additionally, the FAA identified that neither the Little Rock Class C airspace nor the restricted area R–2403B description addressed an overlap of the two airspace areas.

This action updates the airport name and ARP geographic coordinates in the Little Rock, AR, Class C description to coincide with the FAA's aeronautical database and charted information. And, this action adds exclusion language to the Little Rock Class C description for R–2403B, when active, to ensure flight safety and avoid potential confusion where the Little Rock Class C and R–2403B airspace areas overlap. This change clarifies the Class C airspace when the restricted area is active. There are no changes to the boundaries, altitudes, or air traffic control procedures resulting from this action.

Class C airspace designations are published in paragraph 4000 of FAA Order 7400.11A, dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class C airspace designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by amending the Little Rock, AR, Class C airspace area description. The airport formerly known as ''Little Rock/Adams Field'' is renamed ''Bill and Hillary Clinton National/Adams Field'' and the ARP geographic position for the airport is changed from ''lat. 34 °43′44″ N., long. 92 °13′29″ W.'' to ''lat. 34°43′46″ N., long. 92°13′29″ W.'' These amendments to the airport name and ARP geographic coordinates reflect the current information in the FAA's aeronautical database and on associated charts. Additionally, exclusion language for R–2403B was added to read ''excluding that airspace within R–2403B when active.'' This amendment was made to ensure flight safety and reduce the potential for confusion where the class C and restricted area airspace areas overlap.

This action is an administrative change and does not affect the

boundaries, altitudes, or operating requirements of the airspace, therefore, notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action of modifying the Little Rock, AR, Class C airspace area by amending the legal description to contain the current airport name and updating airport reference point (ARP) information to match the FAA's aeronautical database and charted information qualifies for categorical exclusion under the National Environmental Policy Act, and its agency implementing regulations in FAA Order 1050.1F, ''Environmental Impacts: Policies and Procedures'' regarding categorical exclusions for procedural actions at paragraph 5–6.5a, which categorically excludes from full environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points. Since this action does not change the boundaries, altitudes, or operating requirements of the Class C airspace area, this airspace action is not expected to result in any significant environmental impacts. In accordance with FAAO 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, this action has been reviewed for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis, and it is determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71:

Airspace, Incorporation by reference, Navigation (Air).

The Amendment

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

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

■ 1. The authority citation for Part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.911A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 4000 Class C Airspace.

* * * * *

ASW AR C Little Rock, AR

Bill and Hillary Clinton National/Adams Field, AR
(Lat. 34°43′46″ N., long. 92°13′29″ W.)

That airspace extending upward from the surface to and including 4,300 feet MSL within a 5-mile radius of the Bill and Hillary Clinton National/Adams Field; and that airspace extending upward from 1,500 feet MSL to and including 4,300 feet MSL within a 10-mile radius of the Bill and Hillary Clinton National/Adams Field from the 030° bearing from the airport clockwise to the 210° bearing from the airport and that airspace extending upward from 1,800 feet MSL to and including 4,300 feet MSL within a 10-mile radius of the airport from the 210° bearing from the airport clockwise to the 310° bearing from the airport and that airspace extending upward from 2,100 feet MSL to and including 4,300 feet MSL from the 310° bearing from the airport clockwise to the 030° bearing from the airport, excluding that airspace within R–2403B when active.

Issued in Washington, DC, on April 4, 2017.

Gemechu Gelgelu,

Acting Manager, Airspace Policy Group.

[FR Doc. 2017–07116 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2016–0466; FRL–9957–15-Region 9]

Approval of California Air Plan Revisions, Butte County Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve a revision to the Butte County Air Quality Management District (BCAQMD) portion of the California State Implementation Plan (SIP). This revision concerns the necessary procedures to create emission reduction credits (ERCs) from the reduction of volatile organic compounds (VOCs), oxides of nitrogen, oxides of sulfur, particulate matter and carbon monoxide emissions due to the permanent curtailment of burning rice straw. We are approving a local rule that provides administrative procedures for creating ERCs consistent with Clean Air Act (CAA or the Act) requirements.

DATES: This rule is effective on June 12, 2017 without further notice, unless the EPA receives adverse comments by May 11, 2017. If we receive such comments, we will publish a timely withdrawal in the **Federal Register** to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2016–0466 at *http://www.regulations.gov,* or via email to Andrew Steckel, Rulemaking Office Chief at *Steckel.Andrew@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be removed or edited from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud or other file sharing system). For

additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to the EPA.

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I. The State's Submittal

A. What rule did the State submit?

Table 1 lists the rule addressed by this action with the dates that it was adopted by the local air agency and submitted by the California Air Resources Board (CARB).

TABLE 1—SUBMITTED RULE

Local agency	Rule No.	Rule title	Amended	Submitted
BCAQMD	433	Rice Straw Emission Reduction Credits	April 24, 2014	November 6, 2014.

On December 18, 2014, the EPA determined that the submittal for BCAQMD Rule 433 met the completeness criteria in 40 CFR part 51 Appendix V, which must be met before formal EPA review.

B. Are there other versions of this rule?

There are no previous versions of Rule 433 in the SIP, although the BCAQMD adopted an earlier version of this rule on August 26, 2010, and CARB submitted it to us on February 6, 2013. While we can act on only the most recently submitted version, we have reviewed materials provided with previous submittals.

C. What is the purpose of the submitted rule?

Historically, the practice of rice growing included burning the field stubble or straw following harvest to kill weeds and insects, and to prepare the field for the next year's plantings. The purpose of Rule 433 is to provide procedures to quantify, certify and issue ERCs that have resulted from the permanent curtailment of rice straw burning in the BCAQMD. Approval of Rule 433 into the SIP would allow these ERCs to be used as offsets under BCAQMD's New Source Review (NSR) rule. The EPA's technical support document (TSD) has more information about this rule.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule?

SIP rules must be enforceable (see CAA section 110(a)(2)), must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)), and must not modify certain SIP control requirements in nonattainment areas without ensuring equivalent or greater emission reductions (see CAA section 193). In addition, a rule that generates ERCs for use as offsets in the NSR program must meet the NSR requirement for valid offsets (see section 173(c)) and should meet the criteria set forth in EPA's guidance concerning economic incentive programs.

Guidance and policy documents that we use to evaluate enforceability, SIP relaxation, NSR and rule stringency requirements for the applicable criteria include the following:

1. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990)

2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

3. New Source Review—Section 173(c) of the CAA and 40 CFR part 51, appendix S, ''Emission Offset Interpretative Ruling'' require certain sources to obtain emission reductions to offset increased emissions from new projects.

4. ''Improving Air Quality with Economic Incentive Programs,'' EPA–452/R–01–001, January 2001.

B. Does the rule meet the evaluation criteria?

We believe this rule is consistent with the relevant policy and guidance regarding enforceability and economic incentive programs. This rule includes detailed emissions quantification protocols and enforceable procedures that provide the necessary assurance that the ERCs issued will meet the criteria for valid NSR offsets. The TSD has more information on our evaluation.

C. EPA Recommendations To Further Improve the Rule

The TSD describes additional rule revisions that we recommend for the next time the local agency modifies the rule.

D. Public Comment and Proposed Action

As authorized in section 110(k)(3) of the Act, the EPA is fully approving the submitted rule because we believe it fulfills all relevant requirements. We do not think anyone will object to this approval, so we are finalizing it without proposing it in advance. However, in the Proposed Rules section of this **Federal Register**, we are simultaneously proposing approval of the same submitted rule. If we receive adverse comments by May 11, 2017, we will publish a timely withdrawal in the **Federal Register** to notify the public that the direct final approval will not take effect and we will address the comments in a subsequent final action based on the proposal. If we do not receive timely adverse comments, the direct final approval will be effective without further notice on June 12, 2017. This will incorporate the rule into the federally enforceable SIP.

Please note that if the EPA receives an adverse comment on an amendment, paragraph or section of this rule, and if that provision may be severed from the remainder of the rule, the EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the

BCAQMD rule described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents available through *www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. 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, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves 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 Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 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 Clean Air Act; and
- does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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 and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

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. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 12, 2017. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action 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. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the Proposed Rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that the EPA can withdraw this direct final rule and address the comment in the proposed rulemaking. 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, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

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

Dated: December 9, 2016.

Alexis Strauss,

Acting Regional Administrator, Region IX.

Editorial note: This document was received at the Office of the Federal Register on April 5, 2017.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations 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 F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(457)(i)(C)(*5*) to read as follows:

§ *52.220* **I***dentification of plan-in part.*

* * * * *

(c) * * *

(457) * * *

(i) * * *

(C) * * *

(*5*) Rule 433, ''Rice Straw Emission Reduction Credits,'' amended on April 24, 2014.

* * * * *

[FR Doc. 2017–07151 Filed 4–10–17; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 170223197–7311–01]

RIN 0648–BG67

International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna in the Eastern Pacific Ocean

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

ACTION: Final rule.

SUMMARY: NMFS is issuing regulations under the Tuna Conventions Act to implement Resolution C–17–01 (*Conservation of Tuna in the Eastern Pacific Ocean During 2017*), which was

adopted by the Inter-American Tropical Tuna Commission (IATTC or Commission) in February 2017. Applicable to 2017 only, most provisions of Resolution C–17–01 are identical in content to the previous resolution on tropical tuna management that expired at the end of 2016. The provisions that are maintained in Resolution C–17–01 from the previous resolution include a 500 metric ton (mt) bigeye tuna (*Thunnus obesus*) calendar year catch limit applicable to longline vessels greater than 24 meters (m) in overall length and a 62-day closure period applicable each year to purse seine vessels of class size 4 to 6 (greater than 182 mt carrying capacity). In addition, the resolution includes a new requirement for total allowable catch limits (TACs) for yellowfin (*Thunnus albacares*) and bigeye tuna harvested in purse seine sets on floating objects (97,711 mt) and in sets involving chase and encirclement of dolphins (162,182 mt). This rule implements all of those requirements and revises related regulations for clarification purposes. This rule is necessary for the conservation of tropical tuna stocks in the eastern Pacific Ocean (EPO) and for the United States to satisfy its obligations as a member of the IATTC.

DATES: This final rule is effective May 11, 2017.

ADDRESSES: Copies of supporting documents that were prepared for this final rule, including the regulatory impact review (RIR) are available via the Federal e-Rulemaking Portal: *http://www.regulations.gov,* docket NOAA–NMFS–2017–0024 or contact with the Regional Administrator, Barry A. Thom, NMFS West Coast Region, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232–1274, or *RegionalAdministrator.WCRHMS@noaa.gov.*

FOR FURTHER INFORMATION CONTACT: Rachael Wadsworth, NMFS at 562–980–4036.

SUPPLEMENTARY INFORMATION:

Background on the IATTC

The United States is a member of the IATTC, which was established under the 1949 Convention for the Establishment of an Inter-American Tropical Tuna Commission. In 2003, the IATTC adopted the Convention for the Strengthening of the IATTC Established by the 1949 Convention between the United States of America and the Republic of Costa Rica (Antigua Convention). The Antigua Convention entered into force in 2010. The United States acceded to the Antigua Convention on February 24, 2016. The full text of the Antigua Convention is available at: *https://www.iattc.org/PDFFiles2/Antigua_Convention_Jun_2003.pdf.*

The IATTC consists of 21 member nations and four cooperating non-member nations and facilitates scientific research into, as well as the conservation and management of, tuna and tuna-like species in the IATTC Convention Area. The IATTC Convention Area is defined as waters of the EPO within the area bounded by the west coast of the Americas and by 50° N. latitude, 150° W. longitude, and 50° S. latitude. The IATTC maintains a scientific research and fishery monitoring program and regularly assesses the status of tuna, sharks, and billfish stocks in the IATTC Convention Area to determine appropriate catch limits and other measures deemed necessary to promote sustainable fisheries and prevent the overexploitation of these stocks.

International Obligations of the United States Under the Antigua Convention

As a Party to the Antigua Convention and a member of the IATTC, the United States is legally bound to implement decisions of the IATTC. The Tuna Conventions Act (16 U.S.C. 951 *et seq.*) directs the Secretary of Commerce, in consultation with the Secretary of State and, with respect to enforcement measures, the U.S. Coast Guard, to promulgate such regulations as may be necessary to carry out the United States' obligations under the Antigua Convention, including recommendations and decisions adopted by the IATTC. The authority of the Secretary of Commerce to promulgate such regulations has been delegated to NMFS.

IATTC Resolution on Tropical Tuna Conservation

In 2016, the IATTC met in July and in October, and at both meetings failed to reach consensus on management measures for tropical tuna (bigeye tuna, yellowfin tuna, and skipjack tuna (*Katsuwonus pelamis*)), which is unusual. The failure of the Commission to reach consensus at these meetings created an urgent situation because the previous measures expired at the end of the 2016 calendar year, and no measures were in place for the start of the 2017 fishing season. The IATTC finally adopted Resolution C–17–01 by consensus at its 91st Extraordinary Meeting in February 2017. NMFS is now in the position of having to implement these measures without affording the public the opportunity of advance notice and an opportunity to comment under the Administrative Procedure Act (APA).

Applicable to 2017 only, most provisions of Resolution C–17–01 are identical in content to the previous resolution on tropical tuna management that were in place from 2013–2016. Resolution C–17–01 also sets TACs for yellowfin and bigeye tuna harvested in purse seine sets on floating objects and in sets involving chase and encirclement of dolphins. These TACs do not apply to fishing for tropical tuna by making unassociated sets. Resolution C–17–01 is intended to prevent overfishing of tropical tuna stocks in the EPO.

Resolution C–17–01 also includes provisions for 2017 requiring purse seine vessels class sizes 4 to 6 to first retain on board and then land all tropical tuna caught, except fish unfit for human consumption for reasons other than size. A single exception to this full catch retention program is on the final set of a trip, when there may be insufficient well space remaining to accommodate all of the tuna caught in that set. This regulation has already been codified at 50 CFR 300.27(a) because it was included in multiple previous IATTC resolutions.

Final Regulations—Tuna Conservation Measures for 2017

This final rule is implemented under the Tuna Conventions Act (16 U.S.C. 951 *et seq.*), as amended on November 5, 2015, by title II of Public Law 114–81. This rule implements the provisions of Resolution C–17–01 and applies to U.S. commercial fishing vessels that are used to catch tropical tuna in the IATTC Convention Area.

This rule implements three provisions that were included in the now-expired IATTC Resolution C–13–01 (*Multiannual Program for the Conservation of Tuna in the Eastern Pacific Ocean During 2014–2016*), as well as one additional provision, for 2017. First, the rule maintains a 500 mt catch limit on bigeye tuna caught by longline vessels greater than 24 m in overall length in the IATTC Convention Area. Second, the rule maintains the prohibition against purse seine vessels of class size 4 to 6 (*i.e.,* vessels with a carrying capacity greater than 182 mt) from fishing for tropical tuna in the IATTC Convention Area for a period of 62 days. Notwithstanding this closure, the rule allows purse seine vessels of class size 4 (*i.e.,* vessels with a carrying capacity between 182 and 272 mt) to make a single fishing trip of up to 30 days during the closure period, provided that any such vessel carries an observer. Third, the rule continues to

require a closure for the purse seine fishery for tropical tuna within the area of 96° and 110° W and between 4° N and 3° S from 0000 hours on 29 September to 2400 hours on 29 October, 2017.

This rule also imposes new TACs on the harvest of yellowfin and bigeye tuna combined for class size 4 to 6 purse seine vessels that fish on floating objects and class size 6 vessels (*i.e.,* vessels with a carrying capacity greater than 363 mt) that chase and encircle dolphins to harvest tuna swimming underneath. The TAC for the combined yellowfin and bigeye harvest for class size 4 to 6 purse seine vessels of all nations fishing on floating objects in the IATTC Convention Area is 97,711 mt and, for class size 6 purse seine vessels of all nations that set on dolphins in the Convention Area, the TAC is 162,182 mt. Once either TAC is reached, NMFS will close the U.S. fishery for these vessels sizes and set types for the remainder of the 2017 calendar year.

Per Resolution C–17–01, the IATTC Director will notify IATTC Members and Cooperating Non-Members (collectively known as CPCs) when the combined catch of yellowfin and bigeye tuna by purse-seine vessels reaches 80 percent of the total catch limit in either sets on floating objects or dolphins. At 90 percent of the total TAC, the Director shall notify CPCs of an estimated closure date for the respective fishery, and at 100 percent the Director will announce the closure of the respective fishery.

NMFS will project a closure date for floating object sets and for dolphin sets using data provided by the IATTC. NMFS will publish a notice in the **Federal Register** announcing the closures for these set types at least seven calendar days in advance of the closure dates. Once the closure date for floating object sets is effective, U.S. purse seine vessels of class size 4 to6 will be prohibited from making a floating object set in the Convention Area until the end of the 2017 calendar year. Once the closure date for dolphin sets is effective, U.S. purse seine vessels of class size 6 will be prohibited from making a dolphin set in the Convention Area until the end of the 2017 calendar year.

A description of the IATTC rulemaking process, formerly in 50 CFR 300.25, is moved to a more logical location at 50 CFR 300.20, which is the purpose and scope section of 50 CFR part 300 subpart C. Multiple cross-references in the prohibitions at 50 CFR 300.24 are also updated for consistency with the revisions made to 50 CFR 300.25(a) through (e). The prohibition at 50 CFR 300.24(b) regarding closures of sets on floating objects is obsolete and is removed by this rule. This rule also revises related regulations to include the calendar year 2017, and revises regulations related to the bigeye closure for longline vessels greater than 24 m in overall length for clarification purposes.

Classification

The NMFS Assistant Administrator has determined that this final rule is consistent with the Tuna Conventions Act of 1950 and other applicable laws.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

There are no new collection-of-information requirements associated with this action that are subject to the Paperwork Reduction Act (PRA), and the existing collection-of-information requirements still apply under Control Number 0648–0387. Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number. All currently approved NOAA collections of information may be viewed at: *http://www.cio.noaa.gov/services_programs/prasubs.html.*

The Assistant Administrator for Fisheries has determined that the need to conserve tropical tuna stocks in the EPO and comply with the international obligations of the United States under a binding resolution adopted by the IATTC under the Antigua Convention constitutes good cause, under 5 U.S.C. 553(b)(B), to waive the requirement for providing advance notice and comment. This is justified by the IATTC's late adoption of the binding Resolution C–17–01 in February of the year the requirements are effective—2017—rather than in June or July of the year before (*i.e.,* typical timing for adopting resolutions). Commercial purse seine and longline vessels have already begun fishing for tropical tuna in the EPO this year under the fishing limits in Resolution C–17–01 that apply this year. If this rule were delayed pending publication of a proposed rule and consideration of additional public comments, no enforceable limits would be in place and therefore U.S. purse seine and longline fisheries might exceed the limits established in Resolution C–17–01 with impunity, rendering the United States out of compliance with our international obligations.

Owners and operators of U.S. purse seine and longline vessels operating in the EPO are familiar with this resolution because it is almost identical to the resolution in place for the past three years that was implemented through notice and comment rulemaking. In addition, many of the affected individuals attended the 91st Extraordinary Meeting of the IATTC in February where the resolution was adopted. Industry representatives were also consulted in advance of the February meeting through a U.S. Delegation call and were involved in briefings and discussions with the U.S. Department of State and NOAA officials on the periphery of the February IATTC meeting. As soon as the rule is published, NMFS will send a notice of this rule to owners of vessels that are affected by this rule.

Ensuring conservation of tropical tuna stocks in the EPO, and remaining in compliance with binding international obligations of the United States, by expedient domestic implementation of Resolution C–17–01 through issuing this final rule now rather than risking violation of our obligations or the health of tuna stocks is in the public's interest and further supports the good cause for waiving the requirement to publish a notice of proposed rulemaking for public comment. The IATTC will meet again in July 2017 to discuss tropical tuna measures for 2018 and beyond. NMFS intends to implement any resolution adopted in July through the typical procedure of proposed and final rulemaking.

The Regulatory Flexibility Act (RFA), 5 U.S.C. 605(b), requires a Regulatory Flexibility Analysis only for rules promulgated through notice and comment rulemaking under Section 553(b) of the Administrative Procedure Act or any other law. Because there is good cause to waive notice and comment for this final rule, an RFA Analysis was not prepared for this rule.

List of Subjects in 50 CFR Part 300

Administrative practice and procedure, Fish, Fisheries, Fishing, Marine resources, Reporting and recordkeeping requirements, Treaties.

Dated: April 6, 2017.

Alan D. Risenhoover,

Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 300 is amended as follows:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart C—Eastern Pacific Tuna Fisheries

■ 1. The authority citation for part 300, subpart C, continues to read as follows:

Authority: 16 U.S.C. 951 *et seq.*

■ 2. Revise § 300.20 to read as follows:

§ 300.20 Purpose and scope.

The regulations in this subpart are issued under the authority of the Tuna Conventions Act of 1950, as amended, (Act) and apply to persons and vessels subject to the jurisdiction of the United States. The regulations implement recommendations and other decisions of the Inter-American Tropical Tuna Commission (IATTC) for the conservation and management of stocks of tunas and tuna-like species and other species of fish taken by vessels fishing for tunas and tuna-like species in the IATTC Convention Area. The Secretary of Commerce, in consultation with the Secretary of State and, with respect to enforcement measures, the U.S. Coast Guard, may promulgate such regulations as may be necessary to carry out the U.S. international obligations under the Convention for the Establishment of an Inter-American Tropical Tuna Commission (Convention), the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica (Antigua Convention), and the Act, including recommendations and other decisions adopted by the IATTC.

■ 3. In § 300.21, remove the definition for ''Bigeye tuna'', and add definitions for ''Dolphin set'' and ''Floating object set'' and ''Tropical tuna'' in alphabetical order to read as follows:

§ 300.21 Definitions.

* * * * *

Dolphin set means a purse seine set where a class size 6 U.S. purse seine vessel (greater than 363 metric tons carrying capacity) deploys a net on, or encircles, dolphins to catch yellowfin tuna.

* * * * *

Floating object set means a purse seine set in which purse seine gear is deployed to encircle a floating object.

* * * * *

Tropical tuna means any of the following species:

Common name	Scientific name
Bigeye tuna	*Thunnus obesus.*
Skipjack tuna	*Katsuwonus pelamis.*
Yellowfin tuna	*Thunnus albacares.*

* * * * *

■ 4. In § 300.24, remove and reserve paragraph (b), revise paragraphs (k) through (s), and add paragraph (ii) to read as follows:

§ 300.24 Prohibitions.

* * * * *

(b) [Reserved]

* * * * *

(k) Use a U.S. fishing vessel over 24 meters in length to retain on board, transship, or land bigeye tuna caught by longline gear in the Convention Area or to fish in contravention of § 300.25(a)(4)(i) or (ii).

(l) Use a U.S. fishing vessel over 24 meters in overall length to fish with longline gear in the Pacific Ocean both inside and outside the Convention Area on the same fishing trip in contravention of § 300.25(a)(4)(iii).

(m) Fail to stow gear as required in § 300.25(a)(4)(iv) or (e)(7).

(n) Use a fishing vessel of class size 4–6 to fish with purse seine gear in the Convention Area in contravention of § 300.25(e)(1), (e)(2), or (e)(5) or (e)(6).

(o) Use a U.S. longline or purse seine fishing vessel used to fish for HMS within one nautical mile of an anchored data buoy while the fishing vessel is in the Convention Area in contravention of § 300.25(f)(1).

(p) Use a U.S. fishing vessel used for fishing for HMS, or any gear, equipment, or watercraft deployed by such a fishing vessel, to interact with a data buoy in the Convention Area in contravention of § 300.25(f)(2).

(q) Remove from the water a data buoy and place it on board or tow a data buoy with a U.S. fishing vessel used for fishing for HMS while the vessel is in the Convention Area without authorization by the owner of the data buoy or the owner's authorized representative in contravention of § 300.25(f)(3).

(r) In the event of an entanglement of a data buoy with a U.S. fishing vessel, or its fishing gear, equipment, or associated watercraft, used for fishing for HMS in the Convention Area, fail to promptly remove the data buoy with as little damage to the data buoy and its mooring and anchor lines as possible, in contravention of § 300.25(f)(4).

(s) Fail to take all reasonable measures to avoid fishing gear entanglement or interaction with drifting data buoys in contravention of § 300.25(f)(5).

* * * * *

(ii) Use a U.S. purse seine fishing vessel of the applicable class size to make a set on either floating objects or dolphins in the IATTC Convention Area after a closure for either of these set types is announced by the Regional Administrator, in contravention of § 300.25(d).

■ 5. In § 300.25, revise the section heading and revise paragraphs (a) through (e) to read as follows:

§ 300.25 Fisheries management.

(a) *Longline tuna catch limits.* (1) Fishing seasons for all tuna species begin on January 1 and end either on December 31 or when NMFS closes the fishery for a specific species.

(2) For the calendar year 2017, there is a limit of 500 metric tons of bigeye tuna that may be caught by longline gear in the Convention Area by U.S. commercial fishing vessels that are over 24 meters in overall length.

(3) NMFS will project a date the limit of bigeye tuna established under paragraph (a)(2) of this section will be reached (*i.e.,* a closure date) by monitoring longline landings, data submitted in logbooks, and other available information. NMFS will publish a notice in the **Federal Register** at least 7 calendar days in advance of that projected closure date announcing that the limit has been reached. The **Federal Register** notice will specify that the restrictions described in paragraph (a)(4) of this section will be in effect through the end of the calendar year.

(4) Once the closure date is announced, pursuant to paragraph (a)(3) of this section the following restrictions will apply during the period specified in the announcement:

(i) A fishing vessel of the United States over 24 meters in overall length may not be used to retain on board, transship, or land bigeye tuna captured by longline gear in the Convention Area, except as follows:

(A) Any bigeye tuna already on board a U.S. fishing vessel upon the effective closure date may be retained on board, transshipped, and/or landed, to the extent authorized by applicable laws and regulations, provided that the bigeye tuna is landed within 14 days after the effective closure date.

(B) The 14-day limit is waived in the case of a U.S. fishing vessel that has already declared to NMFS, pursuant to § 665.803(a) of this title, that the current trip type is shallow-setting. However, the number of bigeye tuna retained on board, transshipped, or landed must not exceed the number on board the vessel upon the effective closure date, as recorded by the NMFS observer on board the vessel.

(ii) Bigeye tuna caught by a vessel of the United States over 24 meters in overall length and using longline gear in the Convention Area may not be transshipped to a fishing vessel unless that fishing vessel is operated in compliance with a valid permit issued under § 660.707 or § 665.801 of this title.

(iii) A fishing vessel of the United States over 24 meters in overall length may not be used to fish in the Pacific Ocean using longline gear both inside and outside the Convention Area during the same fishing trip. The only exceptions are: a fishing trip during which the closure date was announced under paragraph (a)(3) of this section, and a trip for which a declaration has been made to NMFS, pursuant to § 665.803(a) of this title, that the current trip is shallow-setting.

(iv) If a fishing vessel of the United States over 24 meters in overall length is used to fish in the Pacific Ocean using longline gear outside the Convention Area and the vessel enters the Convention Area at any time during an effective closure period on the same fishing trip, the longline gear on the fishing vessel must be stowed in a manner so as not to be readily available for fishing. Specifically, the hooks, branch or dropper lines, and floats used to buoy the mainline must be stowed and not available for immediate use, and any power-operated mainline hauler on deck must be covered in such a manner that it is not readily available for use. This provision does not apply to trips in which vessels have made a declaration to NMFS, pursuant to § 665.803(a) of this title, that the trip type is shallow-setting.

(b) *Use of tender vessels.* No person subject to these regulations may use a tender vessel in the Convention Area.

(c) *Transshipments at sea.* No person subject to these regulations may transship purse seine-caught tuna from one vessel to another vessel at sea within the Convention Area.

(d) *Purse seine tuna catch limits.* (1) Fishing seasons for all tuna species begin on January 1 and end either on December 31 or when NMFS closes the fishery for either a specific species or set-type or both.

(2) For the calendar year 2017, the following total allowable catch limits for the combined catch of bigeye and yellowfin tuna, shall apply in the IATTC Convention Area:

(i) For purse seine vessels of all nations that are class size 4–6 (more than 182 metric tons carrying capacity), the total allowable catch is 97,711 metric tons for floating object sets.

(ii) For purse seine vessels of all nations that are class size 6, the total allowable catch is 162,182 metric tons for dolphin sets.

(3) NMFS will project a closure date for floating object sets and for dolphin sets using data provided by the IATTC. NMFS will publish a notice in the **Federal Register** announcing the closures for these set types at least 7 calendar days in advance of the projected closure dates.

(4) Once the closure date for floating object sets is effective, pursuant to paragraph (d)(3) of this section, U.S. purse seine vessels of class size 4–6 will be prohibited from making a floating object set in the Convention Area until the end of the 2017 calendar year. Once the closure date for dolphin sets is effective, pursuant to paragraph (d)(3) of this section, U.S. purse seine vessels of class size 6 will be prohibited from making a dolphin set in the Convention Area until the end of the 2017 calendar year.

(e) *Purse seine closures.* (1) A commercial purse seine fishing vessel of the United States that is of class size 4–6 (more than 182 metric tons carrying capacity) may not be used to fish with purse seine gear in the Convention Area for 62 days during one of the following two periods:

(i) From 0000 hours Coordinated Universal Time (UTC) July 29, 2017, to 2400 hours UTC September 28, 2017, or

(ii) From 0000 hours UTC November 18, 2017, to 2400 hours UTC January 18, 2018.

(2) A vessel owner, manager, or association representative of a vessel that is subject to the requirements of paragraph (e)(1) of this section must, in 2017, provide written notification to the Regional Administrator declaring to which one of the two closure periods identified in paragraph (e)(1) of this section his or her vessel will adhere in that year. This written notification must be submitted by fax at (562) 980–4047 or email at *RegionalAdministrator.WCRHMS@noaa.gov* and must be received no later than July 1 2017. The written notification must include the vessel name and registration number, the closure dates that will be adhered to by that vessel, and the vessel owner or managing owner's name, signature, business address, and business telephone number.

(3) If written notification is not submitted per paragraph (e)(2) of this section for a vessel subject to the requirements under paragraph (e)(1) of this section, that vessel must adhere to the closure period under paragraph (e)(1)(ii) of this section.

(4) *Request for exemption due to force majeure.* A request for exemption due to force majeure must be made to the Sustainable Fisheries Division by fax at (562) 980–4047 or emailed to *RegionalAdministrator.WCRHMS@noaa.gov.* The request must include the name and official number of the vessel, vessel owner or manager's name and signature, and evidence to support the request, which may include but is not limited to photographs, repair bills, certificates of departure from port, and in the case of a marine casualty, a completed copy of the U.S. Coast Guard Form CG–2692A (See 46 CFR 4.05–10).

(i) If accepted by the Sustainable Fisheries Division, the request for exemption due to force majeure will be forwarded to the IATTC Director. If declined by the Sustainable Fisheries Division, within 10 days of the date of that rejection, the applicant may give additional information or documentation to the Regional Administrator with a request that the initial decision be reconsidered by fax at (562) 980–4047 or email to *RegionalAdministrator.WCRHMS@noaa.gov;* the Regional Administrator shall respond within 14 business days.

(ii) If the request for an exemption due to force majeure is accepted by the IATTC, the vessel must observe a closure period of 30 consecutive days in the same year during which the force majeure event occurred, in one of the two closure periods described in paragraph (e)(1) of this section.

(5) A vessel of class size 4 (182 to 272 metric tons carrying capacity) may make one fishing trip of up to 30 days duration during the specified closure period in paragraph (e)(1) of this section, provided that the vessel carries an observer authorized pursuant to the Agreement on the International Dolphin Conservation Program during the entire fishing trip.

(6) A fishing vessel of the United States of class size 4–6 (more than 182 metric tons carrying capacity) may not be used from 0000 hours on September 29 to 2400 hours on October 29 in 2017 to fish with purse seine gear within the area bounded at the east and west by 96° and 110° W. longitude and bounded at the north and south by 4° N. and 3° S. latitude.

(7) At all times while a vessel is in a time/area closed period established under paragraphs (e)(1) or (e)(6) of this section, unless fishing under exceptions established under paragraphs (e)(4) or (e)(5) of this section, the fishing gear of the vessel must be stowed in a manner as not to be readily available for fishing. In particular, the boom must be lowered as far as possible so that the vessel

cannot be used for fishing, but so that the skiff is accessible for use in emergency situations; the helicopter, if any, must be tied down; and launches must be secured.

* * * * *

[FR Doc. 2017–07251 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 160426363–7275–02]

RIN 0648–BG03

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Amendment 26

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

ACTION: Final rule.

SUMMARY: NMFS issues regulations to implement management measures described in Amendment 26 to the Fishery Management Plan for the Coastal Migratory Pelagics Fishery of the Gulf of Mexico and Atlantic Region (FMP) as prepared and submitted jointly by the Gulf of Mexico Fishery Management Council (Gulf Council) and South Atlantic Fishery Management Council (South Atlantic Council). Amendment 26 and this final rule adjust the management boundary for the Gulf of Mexico (Gulf) and Atlantic migratory groups of king mackerel; revise acceptable biological catch (ABC), commercial and recreational annual catch limits (ACLs), commercial quotas and recreational annual catch targets (ACTs) for Atlantic migratory group king mackerel; allow limited retention and sale of Atlantic migratory group king mackerel incidentally caught in the shark gillnet fishery; establish a commercial split season for Atlantic migratory group king mackerel in the Atlantic southern zone; establish a commercial trip limit system for Atlantic migratory group king mackerel in the Atlantic southern zone; revise the commercial and recreational ACLs for Gulf migratory group king mackerel; revise commercial zone quotas for Gulf migratory group king mackerel; and modify the recreational bag limit for Gulf migratory group king mackerel. The purpose of Amendment 26 and this final rule is to ensure that king mackerel management is based on the best scientific information available, while increasing the social and economic benefits of the fishery.

DATES: This final rule is effective May 11, 2017.

ADDRESSES: Electronic copies of Amendment 26 may be obtained from the Southeast Regional Office Web site at *http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/2016/am%2026/index.html*. Amendment 26 includes an environmental assessment, a Regulatory Flexibility Act (RFA) analysis, and a regulatory impact review.

FOR FURTHER INFORMATION CONTACT: Karla Gore, Southeast Regional Office, NMFS, telephone: 727–824–5305, or email: *karla.gore@noaa.gov*.

SUPPLEMENTARY INFORMATION: The coastal migratory pelagic fishery of the Gulf and Atlantic Regions is managed under the FMP and includes the management of the Gulf and Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia. The FMP was prepared jointly by the Gulf and South Atlantic Councils (Councils) and is implemented through regulations at 50 CFR part 622 under authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On December 14, 2016, NMFS published a notice of availability for Amendment 26 and requested public comment (81 FR 90314). On December 29, 2016, NMFS published a proposed rule for Amendment 26 and requested public comment (81 FR 95941). The proposed rule and Amendment 26 outline the rationale for the actions contained in this final rule. A summary of the management measures described in Amendment 26 and implemented by this final rule is provided below.

Management Measures Contained in This Final Rule

This final rule to implement Amendment 26 adjusts the management boundary of the Gulf and Atlantic migratory groups of king mackerel; revises management reference points, the commercial and recreational ACLs, commercial quotas and recreational ACTs for Atlantic migratory group king mackerel; allows limited retention and sale of incidental catch of Atlantic migratory group king mackerel in the shark gillnet fishery; establishes a commercial split season for Atlantic migratory group king mackerel in the Atlantic southern zone; establishes a commercial trip limit system for Atlantic migratory group king mackerel in the Atlantic southern zone; revises commercial and recreational ACLs for Gulf migratory group king mackerel; revises commercial zone quotas for Gulf migratory group king mackerel; and modifies the recreational bag limit for Gulf migratory group king mackerel.

Management Boundary and Zone Descriptions for the Gulf and Atlantic Migratory Groups of King Mackerel

Currently, management boundaries change seasonally for the Gulf and Atlantic migratory groups of king mackerel based on the historical understanding that the two migratory groups mixed seasonally off the east coast of Florida and in Monroe County, FL. However, in 2014, the Southeast Data, Assessment, and Review (SEDAR) 38 stock assessment (SEDAR 38) determined that the mixing zone between the two migratory groups now exists only in the portion of the Exclusive Economic Zone (EEZ) off Monroe County, Florida, south of the Florida Keys. This final rule sets a single year-round regulatory boundary (Gulf/Atlantic group boundary) separating management of the two migratory groups of king mackerel, based on the genetic analysis used in SEDAR 38. This new year-round Gulf/Atlantic group boundary is set at a line extending east from the Miami-Dade/Monroe County, FL, boundary, to better represent the area where the two migratory groups primarily exist. The newly defined mixing zone off the Florida Keys is included in the Gulf migratory group and will be managed by the Gulf Council.

This final rule renames the Gulf migratory group's current eastern zone-northern subzone and eastern zone-southern subzone as the northern zone and southern zone, respectively. The southern zone includes the new mixing zone, extending east to the new Gulf/Atlantic group boundary. The name and dimensions of the Gulf migratory group's western zone remain the same. The Atlantic migratory group's northern zone also remains unchanged. This final rule shifts the southern boundary of the Atlantic migratory group's southern zone to the new Gulf/Atlantic group boundary. Due to this shift, the current Florida east coast subzone will no longer exist. Instead, that area will be included in the Atlantic migratory group's southern zone year-round.

NMFS notes that the final rule for Amendment 26 will be effective after the end of the fishing year for Atlantic migratory group king mackerel. As described in Amendment 26 and the proposed rule, landings from the Florida east coast subzone for the 2016/17

fishing year will be attributed to the Atlantic southern zone quota. Therefore, any landings from the Florida east coast subzone between November 1, 2016, and March 31, 2017, will count against the Atlantic southern zone king mackerel commercial 2016/17 quota.

This rule does not change the current Federal fishing permitting requirements for fishing for king mackerel in Gulf and Atlantic Federal waters.

Atlantic Migratory Group King Mackerel ACLs, Commercial Quotas and Recreational ACTs

This final rule revises the overfishing limits and ABCs for Atlantic migratory group king mackerel based on SEDAR 38 and the South Atlantic Council's Scientific and Statistical Committee (SSC) recommended ABCs based on a high recruitment scenario. The Atlantic migratory group ABC will gradually decrease from 17.4 million lb (7.89 million kg) in the 2016–2017 fishing year to 12.7 million lb (5.76 million kg) in the 2019–2020 fishing year.

Amendment 26 and this final rule also set the Atlantic migratory group stock ACL equal to optimum yield (OY) and the new ABC. The Atlantic migratory group's sector allocation (37.1 percent of the ACL to the commercial sector and 62.9 percent of the ACL to the recreational sector) will not change. This final rule revises the commercial ACLs for the Atlantic migratory group to be 6.5 million lb (2.9 million kg) for the 2016–2017 fishing year, 5.9 million lb (2.7 million kg) for the 2017–2018 fishing year, 5.2 million lb (2.4 million kg) for the 2018–2019 fishing year, and 4.7 million lb (2.1 million kg) for the 2019–2020 fishing year and subsequent fishing years. This final rule revises the recreational ACLs for the Atlantic migratory group to be 10.9 million lb (4.9 million kg) for the 2016–2017 fishing year, 9.9 million lb (4.5 million kg) for the 2017–2018 fishing year, 8.9 million lb (4.0 million kg) for the 2018–2019 fishing year, and 8.0 million lb (3.6 million kg) for the 2019–2020 fishing year and subsequent fishing years. The recreational sector ACTs for the Atlantic migratory group are set at 10.1 million lb (4.6 million kg) for the 2016–2017 fishing year, 9.2 million lb (4.2 million kg) for the 2017–2018 fishing year, 8.3 million lb (3.8 million kg) for the 2018–2019 fishing year, and 7.4 million lb (3.4 million kg) for the 2019–2020 fishing year and subsequent fishing years.

The commercial ACLs for Atlantic migratory group king mackerel are divided each fishing year between the northern zone (23.04 percent) and southern zone (76.96 percent) into their respective commercial quotas. The commercial quotas for the Atlantic northern zone are 1,497,600 lb (679,300 kg) for the 2016–17 fishing year, 1,359,360 lb (616,595 kg) for the 2017–2018 fishing year, 1,198,080 lb (543,440 kg) for the 2018–2019 fishing year, and 1,082,880 lb (491,186 kg) for the 2019–2020 fishing year and subsequent years. The commercial quotas for the Atlantic southern zone are 5,002,400 lb (2,269,050 kg) for the 2016–2017 fishing year, 4,540,640 lb (2,059,600 kg) for the 2017–2018 fishing year, 4,001,920 lb (1,815,240 kg) for the 2018–2019 fishing year, and 3,617,120 lb (1,640,698 kg) for the 2019–2020 fishing year and subsequent fishing years.

Incidental Catch of Atlantic Migratory Group King Mackerel Caught in the Shark Gillnet Fishery

Amendment 20A to the FMP prohibited recreational bag limit sales of king mackerel by commercially permitted king mackerel fishermen in South Atlantic Council jurisdictional waters, which included king mackerel incidentally caught on directed commercial shark trips (79 FR 34246, June 16, 2014). Through this final rule, a vessel in the Atlantic exclusive economic zone (EEZ) that is engaged in directed shark fishing with gillnets that has both a valid Federal shark directed commercial permit and a valid Federal king mackerel commercial permit will be allowed to retain a limited number of king mackerel. In the Atlantic northern zone, no more than three king mackerel per crew member may be retained or sold per trip. In the Atlantic southern zone, no more than two king mackerel per crew member may be retained or sold per trip. These incidentally caught king mackerel may be retained or sold only to a dealer with a valid Federal Gulf and South Atlantic dealer permit.

The incidental catch allowance does not apply to commercial shark trips that are using an authorized gillnet for Atlantic migratory group king mackerel north of 34°37.3′ N. lat, the latitude of Cape Lookout Light, NC, where the commercial trip limit of 3,500 lb (1,588 kg) applies. No type of gillnet is an allowable gear for Atlantic migratory group king mackerel south of Cape Lookout Light.

Commercial Split Seasons for Atlantic Migratory Group King Mackerel in Atlantic Southern Zone

Currently, the commercial fishing year for Atlantic migratory group king mackerel is March 1 through the end of February, and the commercial ACLs for the Atlantic northern zone and southern zone are allocated for the entire fishing year. This final rule divides the annual Atlantic migratory group commercial quota for the Atlantic southern zone into two commercial seasons. The Atlantic northern zone quota will not be split. This final rule allocates 60 percent of the Atlantic southern zone commercial quota to the first season of March 1 through September 30, and 40 percent to the second of October 1 through the end of February. This commercial split season for the Atlantic southern zone quota is intended to ensure that a portion of the southern zone's quota is available in later months of the fishing year, which will allow for increased fishing opportunities in that area during more of the fishing year.

The seasonal commercial quotas for the first season of March 1 through September 30, in the southern zone are: 3,001,440 lb (1,361,430 kg) for the 2016–2017 fishing year, 2,724,384 lb (1,235,760 kg) for the 2017–2018 fishing year, 2,401,152 lb (1,089,144 kg) for the 2018–2019 fishing year, and 2,170,272 lb (984,419 kg) for the 2019–2020 fishing year and subsequent fishing years. The seasonal commercial quotas for the second season of October 1 through the end of February in the southern zone are: 2,000,960 lb (907,620 kg) for the 2016–2017 fishing year, 1,816,256 lb (823,840 kg) for the 2017–2018 fishing year, 1,600,768 lb (726,096 kg) for the 2018–2019 fishing year, and 1,446,848 lb (656,279 kg) for the 2019–2020 fishing year and subsequent years.

Commercial Trip Limit System for the Atlantic Migratory Group of King Mackerel in the Atlantic Southern Zone

This final rule revises the commercial trip limits for Atlantic migratory group king mackerel in the Atlantic southern zone, based on the revised management boundary and split commercial season. During the first commercial season (March 1 through September 30), in the area between the Flagler/Volusia County, FL, boundary (29°25′ N. lat.), and the Miami-Dade/Monroe County, FL, boundary (25°20.24″ N. lat.), the trip limit will be 50 fish during March. From April 1 through September 30, the trip limit will be 75 fish, unless NMFS determines that 75 percent or more of the Atlantic southern zone quota for the first season has been landed, then the trip limit will be 50 fish. During the second commercial season (October 1 through the end of February), the trip limit will be 50 fish for the area between the Flagler/Volusia County, FL, boundary, and the the Miami-Dade/Monroe County, FL, boundary from October 1 through January 31. During the month of February, the trip limit will remain 50 fish, unless NMFS determines that less than 70 percent of

the commercial quota for the southern zone's second season has been landed, then the trip limit will be 75 fish.

This final rule does not revise the 3,500 lb (1,588 kg) year-round trip limit for Atlantic migratory group king mackerel north of the Flagler/Volusia County, FL, boundary.

Gulf Migratory Group King Mackerel ACLs

The current ABC and total ACL for Gulf migratory group king mackerel is 10.8 million lb (4.89 million kg). This final rule revises the total ACLs for the Gulf migratory group of king mackerel to be equal to the ABCs recommended by the Gulf Council's SSC: 9.21 million lb (4.18 million kg) for the 2016–2017 fishing year, 8.88 million lb (4.03 million kg) for the 2017–2018 fishing year, 8.71 million lb (3.95 million kg) for the 2018–2019 fishing year, and 8.55 million lb (3.88 million kg) for the 2019–2020 fishing year.

This final rule does not revise the current recreational and commercial allocations of Gulf migratory group king mackerel (68 percent of the total ACL to the recreational sector and 32 percent to the commercial sector). Based on the existing allocations, and the revisions to the total ACLs for Gulf migratory group king mackerel in this final rule, the commercial ACLs for Gulf migratory group king mackerel are: 2.95 million lb (1.34 million kg) for the 2016–2017 fishing year, 2.84 million lb (1.29 million kg) for the 2017–2018 fishing year, 2.79 million lb (1.27 million kg) for the 2018–2019 fishing year, and 2.74 million lb (1.24 million kg) for the 2019–2020 fishing year and subsequent fishing years.

These Gulf migratory group commercial ACLs are further divided into gear-specific commercial ACLs, for hook-and-line gear, and for vessels fishing with run-around gillnet gear, which is only an authorized gear in the southern zone. The hook-and-line component commercial ACLs (which applies to the entire Gulf) are: 2,330,500 lb (1,057,097 kg) for the 2016–2017 fishing year, 2,243,600 lb (1,017,680 kg) for the 2017–2018 fishing year, 2,204,100 lb (999,763 kg) for the 2018–2019 fishing year, and 2,164,600 lb (981,846 kg) for the 2019–2020 fishing year and subsequent years. The run-around gillnet component commercial ACLs (which applies to the Gulf southern zone) are: 619,500 lb (281,000 kg) for the 2016–2017 fishing year, 596,400 lb (270,522 kg) for the 2017–2018 fishing year, 585,900 lb (265,760 kg) for the 2018–2019 fishing year, and 575,400 lb (260,997 kg) for the 2019–2020 fishing year and subsequent fishing years.

The recreational ACLs for Gulf migratory group king mackerel are: 6.26 million lb (2.84 million kg) for the 2016–2017 fishing year, 6.04 million lb (2.74 million kg) for the 2017–2018 fishing year, 5.92 million lb (2.69 million kg) for the 2018–2019 fishing year, and 5.81 million lb (2.64 million kg) for the 2019–2020 fishing year and subsequent fishing years.

Commercial Zone Quotas for Gulf Migratory Group King Mackerel

Amendment 26 and this final rule also revise the Gulf migratory group commercial zone quotas, because of the changes to the Councils' regulatory management boundary and resultant zone revisions. The current allocation of the commercial zone quota for Gulf migratory group king mackerel by zones is 31 percent in the western zone, 5.17 percent in the northern zone, 15.96 percent for the southern zone using hook-and-line gear, 15.96 percent for the southern zone using gillnet gear, and 31.91 percent for the Florida east coast subzone. However, under this final rule, the Florida east coast subzone will no longer exist. The quota associated with the Florida east coast subzone is re-allocated to the remaining zones. The revised allocation of commercial zone quotas for Gulf migratory group king mackerel is: 40 percent in the western zone, 18 percent in the northern zone, 21 percent for the southern zone using hook-and-line gear, and 21 percent for the southern zone using gillnet gear.

The commercial quotas for the Gulf western zone are: 1,180,000 lb (535,239 kg) for the 2016–2017 fishing year, 1,136,000 lb (515,281 kg) for the 2017–2018 fishing year, 1,116,000 lb (506,209 kg) for the 2018–2019 fishing year, and 1,096,000 lb (497,137 kg) for the 2019–2020 fishing year and subsequent fishing years.

The commercial quotas for the Gulf northern zone are: 531,000 lb (240,858 kg) for the 2016–2017 fishing year, 511,200 lb (231,876 kg) for the 2017–2018 fishing year, 502,200 lb (227,794 kg) for the 2018–2019 fishing year, and 493,200 lb (223,712 kg) for the 2019–2020 fishing year and subsequent fishing years.

The commercial hook-and-line and commercial run-around gillnet component quotas in the southern zone are equal for each fishing year: 619,500 lb (281,000 kg) for the 2016–2017 fishing year, 596,400 lb (270,522 kg) for the 2017–2018 fishing year, 585,900 lb (265,760 kg) for the 2018–2019 fishing year, and 575,400 lb (260,997 kg) for the 2019–2020 fishing year and subsequent fishing years.

Recreational Bag Limit for Gulf Migratory Group of King Mackerel

This final rule will increase the recreational bag limit for Gulf migratory group king mackerel from 2 fish per person per trip to 3 fish per person per trip. In Amendment 26, the Councils considered, but rejected, the possibility of reallocating from the recreational ACL to the commercial ACL. The Councils instead decided to increase the recreational bag limit for Gulf migratory group king mackerel, as this increased recreational bag limit will allow more opportunities for recreational anglers to harvest the recreational sector's ACL.

Comments and Responses

A total of 28 comment submissions were received on the proposed rule and Amendment 26 from both commercial and recreational fishers, industry groups, the Councils, and one Federal agency. Of the comments received, 20 comment submissions expressed general support for the actions within Amendment 26. Several comments raised issues outside the scope of Amendment 26 and the proposed rule, including requests for a shark gillnet bycatch allowance for species not in the FMP, a change to the king mackerel minimum size limit, and a prohibition on gillnets. Because those comments are outside of the scope of the actions considered in Amendment 26 and the proposed rule, NMFS is not providing responses in this final rule. NMFS identified six specific comments related to Amendment 26 and its proposed rule. These six specific comments and NMFS' respective responses are summarized below.

Comment 1: NMFS should expedite implementation of the final rule for Amendment 26 by waiving the 30-day delay in effectiveness for the regulations in this final rule. Implementation of these regulations will provide economic and social benefits to commercial and recreational fishermen and associated businesses and communities across the South Atlantic, Mid-Atlantic, and Gulf by increasing the king mackerel quotas. In addition, the regulations will align management for this species with the best scientific information available.

Response: The Administrative Procedure Act (APA) sets forth specific provisions governing Federal agency rulemaking. As described in 5 U.S.C. 553(d), the APA requires the publication of a rule not less than 30 days prior to its effective date, except where certain conditions are met. Waiver of the requirement for this 30-day delay in effectiveness (cooling off period), may only be granted where (1) a the substantive rule grants or recognize a exemption or relieves a restriction, (2) the rule is an interpretative rule or statement of policy, or (3) the Agency find good cause for waiver of the cooling off period.

For this final rule, NMFS considered waiving the 30-day cooling off period for the entire final rule or for actions within the amendment and determined that waiver is not appropriate. While certain actions within Amendment 26, such as the revisions to the Gulf and Atlantic migratory group ACLs and quotas, relieve a restriction, this final rule contains many actions that are interconnected, including actions that do not clearly relieve a restriction. The revised quotas are directly related to the revised management boundary and associated changes to the zone system for the Gulf and the Atlantic migratory groups of king mackerel. Implementation of the revised management zones is tied to other management actions within this final rule and Amendment 26, such as commercial trip limits, which impose a restriction and would not qualify for a waiver under the APA. Because the revised quotas directly relate to the revised management boundary and the associated changes to the zone system for Gulf and Atlantic migratory groups of king mackerel, NMFS determined that it would be impractible to waive the cooling off period for this final rule, as requested by the Councils. The measures in this final rule will be effective 30 days after publication in the **Federal Register**.

Comment 2: The proposed action to establish a year-round management boundary at the Miami-Dade/Monroe county line will negatively impact the Florida Keys hook-and-line king mackerel fishermen that depend on the season opening under the Atlantic migratory group commercial quota on April 1. This April 1 season opening has historically been crucial to the financial viability of king mackerel fishing in the Florida Keys.

Response: The year-round boundary at the Miami-Dade/Monroe county line established through this final rule will eliminate the seasonal boundary shift currently in place. Under this final rule, fishermen in Federal waters off of the Florida Keys will fish under the Gulf migratory group commercial quota for the entire fishing year. Currently, vessels fishing in Federal waters off of the Florida Keys fish under the commercial quota for Gulf migratory group king mackerel during November 1 through March 31 and under the commercial quota for the Atlantic migratory group during April 1 through March 31. The proposed change in the regulatory boundary line for the Gulf and Atlantic migratory groups of king mackerel will not change the trip limit for this area, but vessels will no longer have the opportunity to continue fishing for king mackerel in Federal waters off the Florida Keys once the Gulf migratory group king mackerel quota for hook-and-line vessels in the Gulf southern zone has been reached.

The boundary change may result in adverse impacts on hook-and-line vessels in Federal waters off the Florida Keys. However, those adverse impacts should be mitigated by the action to divide and allocate the commercial ACL from the Florida east coast subzone to the remaining Gulf commercial zone components, including increasing the Gulf southern zone hook-and-line vessels allocation from approximately 16 percent of the Gulf migratory group commercial ACL to 21 percent. NMFS concludes that any adverse impacts on Florida Keys fishermen will likely not be significant, although the effects will vary across all affected vessels.

Comment 3: The proposed action to establish a year-round boundary at the Miami-Dade/Monroe county line for the Gulf and Atlantic migratory groups of king mackerel does not include discussion of how climate change may impact this mixing zone. As the habitat conditions change, the boundary may not be as effective as envisioned. The location of this boundary should be re-evaluated every 3 years to see if changes in the ecosystem warrant modification.

Response: During the 2014 stock assessment (SEDAR 38), the impact of climate change on the distribution of king mackerel was considered as part of the determination of the mixing zone boundaries. New assessments are conducted for a stock approximately every 5 years, and any new information about the extent of the mixing zone will be evaluated at that time.

Comment 4: It is confusing to set catch limits in pounds of fish in one area and in numbers of fish in another area.

Response: The catch limits for the Gulf and Atlantic migratory group king mackerel fisheries are established by the respective Councils and their SSCs. Each Council determines how it wants to express catch limits, whether in pounds or by numbers of fish, after receiving input from fishermen. Most commercial trip limits are expressed in pounds of fish, but the South Atlantic Council's Cobia Mackerel Advisory Panel recommended that the trip limit for the Atlantic southern zone be described in numbers of fish. The Councils preferred to have this trip limit set in numbers of fish, rather than pounds of fish, because they believed that it would help with compliance and enforcement. Numbers of fish will be converted to landings in pounds of fish by multiplying by the average weight of the fish to track landings against the Atlantic southern zone commercial ACL, which is expressed in pounds of fish. In determining this conversion factor, NMFS uses data from commercial trip intercepts where the length and weight of the fish harvested on a trip are recorded. As described in Amendment 26, the most recent available data indicated that average king mackerel weight was 8.48 lb (3.85 kg), round weight.

Comment 5: The Atlantic migratory group commercial trip limit south of the Flagler/Volusia, FL, county line from March 1 through March 31, should be 75 fish rather than 50 fish as proposed in the Amendment 26. The commercial trip limit should remain at 75 fish for the months of March through September, because there is no scientific justification to reduce this to 50 fish.

Response: In Amendment 26, the Councils considered a range of alternative commercial trip limits, including an alternative which would have established a trip limit of 75 fish year-round for this area. However, the Councils selected a preferred alternative which will implement a 50-fish trip limit in the Atlantic southern zone from March 1 through March 31, and then increase the trip limit to 75 fish from April 1 through the the end of September. This alternative also includes a preferred option, which will impose the reduced trip limit of 50 fish from April through September if 75 percent of the applicable commercial quota is met at any time during the March through September fishing season. The Councils selected the 50-fish commercial trip limit during March due to their concern that a large proportion of the commercial quota during the March through September fishing season could be landed in the first month (March), resulting in an earlier closure for that season. The 50-fish commercial trip limit is intended to constrain harvest during March, when the fishery may be particularly

productive, to help ensure that commercial quota is available for a longer period during the March through September fishing season. In Amendment 26, the Councils explained that these commercial trip limits, in conjuction with the other recommended management measures, are intended to provide the longest continued access to king mackerel by commercial fishermen within the split season structure. Amendment 26 is based on the best available scientific information.

Comment 6: Allowing federally permitted shark fishermen a bycatch limit of 2 or 3 king mackerel that may be sold will provide shark fishermen an unfair economic advantage over other persons, especially fishermen that target snapper-grouper, wahoo, and Spanish mackerel.

Response: The bycatch allowance being implemented for shark fishermen applies to Atlantic migratory group king mackerel incidentally caught by fishermen engaged in directed shark fishing with gillnets. The bycatch allowance may be retained and sold only if the fishermen have both valid Federal shark and king mackerel permits. Except in the area north of Cape Lookout Light, NC, gillnets are not an allowable gear for harvesting Atlantic migratory group king mackerel. The bycatch allowance will allow shark fishermen to generate revenues from their incidental take of king mackerel that would otherwise be discarded. Fishermen engaged in directed fishing for snapper-grouper, wahoo, or Spanish mackerel generally use gear types other than gillnets, so their directed or incidental catches of king mackerel (subject to applicable quota and trip limit) may be sold so long as they possess a valid Federal king mackerel permit.

Classification

The Regional Administrator, Southeast Region, NMFS, has determined that this final rule is consistent with Amendment 26, the Magnuson-Stevens Act, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

In compliance with section 604 of the RFA, NMFS prepared a final regulatory flexibility analysis (FRFA) for this final rule. The FRFA incorporates the Initial Regulatory Flexibility Analysis (IRFA), a summary of the significant economic issues raised by public comments, NMFS's responses to those comments, and a summary of the analyses completed to support the action. The FRFA follows.

The preamble to the final rule provides the statement of the need for and objectives of this final rule. The Magnuson-Stevens Act provides the statutory basis for this final rule.

No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting or record-keeping requirements are introduced by this final rule.

No comments specific to the IRFA were received from the public or from the Chief Counsel for the Advocacy of the Small Business Administration; therefore, no public comments are addressed in this FRFA. However, there are comments that have economic implications, and they are addressed in the Comments and Responses section.

No changes to the proposed rule were made in response to public comments. NMFS agrees that the Councils' choice of preferred alternatives will best achieve the Councils' objectives for Amendment 26 while minimizing, to the extent practicable, the adverse effects on fishermen, support industries, and associated communities.

NMFS expects this final rule to directly affect federally permitted commercial fishermen fishing for king mackerel in the Gulf and Atlantic. Recreational anglers fishing for king mackerel will also be directly affected by this final rule, but they are not considered business entities under the RFA, so they are outside the scope of this analysis. Charterboat and headboat operations are business entities but they are only indirectly affected by this final rule. For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide.

From the 2000–2001 through 2013–2014 fishing years (the most recent available trip level data at the time that the Councils took final action on Amendment 26), an average of 274 vessels landed Gulf migratory group king mackerel. These vessels generated dockside revenues (2014 dollars) of $3,987,671 from king mackerel, $1,935,219 from other species jointly landed with king mackerel, and $12,395,741 from all other species in trips where king mackerel was not caught. The average annual revenue per vessel from all species landed by these vessels, including king mackerel, was $66,952. During the same time period, an average of 736 vessels landed Atlantic migratory group king mackerel. These vessels generated dockside revenues (2014 dollars) of $5,842,731 from king mackerel, $1,888,830 from other species jointly landed with king mackerel, and $12,670,841 from all other species in trips where king mackerel was not caught. The average revenue per vessel from all species landed by these vessels, including king mackerel, was $27,817. Vessels that caught and landed king mackerel may also operate in other fisheries, such as the shellfish fisheries, the revenues of which are not known and are not reflected in these totals. Based on revenue information, all commercial vessels affected by the final rule may be assumed to be small entities.

Because all entities expected to be directly affected by this final rule are assumed to be small entities, NMFS has determined that this final rule will affect a substantial number of small entities. The issue of disproportionate effects on small versus large entities does not arise in the present case because all directly affected entities are small entities.

The actions in Amendment 26 and this final rule and their effects on small entities are summarized below.

Action 1 in Amendment 26 will establish a single year-round boundary for separating the Gulf and Atlantic migratory groups of king mackerel extending east from the Miami-Dade/Monroe county line, with the Gulf Council being responsible for management measures for the mixing zone, defined as the area of the EEZ off of the Florida Keys. This will replace the current mixing zone boundary that varies seasonally, and thus will simplify management, minimize confusion among the public, and likely improve law enforcement, because the new boundary designation will also coincide with the boundary designation currently in place for the Gulf and Atlantic migratory groups of Spanish mackerel. This change will provide a more favorable environment for commercial vessels to increase revenues and profits. However, the extent of any revenue increases cannot be estimated at this time. The current Florida east coast subzone will no longer exist under this final rule.

Action 2–1 in Amendment 26 will revise the ABC levels for Atlantic migratory group king mackerel for fishing years 2016–2017 through 2019–2020, based on the ABC levels recommended by the SSC under a high recruitment scenario. This will

substantially increase the Atlantic migratory group ABC, thus enabling the Council to increase the ACL, and providing a favorable environment for increases in potential harvest of Atlantic migratory group king mackerel that could result in higher revenues and profits to participating commercial vessels.

Action 2–2 in Amendment 26 will revise Atlantic migratory group king mackerel ACLs, commercial quotas, and recreational ACT, based on the ABC levels selected in Action 2–1. Action 2–2 will set the ACL equal to OY and equal to ABC. Given the increase in ABC, equating ACL and OY to ABC will directly result in increasing the allowable commercial harvest of Atlantic migratory group king mackerel, as well as the associated potential revenues. Relative to the current commercial ACL, the increased commercial ACL will provide the opportunity for total revenues to increase by an estimated $4.7 million for the 2016–2017 fishing year, $3.6 million for the 2017–2018 fishing year, $2.4 million for the 2018–2019 fishing year, and $1.5 million for the 2019–2020 fishing year and subsequent fishing years. Action 2–2 will also revise the Atlantic migratory group northern and southern zone commercial quotas, based on the ACL selected by the Councils. Whether the full revenue potential for each zone will be realized largely depends on whether the full quotas will be harvested. Using the highest past landings (2009–2010 landings) as the expected future landings, neither zone will be expected to fully take its respective commercial quota. The revised northern and southern zone commercial quotas may allow for the possibility for further revenue increases in the future through increased harvest; however, this statement does not account for the effects from Action 4, which will split the commercial season into two fishing seasons each year in the Atlantic southern zone.

Action 3 in Amendment 26 will allow for the limited retention and sale of Atlantic migratory group king mackerel caught with gillnet as incidental catch in the gillnet portion of the directed commercial shark fishery, for any vessel with both a valid Federal shark directed commercial permit and valid Federal king mackerel commercial permit. Any incidentally caught king mackerel may only be sold to a dealer with the Gulf and South Atlantic Federal dealer permit. For this type of incidental catch, no more than 2 king mackerel per crew member per trip in the southern zone may be retained and sold, and no more than 3 king mackerel per crew member per trip in the northern zone (except trips north of Cape Lookout Light, NC, that use an authorized gillnet for Atlantic migratory group king mackerel) may be retained and sold. This change will allow affected vessels to generate some revenue from incidentally caught king mackerel instead of discarding them. Only 3 to 5 shark gillnet vessels and 21 to 33 total vessel trips have reported incidental catches of Atlantic migratory group king mackerel, so any potential adverse impact on vessels that target king mackerel when incidental catches are counted against the Atlantic migratory group commercial ACL will be negligible.

Action 4 in Amendment 26 will allocate the commercial quota for Atlantic migratory group king mackerel's southern zone into two split seasons: 60 percent of the commercial quota will be allocated to the first season of March 1 through September 30, and 40 percent will be allocated to the second season of October 1 through the end of February. Any remaining unused quota from the first season will transfer to second season. Any remaining quota from the second season will not be carried forward to the next fishing year. When the commercial quota for either season is met or expected to be met, commercial harvest of king mackerel in the Atlantic southern zone will be prohibited for the remainder of the respective season. In general, the revenue effects of splitting the fishing year into seasons as compared to not splitting the fishing year into seasons are unclear. For example, if all of the commercial quota were harvested early in the fishing season when maintaining only one season, the split-season alternative will comparatively be expected to allow commercial vessels to fish over a longer period of time, because even if the first season quota was reached, 40 percent of the commercial quota will be available for harvest during the second season. Harvest will occur over a longer period of time (*i.e.,* during both the first and second seasons), resulting in a more stable supply of fish. Because a more stable supply is generally associated with higher dockside prices, overall revenues will likely be higher. Conversely, because only 60 percent of the commercial quota is allocated to the first season, the implementation of split seasons may restrict harvest and revenues in the first season that may not be fully recouped in the second season. This could happen if revenues from the relatively higher pricing conditions in the first season, which coincides with the Lenten season, were restricted due to an early season closure. Landings may be higher in the second season, but, if prices were low, the higher landings in the second season may not result in revenue levels that will fully recoup the forgone revenues in the first season. However, given current available information on landings, and the commercial quota increase, no quota closures will be expected for either the first or second season, even if harvest levels reach the highest past recorded landings (2009–2010 landings). Thus, this action will not be expected to adversely affect the revenues and profits of commercial vessels.

Action 5 in Amendment 26 will establish a commercial trip limit system for the Atlantic southern zone. For both the first and second commercial seasons, the commercial trip limit north of the Flagler/Volusia county line will remain 3,500 lb (1,587 kg). South of the Flagler/Volusia county line, the trip limit for the first season will be 50 fish for the month of March, and 75 fish for the remainder of the first season, but if 75 percent of the commercial quota for first season has been be landed, the trip limit will be 50 fish. For the second season, the commercial trip limit will be 50 fish, and, if less than 70 percent of the season's quota has been landed, the trip limit will be 75 fish during the month of February. Because the 3,500 lb (1,587 kg) trip limit north of the Flagler/Volusia county line is the same as the current trip limit, vessels fishing in this area will be unaffected by this action. Given that no commercial quota closures will be expected for the first or second season, as discussed in Action 4, the imposition of a commercial trip limit south of the Flagler/Volusia county line will tend to reduce both per trip revenues and profits of commercial vessels. However, the magnitude of annual revenue reductions will be relatively small, as vessels may be able to take more trips due to a longer season under the commercial quota increases.

Action 6 will set the Gulf migratory group king mackerel ACL equal to the ABC recommended by the Gulf Council's SSC for the 2016–2017 through 2019–2020 fishing years. The ABC recommended by the SSC is less than the existing ABC, but the lower number is largely a product of the boundary change, based on new information in SEDAR 38 that the range of Gulf migratory group king mackerel spans a smaller area than previously thought. When the existing commercial ACLs for the Gulf migratory group are adjusted to account for landings in the Florida east coast subzone that will no longer be considered part of Gulf migratory group king mackerel, the new

commercial ACLs starting in the 2016–2017 fishing year through this final rule will actually be greater than the existing ones. For this reason, setting the Gulf migratory group ACL equal to the ABC will be expected to provide higher landings and revenues to commercial vessels. Historically, the commercial sector has fully harvested its allocation of Gulf migratory group king mackerel. Thus, using past landings as a predictor of future landings, it is likely that the commercial sector will harvest up to the level of the quota increases for the Gulf migratory group and generate higher revenues from quota increases. Estimated total revenue increases will be approximately $1,068,000 for the 2016–2017 fishing year, $871,000 for the 2017–2018 fishing year, $781,000 for the 2018–2019 fishing year, and $692,000 for the 2019–2020 fishing year and every fishing year thereafter.

Action 7 in Amendment 26 will revise the commercial zone quotas for Gulf migratory group king mackerel as follows: 40 percent for the western zone; 18 percent for the northern zone; 21 percent for the southern zone hook-and-line component; and 21 percent for the southern zone gillnet component. This revised zone allocation is necessary because the previous Gulf migratory group king mackerel zone allocations included the Florida east coast subzone, which will no longer exist because of the boundary change under Action 1. The Florida east coast area will now be included in the southern zone for Atlantic migratory group king mackerel. Action 7 will result in commercial quota increases for all of the Gulf migratory group king mackerel zones, potentially resulting in higher revenues to commercial vessels. However, the quota increases will not be uniform across the zones, with the Gulf northern zone receiving the largest quota increases. For the Gulf western zone, total revenue increases will be approximately $194,000 for the 2016–2017 fishing year, $115,000 for the 2017–2018 fishing year, $79,000 for the 2018–2019 fishing year, and $44,000 for the 2019–2020 fishing year and subsequent fishing years. For the Gulf northern zone, revenue increases will be approximately $630,000 for the 2016–2017 fishing year, $595,000 for the 2017–2018 fishing year, $579,000 for the 2018–2019 fishing year, and $563,000 for the 2019–2020 fishing year and subsequent fishing years. For the hook-and-line component of the southern zone, revenue increases will be approximately $121,000 for the 2016–2017 fishing year, $80,000 for the 2017–2018 fishing year, $61,000 for the 2018–2019 fishing year, and $42,000 for the 2019–2020 fishing year and subsequent fishing years. Revenue increases for the gillnet component of the southern zone will be identical to those of the hook-and-line component. While vessels in all zones may be expected to generate higher overall revenues, the distribution of such revenue increases will not be uniform across all vessels. Because hook-and-line vessels in the Florida Keys will no longer have access to the Atlantic migratory group king mackerel in waters off the Florida Keys, revenue increases for these vessels may be limited. If the hook-and-line quota in the southern zone is reached and harvest is closed before the normal end of the fishing season on March 31, Florida Keys hook-and-line vessels will no longer be able to continue generating revenues from the harvest of Gulf or Atlantic migratory group king mackerel in waters off the Florida Keys. To continue fishing for king mackerel, vessels will have to move to areas that remain open to fishing for Gulf or Atlantic migratory group of king mackerel and such a move could create a potential increase in fishing costs.

Action 8 in Amendment 26 considered revising the commercial and recreational allocations for the Gulf migratory group king mackerel; however, the Councils selected the no action alternative and therefore, these allocations have not changed through this final rule.

Action 9 in Amendment 26 will modify the recreational bag limit for Gulf migratory group king mackerel from two to three fish per person per day. This will not directly affect any business entities under the RFA.

The following discussion describes the alternatives that were not selected as preferred by the Council. Among the actions considered, only actions that would have direct adverse economic effects on small entities merit inclusion.

Only Action 5 (commercial trip limits for the Atlantic migratory group's southern zone) may result in adverse economic impacts on small commercial business entities. Four alternatives and five sub-alternatives, including the two preferred alternatives and two preferred sub-alternatives, were considered for establishing commercial trip limits in the Atlantic southern zone. All of the considered alternatives would maintain the current trip limit for Atlantic migratory group king mackerel in areas north of the Volusia/Flagler county line. The first alternative, the no action alternative, would retain the current trip limit system. Because of the boundary change in Action 1, maintaining the current trip limit system would leave certain areas in the Florida east coast that used to be under the Gulf Council jurisdiction without trip limits during the winter months. This would open opportunities for higher harvests that could result in a shorter king mackerel season in the Atlantic southern zone. Vessels fishing in the area with no trip limits would benefit, but any benefit would be at the expense of vessels fishing in areas with trip limits, as allowing unrestricted harvest would likely lead to earlier quota closures. The overall net effects on vessel revenues cannot be determined, but if a commercial quota closure occurs due to increased, unrestricted harvest, overall annual vessel revenues may decrease.

The second alternative would establish a year-round trip limit of 75 fish for Atlantic migratory group king mackerel in the area south of the Flagler/Volusia county line. This alternative would provide for a greater trip limit than the preferred alternative for certain months of the year, and thus may be expected to result in slightly higher landings and revenues than the preferred alternative. However, this alternative may lead to shorter commercial seasons, as it does not include a mechanism to slow down harvests to avoid exceeding the area's quota for the first or second seasons in the Atlantic southern zone.

The third alternative, which would apply only to the first season, would establish a trip limit of 50 fish from March 1–March 31, and 75 fish for the remainder of the season 1, for the area south of the Flagler/Volusia county line. This alternative has two options, one of which is the preferred option. The non-preferred option would reduce the trip limit for the first season if 75 percent of the first season has been landed, but to occur no earlier than August 1 each fishing year. The preferred option would reduce the trip limit anytime during the first season when 75 percent of the first season's quota has been landed. The non-preferred option would in principle allow for a higher trip limit over a longer period in the first season and would be expected to result in higher per trip revenues and profits than the preferred option. However, analysis of the landings data shows that both options would have the same effects, because the 75 percent trigger is expected to be met at the same date under both options, which would occur after August 1.

The fourth alternative would establish a 50 fish trip limit for the second season. This alternative has three options, one of which is the preferred option. The preferred option would increase the trip limit to 75 fish during the month of February, but if 70 percent

of the second season's commercial quota had been landed, the trip limit would remain 50 fish. The second option would increase the trip limit to 75 fish during January and February as long as less than 70 percent of the second season's quota had been landed. In principle, this second option would be expected to increase vessel revenues per trip in January as compared to the preferred option, but the second option would also increase the likelihood of an earlier closure in the second season. The third option is similar to the preferred option, except that the trigger for increasing the trip limit would be landings less than 80 percent, instead of less than 70 percent, of the second season's quota. In theory, this option has a greater likelihood than the preferred option for increasing the commercial trip limit in February, but it would also increase the likelihood of an early closure in the second season. However, because the greatest historical landings have been well below the proposed second season quota, all three options would be expected to have the same effects on vessel revenues.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as small entity compliance guides. As part of the rulemaking process, NMFS prepared a fishery bulletin, which also serves as a small entity compliance guide. The fishery bulletin will be sent to all interested parties.

List of Subjects in 50 CFR Part 622

Annual catch limits, Fisheries, Fishing, Gulf of Mexico, King mackerel, South Atlantic.

Dated: April 6, 2017.

Alan D. Risenhoover,

Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 622 is amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. In § 622.7, revise paragraph (b)(1) to read as follows:

§ 622.7 Fishing years.

* * * * *

(b) * * *

(1) *Gulf migratory group king mackerel*—(i) *Southern zone*—July 1 through June 30.

(ii) *Northern zone*—October 1 through September 30.

(iii) *Western zone*—July 1 through June 30.

* * * * *

Subpart Q—Coastal Migratory Pelagic Resources (Gulf of Mexico, South Atlantic, and Mid-Atlantic)

■ 3. Revise the heading of subpart Q to read as set forth above.

■ 4. Revise § 622.369 to read as follows:

§ 622.369 Description of zones.

(a) *Migratory groups of king mackerel.* In the EEZ, king mackerel are divided into the Gulf migratory group and the Atlantic migratory group. The Gulf migratory group is bound by a line extending east of the U.S./Mexico border and a line extending east of the Miami-Dade/Monroe County, FL, boundary. The Atlantic migratory group is bound by a line extending east of the Miami-Dade/Monroe County, FL, boundary and a line from the intersection point of Connecticut, Rhode Island, and New York (as described in § 600.105(a) of this chapter). The zone boundaries remain in place year round. See Table 1 of this section for the boundary coordinates. See Figure 1 in Appendix G of this part for illustration.

(1) *Gulf migratory group.* The Gulf migratory group is divided into western, northern, and southern zones. See Table 1 of this section for the boundary coordinates. See Figure 1 in Appendix G of this part for illustration.

(i) *Western zone.* The western zone encompasses an area of the EEZ north of a line extending east of the US/Mexico border, and west of a line extending due south of the Alabama/Florida border, including the EEZ off Texas, Louisiana, Mississippi, and Alabama.

(ii) *Northern zone.* The northern zone encompasses an area of the EEZ east of a line extending due south of the Florida/Alabama border, and north of a line extending due west of the Lee/Collier County, FL, boundary.

(iii) *Southern zone.* The southern zone encompasses an area of the EEZ south of a line extending due west of the Lee/Collier County, FL, boundary on the FL west coast, and south of a line extending due east of the Monroe/Miami-Dade County, FL, boundary on the FL east coast, which includes the EEZ off Collier and Monroe Counties, FL.

(2) *Atlantic migratory group.* The Atlantic migratory group is divided into the northern and southern zones separated by a line extending from the North Carolina/South Carolina border, as specified in § 622.2. See Table 1 of this section for the boundary coordinates. See Figure 1 in Appendix G of this part for illustration. See § 622.385(a)(1) for a description of the areas for Atlantic migratory group king mackerel commercial trip limits.

(i) *Northern zone.* The northern zone encompasses an area of the EEZ south of a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter), and north of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, including the EEZ off each state from North Carolina to New York. This zone remains the same year round.

(ii) *Southern zone.* The southern zone encompasses an area of the EEZ south of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, and north of a line extending due east of the Monroe/Miami-Dade County, FL, boundary.

TABLE 1 TO § 622.369—KING MACKEREL DESCRIPTION OF ZONES

[For illustration, see Figure 1 in Appendix G of this part]

Area	Boundary 1	Boundary 2
Gulf Migratory Group—Western Zone.	U.S./Mexico, A line east of the intersection of 25°58′30.57″ N. lat. and 96°55′27.37″ W. long.	AL/FL, 87°31′6″ W. long.
Gulf Migratory Group—Northern Zone.	AL/FL, 87°31′6″ W. long	Lee/Collier, 26°19′48″ N. lat.
Gulf Migratory Group—Southern Zone.	Lee/Collier, 26°19′48″ N. lat	Monroe/Miami-Dade, 25°20′24″ N. lat.

TABLE 1 TO § 622.369—KING MACKEREL DESCRIPTION OF ZONES—Continued

[For illustration, see Figure 1 in Appendix G of this part]

Area	Boundary 1	Boundary 2
Atlantic Migratory Group—Northern Zone.	NY/CT/RI, 41°18′16.249″ N. lat. and 71°54′28.477″ W. long. southeast to 37°22′32.75″ N. lat. and the intersection point with the outward boundary of the EEZ.	NC/SC, a line extending in a direction of 135°34′55″ from true north beginning at 33°51′07.9″ N. lat. and 78°32′32.6″ W. long. to the intersection point with the outward boundary of the EEZ.
Atlantic Migratory Group—Southern Zone.	NC/SC, a line extending in a direction of 135°34′55″ from true north beginning at 33°51′07.9″ N. lat. and 78°32′32.6″ W. long. to the intersection point with the outward boundary of the EEZ.	Monroe/Miami-Dade, 25°20′24″ N. lat.

(b) *Migratory groups of Spanish mackerel*—(1) *Gulf migratory group.* In the EEZ, the Gulf migratory group is bounded by a line extending east of the U.S./Mexico border and a line extending due east of the Monroe/Miami-Dade County, FL, boundary. See Table 2 of this section for the boundary coordinates. See Figure 2 in Appendix G of this part for illustration.

(2) *Atlantic migratory group.* In the EEZ, the Atlantic migratory group is bounded by a line extending due east of the Monroe/Miami-Dade County, FL, boundary and a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter). The Atlantic migratory group is divided into the northern and southern zones. See Table 2 of this section for the boundary coordinates. See Figure 2 in Appendix G of this part for illustration. See § 622.385(b)(1) for a description of the areas for Atlantic migratory group Spanish mackerel commercial trip limits.

(i) *Northern zone.* The northern zone encompasses an area of the EEZ south of a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter), and north of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, including the EEZ off each state from North Carolina to New York.

(ii) *Southern zone.* The southern zone encompasses an area of the EEZ south of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, and north of a line extending due east of the Monroe/Miami-Dade County, FL, boundary, including the EEZ off South Carolina, Georgia, and Florida.

TABLE 2 TO § 622.369—SPANISH MACKEREL DESCRIPTION OF ZONES

[For illustration, see Figure 2 in Appendix G of this part]

Area	Boundary 1	Boundary 2
Gulf Migratory Group	US/Mexico, A line east of the intersection of 25°58′30.57″ N. lat. and 96°55′27.37″ W. long.	Monroe/Miami-Dade, 25°20′24″ N. lat.
Atlantic Migratory Group—Northern Zone.	NY/CT/RI, 41°18′16.249″ N. lat. and 71°54′28.477″ W. long. southeast to 37°22′32.75″ N. lat. and the intersection point with the outward boundary of the EEZ.	NC/SC, a line extending in a direction of 135°34′55″ from true north beginning at 33°51′07.9″ N. lat. and 78°32′32.6″ W. long. to the intersection point with the outward boundary of the EEZ.
Atlantic Migratory Group—Southern Zone.	NC/SC, a line extending in a direction of 135°34′55″ from true north beginning at 33°51′07.9″ N. lat. and 78°32′32.6″ W. long. to the intersection point with the outward boundary of the EEZ.	Monroe/Miami-Dade, 25°20′24″ N. lat.

(c) *Migratory groups of cobia*—(1) *Gulf migratory group.* In the EEZ, the Gulf migratory group is bounded by a line extending east from the United States/Mexico border and a line extending due east from the Florida/Georgia border. See Table 3 of this section for the boundary coordinates. (See Figure 3 in Appendix G of this part for illustration.)

(i) *Gulf zone.* The Gulf zone encompasses an area of the EEZ north of a line extending east of the United States/Mexico border, and north and west of the line of demarcation between the Atlantic Ocean and the Gulf of Mexico (the Council boundary, as described in § 600.105(c) of this chapter).

(ii) *Florida east coast zone.* The Florida east coast zone encompasses an area of the EEZ south and east of the line of demarcation between the Atlantic Ocean and the Gulf of Mexico (as described in § 600.105(c) of this chapter), and south of a line extending due east from the Florida/Georgia border.

(2) *Atlantic migratory group.* In the EEZ, the Atlantic migratory group is bounded by a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter) and a line extending due east of the Florida/Georgia border. See Table 3 of this section for the boundary coordinates. (See Figure 3 in Appendix G of this part for illustration.)

TABLE 3 TO § 622.369—COBIA DESCRIPTION OF ZONES

[For illustration, see Figure 3 in Appendix G of this part]

Area	Boundary 1	Boundary 2
Gulf Migratory Group—Gulf Zone.	US/Mexico, A line east of the intersection of 25°58′30.57″ N. lat. and 96°55′27.37″ W. long.	Council Boundary—the intersection of the outer boundary of the EEZ and 83°00′ W. long., north to 24°35′ N. lat., (near the Dry Tortugas Islands), then east to the mainland.
Gulf Migratory Group—Florida East Coast Zone.	Council Boundary—the intersection of the outer boundary of the EEZ and 83°00′ W. long., north to 24°35′ N. lat., (near the Dry Tortugas Islands), then east to the mainland.	FL/GA, 30°42′45.6″ N. lat.
Atlantic Migratory Group	NY/CT/RI, 41°18′16.249″ N. lat. and 71°54′28.477″ W. long. southeast to 37°22′32.75″ N. lat. and the intersection point with the outward boundary of the EEZ.	FL/GA, 30°42′45.6″ N. lat.

■ 5. In § 622.370, revise paragraphs (a)(2), (b)(1) introductory text, and (c)(1) to read as follows:

§ 622.370 Permits.

* * * * *

(a) * * *

(2) *Gillnets for king mackerel in the Gulf southern zone.* For a person aboard a vessel to use a run-around gillnet for king mackerel in the southern zone (see § 622.369(a)(1)(iii)), a commercial vessel permit for king mackerel and a king mackerel gillnet permit must have been issued to the vessel and must be on board. See § 622.372 regarding a limited access system applicable to king mackerel gillnet permits in the southern zone and restrictions on transferability of king mackerel gillnet permits.

* * * * *

(b) * * *

(1) For a person aboard a vessel that is operating as a charter vessel or headboat to fish for or possess, in or from the EEZ, Gulf coastal migratory pelagic fish or Atlantic coastal migratory pelagic fish, a valid charter vessel/headboat permit for Gulf coastal migratory pelagic fish or Atlantic coastal migratory pelagic fish, respectively, must have been issued to the vessel and must be on board.

* * * * *

(c) * * *

(1) *Permits.* For a dealer to first receive Gulf or Atlantic coastal migratory pelagic fish harvested in or from the EEZ, a Gulf and South Atlantic dealer permit must be issued to the dealer.

* * * * *

■ 6. In § 622.372, revise the section heading to read as follows:

§ 622.372 Limited access system for king mackerel gillnet permits applicable in the Gulf southern zone.

* * * * *

■ 7. In § 622.374, revise paragraphs (b)(1)(i) and (ii) and (c)(1) to read as follows:

§ 622.374 Recordkeeping and reporting.

* * * * *

(b) * * *

(1) * * *

(i) *Charter vessels.* The owner or operator of a charter vessel for which a charter vessel/headboat permit for Gulf or Atlantic coastal migratory pelagic fish has been issued, as required under § 622.370(b)(1), or whose vessel fishes for or lands Gulf or Atlantic coastal migratory fish in or from state waters adjoining the Gulf, South Atlantic, or Mid-Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD and must submit such record as specified in paragraph (b)(2)(i) of this section.

(ii) *Headboats.* The owner or operator of a headboat for which a charter vessel/headboat permit for Gulf coastal migratory fish or Atlantic coastal migratory pelagic fish has been issued, as required under § 622.370(b)(1), or whose vessel fishes for or lands Gulf or Atlantic coastal migratory pelagic fish in or from state waters adjoining the Gulf, South Atlantic, or Mid-Atlantic EEZ, who is selected to report by the SRD must submit an electronic fishing record for each trip of all fish harvested within the time period specified in paragraph (b)(2)(ii) of this section, via the Southeast Region Headboat Survey.

* * * * *

(c) * * *

(1) A dealer who first receives Gulf or Atlantic coastal migratory pelagic fish must maintain records and submit information as specified in § 622.5(c).

* * * * *

■ 8. In § 622.375, revise paragraphs (a)(1)(ii) and (b)(4) to read as follows:

§ 622.375 Authorized and unauthorized gear.

(a) * * *

(1) * * *

(ii) *King mackerel, Gulf migratory group*—hook-and-line gear and, in the southern zone only, run-around gillnet. (See § 622.369(a)(1)(iii) for a description of the southern zone.)

* * * * *

(b) * * *

(4) *Exception for king mackerel in the Gulf EEZ.* The provisions of this paragraph (b)(4) apply to king mackerel taken in the Gulf EEZ and to such king mackerel possessed in the Gulf. Paragraph (b)(3) of this section notwithstanding, a person aboard a vessel that has a valid commercial permit for king mackerel is not subject to the bag limit for king mackerel when the vessel has on board on a trip unauthorized gear other than a drift gillnet in the Gulf EEZ, a long gillnet, or a run-around gillnet in an area other than the southern zone. Thus, the following applies to a vessel that has a commercial permit for king mackerel:

(i) Such vessel may not use unauthorized gear in a directed fishery for king mackerel in the Gulf EEZ.

(ii) If such a vessel has a drift gillnet or a long gillnet on board or a run-around gillnet in an area other than the southern zone, no king mackerel may be possessed.

(iii) If such a vessel has unauthorized gear on board other than a drift gillnet in the Gulf EEZ, a long gillnet, or a run-around gillnet in an area other than the southern zone, the possession of king mackerel taken incidentally is restricted only by the closure provisions of § 622.384(e) and the trip limits specified in § 622.385(a). See also § 622.379 regarding the purse seine catch allowances of king mackerel.

* * * * *

■ 9. In § 622.378, revise the section heading and paragraph (a) to read as follows:

§ 622.378 Seasonal closures of the Gulf migratory group king mackerel gillnet fishery.

(a) *Seasonal closures of the gillnet component for Gulf migratory group king mackerel.* The gillnet component for Gulf migratory group king mackerel in or from the southern zone is closed each fishing year from July 1 until 6 a.m. on the day after the Martin Luther King Jr. Federal holiday. The gillnet component is open on the first weekend following the Martin Luther King Jr. holiday, provided a notification of closure has not been filed under § 622.8(b). The gillnet component is closed all subsequent weekends and observed Federal holidays. Weekend closures are effective from 6 a.m. Saturday to 6 a.m. Monday. Holiday closures are effective from 6 a.m. on the observed Federal holiday to 6 a.m. the following day. All times are eastern standard time. During these closures, a person aboard a vessel using or possessing a gillnet with a stretched-mesh size of 4.75 inches (12.1 cm) or larger in the southern zone may not fish for or possess Gulf migratory group king mackerel. (See § 622.369(a)(1)(iii) for a description of the southern zone.)

* * * * *

■ 10. Revise § 622.379 to read as follows:

§ 622.379 Incidental catch allowances.

(a) *Purse seine incidental catch allowance.* A vessel in the EEZ, or having fished in the EEZ, with a purse seine on board will not be considered as fishing, or having fished, for king or Spanish mackerel in violation of a prohibition of purse seines under § 622.375(b), in violation of the possession limits under § 622.375(b)(3), or, in the case of king mackerel from the Atlantic migratory group, in violation of a closure effected in accordance with § 622.8(b), provided the king mackerel on board does not exceed 1 percent, or the Spanish mackerel on board does not exceed 10 percent, of all fish on board the vessel. Incidental catch will be calculated by number and/or weight of fish. Neither calculation may exceed the allowable percentage. Incidentally caught king or Spanish mackerel are counted toward the quotas provided for under § 622.384 and are subject to the prohibition of sale under § 622.384(e)(3).

(b) *Shark gillnet incidental catch allowance.* A vessel in the Atlantic EEZ with a valid Federal Atlantic commercial shark directed permit and a valid Federal king mackerel commercial permit that is engaged in directed shark fishing with gillnets that are not an authorized gear for Atlantic migratory group king mackerel (See § 622.375(a)(1)(i)), may retain and sell a limited number of king mackerel. Any king mackerel retained must be sold to a dealer with a valid Federal Gulf and South Atlantic dealer permit.

(1) *Northern zone.* No more than three king mackerel per crew member may be retained or sold per trip (See § 622.385(a)(1)(i) for the commercial trip limit for directed king mackerel trips using authorized gillnets (in the Atlantic EEZ north of 34°37.3′ N. lat., the latitude of Cape Lookout, NC)).

(2) *Southern zone.* No more than two king mackerel per crew member may be retained or sold per trip.

■ 11. In § 622.382, revise paragraph (a)(1)(ii) to read as follows:

§ 622.382 Bag and possession limits.

* * * * *

(a) * * *

(1) * * *

(ii) Gulf migratory group king mackerel—3.

* * * * *

■ 12. In § 622.384, revise paragraphs (b) and (e) to read as follows:

§ 622.384 Quotas.

* * * * *

(b) King mackerel—(1) *Gulf migratory group.* The Gulf migratory group is divided into zones. The description of the zones is specified in § 622.369(a). Quotas for the western, northern, and southern zones are as follows:

(i) *Western zone.* The quota is 1,180,000 lb (535,239 kg) for the 2016–2017 fishing year, 1,136,000 lb (515,281 kg) for the 2017–2018 fishing year, 1,116,000 lb (506,209 kg) for the 2018–2019 fishing year, and 1,096,000 lb (497,137 kg) for the 2019–2020 fishing year and subsequent fishing years.

(ii) *Northern zone.* The quota is 531,000 lb (240,858 kg) for the 2016–2017 fishing year, 511,200 lb (231,876 kg) for the 2017–2018 fishing year, 502,200 lb (227,794 kg) for the 2018–2019 fishing year, and 493,200 lb (223,712 kg) for the 2019–2020 fishing year and subsequent fishing years.

(iii) *Southern zone.* (A) The hook-and-line quota is 619,500 lb (281,000 kg) for the 2016–2017 fishing year, 596,400 lb (270,522 kg) for the 2017–2018 fishing year, 585,900 lb (265,760 kg) for the 2018–2019 fishing year, and 575,400 lb (260,997 kg) for the 2019–2020 fishing year and subsequent fishing years.

(B) The run-around gillnet quota is 619,500 lb (281,000 kg) for the 2016–2017 fishing year, 596,400 lb (270,522 kg) for the 2017–2018 fishing year, 585,900 lb (265,760 kg) for the 2018–2019 fishing year, and 575,400 lb (260,997 kg) for the 2019–2020 fishing year and subsequent fishing years.

(2) *Atlantic migratory group.* The Atlantic migratory group is divided into northern and southern zones. The descriptions of the zones are specified in § 622.369(a). Quotas for the northern and southern zones for the 2016–2017 fishing year and subsequent years are as follows:

(i) *Northern zone.* The quota is 1,497,600 lb (679,300 kg) for the 2016–2017 fishing year, 1,359,360 lb (616,595 kg) for the 2017–2018 fishing year, 1,198,080 lb (543,440 kg) for the 2018–2019 fishing year and 1,082,880 lb (491,186 kg) for the 2019–2020 fishing year and subsequent fishing years. No more than 0.40 million lb (0.18 million kg) may be harvested by purse seine gear.

(ii) *Southern zone.* The annual quota is 5,002,400 lb (2,269,050 kg) for the 2016–2017 fishing year, 4,540,640 lb (2,059,600 kg) for the 2017–2018 fishing year, 4,001,920 lb (1,815,240 kg) for the 2018–2019 fishing year and 3,617,120 lb (1,640,698 kg) for the 2019–2020 fishing year and subsequent fishing years.

(A) For the period March 1 through September 30, each year, the seasonal quota is 3,001,440 lb (1,361,430 kg) for the 2016–2017 fishing year, 2,724,384 lb (1,235,760 kg) for the 2017–2018 fishing year, 2,401,152 lb (1,089,144 kg) for the 2018–2019 fishing year and 2,170,272 lb (984,419 kg) for the 2019–2020 fishing year and subsequent fishing years.

(B) For the period October 1 through the end of February each year, the seasonal quota is 2,000,960 lb (907,620 kg) for the 2016–2017 fishing year, 1,816,256 lb (823,840 kg) for the 2017–2018 fishing year, 1,600,768 lb (726,096 kg) for the 2018–2019 fishing year and 1,446,848 lb (656,279 kg) for the 2019–2020 fishing year and subsequent fishing years.

(C) Any unused portion of the quota specified in paragraph (b)(2)(ii)(A) of this section will be added to the quota specified in paragraph (b)(2)(ii)(B) of this section. Any unused portion of the quota specified in paragraph (b)(2)(ii)(B) of this section, including any addition of quota specified in paragraph (b)(2)(ii)(A) of this section that was unused, will become void at the end of the fishing year and will not be added to any subsequent quota.

(iii) *Quota transfers.* North Carolina or Florida, in consultation with the other states in their respective zones, may request approval from the RA to transfer part or all of their respective zone's annual commercial quota to the other zone. Requests for transfer of commercial quota for king mackerel must be made by a letter signed by the

principal state official with marine fishery management responsibility and expertise of the state requesting the transfer, or his/her previously named designee. The letter must certify that all pertinent state requirements have been met and identify the states involved and the amount of quota to be transferred. For the purposes of quota closures as described in § 622.8, the receiving zone's quota will be the original quota plus any transferred amount, for that fishing season only. Landings associated with any transferred quota will be included in the total landings for the Atlantic migratory group, which will be evaluated relative to the total ACL.

(A) Within 10 working days following the receipt of the letter from the state requesting the transfer, the RA shall notify the appropriate state officials of the disposition of the request. In evaluating requests to transfer a quota, the RA shall consider whether:

(*1*) The transfer would allow the overall annual quota to be fully harvested; and

(*2*) The transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Act.

(B) The transfer of quota will be valid only for the fishing year for which the request was made and does not permanently alter the quotas specified in paragraphs (b)(2)(i) and (ii) of this section.

(3) *Transit provisions applicable in areas closed due to a quota closure for king mackerel.* A vessel with a valid commercial vessel permit for king mackerel that has onboard king mackerel harvested in an open area of the EEZ may transit through areas closed to the harvest of king mackerel due to a quota closure, if fishing gear is appropriately stowed. For the purpose of paragraph (b) of this section, transit means direct and non-stop continuous course through the area. To be appropriately stowed fishing gear means—

(i) A gillnet must be left on the drum. Any additional gillnets not attached to the drum must be stowed below deck.

(ii) A rod and reel must be removed from the rod holder and stowed securely on or below deck. Terminal gear (*i.e.,* hook, leader, sinker, flasher, or bait) must be disconnected and stowed separately from the rod and reel. Sinkers must be disconnected from the down rigger and stowed separately.

* * * * *

(e) *Restrictions applicable after a quota closure.* (1) A person aboard a vessel for which a commercial permit for king or Spanish mackerel has been issued, as required under § 622.370(a)(1) or (3), may not fish for king or Spanish mackerel in the EEZ or retain king or Spanish mackerel in or from the EEZ under a bag or possession limit specified in § 622.382(a) for the closed species, migratory group, zone, or gear, except as provided for under paragraph (e)(2) of this section.

(2) A person aboard a vessel for which valid charter vessel/headboat permits for Gulf coastal migratory pelagic fish or Atlantic coastal migratory pelagic fish and a valid commercial vessel permit for king or Spanish mackerel have been issued may continue to retain fish under a bag and possession limit specified in § 622.382(a), provided the vessel is operating as a charter vessel or headboat.

(3) The sale or purchase of king mackerel, Spanish mackerel, or cobia of the closed species, migratory group, zone, or gear type, is prohibited, including any king or Spanish mackerel taken under the bag limits, or cobia taken under the limited-harvest species possession limit specified in § 622.383(b). The prohibition on sale/purchase during a closure for coastal migratory pelagic fish does not apply to coastal migratory pelagic fish that were harvested, landed ashore, and sold prior to the effective date of the closure and were held in cold storage by a dealer or processor.

■ 13. In § 622.385, revise paragraph (a) to read as follows:

§ 622.385 Commercial trip limits.

* * * * *

(a) *King mackerel*—(1) *Atlantic migratory group.* The following trip limits apply to vessels for which commercial permits for king mackerel have been issued, as required under § 622.370(a)(1):

(i) North of 29°25′ N. lat., which is a line directly east from the Flagler/Volusia County, FL, boundary, king mackerel in or from the EEZ may not be possessed on board or landed from a vessel in a day in amounts exceeding 3,500 lb (1,588 kg).

(ii) In the area between 29°25′ N. lat., which is a line directly east from the Flagler/Volusia County, FL, boundary, and 29°25′ N. lat., which is a line directly east from the Miami-Dade/Monroe County, FL, boundary king mackerel in or from the EEZ may not be possessed on board or landed from a vessel in a day in amounts not to exceed:

(A) From March 1 through March 31—50 fish.

(B) From April 1 through September 30—75 fish, unless NMFS determines that 75 percent or more of the quota specified in § 622.384(b)(2)(ii)(A) has been landed, then, 50 fish.

(C) From October 1 through January 31—50 fish.

(D) From February 1 through the end of February—50 fish, unless NMFS determines that less than 70 percent of the quota specified in § 622.384(b)(2)(ii)(B) has been landed, then, 75 fish.

(2) *Gulf migratory group.* Commercial trip limits are established in the southern, northern, and western zones as follows. (See § 622.369(a) for descriptions of the southern, northern, and western zones.)

(i) *Southern zone*—(A) *Gillnet gear.* (*1*) King mackerel in or from the EEZ may be possessed on board or landed from a vessel for which a commercial vessel permit for king mackerel and a king mackerel gillnet permit have been issued, as required under § 622.370(a)(2), in amounts not exceeding 45,000 lb (20,411 kg) per day.

(*2*) King mackerel in or from the EEZ may be possessed on board or landed from a vessel that uses or has on board a run-around gillnet on a trip only when such vessel has on board a commercial vessel permit for king mackerel and a king mackerel gillnet permit.

(*3*) King mackerel from the southern zone landed by a vessel for which a commercial vessel permit for king mackerel and a king mackerel gillnet permit have been issued will be counted against the run-around gillnet quota specified in § 622.384(b)(1)(iii)(B).

(*4*) King mackerel in or from the EEZ harvested with gear other than run-around gillnet may not be retained on board a vessel for which a commercial vessel permit for king mackerel and a king mackerel gillnet permit have been issued.

(B) *Hook-and-line gear.* King mackerel in or from the EEZ may be possessed on board or landed from a vessel with a commercial permit for king mackerel, as required by § 622.370(a)(1), and operating under the hook-and-line gear quotas in § 622.384(b)(1)(iii)(A) in amounts not exceeding 1,250 lb (567 kg) per day.

(ii) *Northern zone.* King mackerel in or from the EEZ may be possessed on board or landed from a vessel for which a commercial permit for king mackerel has been issued, as required under § 622.370(a)(1), in amounts not exceeding 1,250 lb (567 kg) per day.

(iii) *Western zone.* King mackerel in or from the EEZ may be possessed on board or landed from a vessel for which a commercial permit for king mackerel has been issued, as required under

§ 622.370(a)(1), in amounts not exceeding 3,000 lb (1,361 kg) per day.

* * * * *

■ 14. In § 622.388, revise paragraphs (a), (b), (d)(2)(i), and (f)(2)(i) to read as follows:

§ 622.388 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures.

* * * * *

(a) *Gulf migratory group king mackerel*—(1) *Commercial sector.* (i) If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable quota specified in § 622.384(b)(1), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that zone, or gear type for the remainder of the fishing year.

(ii) The commercial ACL for the Gulf migratory group of king mackerel is 2.95 million lb (1.34 million kg) for the 2016–2017 fishing year, 2.84 million lb (1.29 million kg) for the 2017–2018 fishing year, 2.79 million lb (1.27 million kg) for the 2018–2019 fishing year, and 2.74 million lb (1.24 million kg) for the 2019–2020 and subsequent fishing years. This ACL is further divided into a commercial ACL for vessels fishing with hook-and-line and a commercial ACL for vessels fishing with run-around gillnets. The hook-and-line ACL (which applies to the entire Gulf) is 2,330,500 lb (1,057,097 kg) for 2016–2017 fishing year, 2,243,600 lb (1,017,680 kg) for the 2017–2018 fishing year, 2,204,100 lb (999,763 kg) for the 2018–2019 fishing year, and 2,164,600 lb (981,846 kg) for the 2019–2020 and subsequent fishing years. The run-around gillnet ACL (which applies to the southern zone) is 619,500 lb (281,000 kg) for the 2016–2017 fishing year, 596,400 lb (270,522 kg) for the 2017–2018 fishing year, 585,900 lb (265,760 kg) for the 2018–2019 fishing year, and 575,400 lb (260,997 kg) for 2019–2020 and subsequent fishing years.

(iii) If commercial landings of Gulf migratory group king mackerel caught by run-around gillnet in the southern zone, as estimated by the SRD, exceed the commercial ACL, the AA will file a notification with the Office of the Federal Register to reduce the commercial ACL for king mackerel harvested by run-around gillnet in the southern zone in the following fishing year by the amount of the commercial ACL overage in the prior fishing year.

(2) *Recreational sector.* If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL of 6.26 million lb (2.84 million kg) for the 2016–2017 fishing year, 6.04 million lb (2.74 million kg) for the 2017–2018 fishing year, 5.92 million lb (2.69 million kg) for the 2018–2019 fishing year, and 5.81 million lb (2.64 million kg) for the 2019–2020 and subsequent fishing years, the AA will file a notification with the Office of the Federal Register to implement bag and possession limits for Gulf migratory group king mackerel of zero, unless the best scientific information available determines that a bag limit reduction is unnecessary.

(3) For purposes of tracking the ACL, recreational landings will be monitored based on the commercial fishing year.

(b) *Atlantic migratory group king mackerel*—(1) *Commercial sector.* (i) If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable quota for the zone or season specified in § 622.384(b)(2), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that zone for the remainder of the applicable fishing season or fishing year.

(ii) In addition to the measures specified in paragraph (b)(1)(i) of this section, if the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (b)(3) of this section, and Atlantic migratory group king mackerel are overfished, based on the most recent status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the commercial quota for that zone for that following year by the amount of any commercial sector overage in the prior fishing year for that zone.

(iii) The commercial ACL for the Atlantic migratory group of king mackerel is 6.5 million lb (2.9 million kg) for the 2016–2017 fishing year, 5.9 million lb (2.7 million kg) for the 2017–2018 fishing year, 5.2 million lb (2.4 million kg) for the 2018–2019 fishing year, and 4.7 million lb (2.1 million kg) for the 2019–2020 fishing year and subsequent fishing years.

(2) *Recreational sector.* (i) If the recreational landings exceed the recreational ACL as specified in this paragraph and the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (b)(3) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the bag limit by the amount necessary to ensure recreational landings may achieve the recreational ACT, but do not exceed the recreational ACL, in the following fishing year. The recreational ACT is 10.1 million lb (4.6 million kg) for the 2016–2017 fishing year, 9.2 million lb (4.2 million kg) for the 2017–2018 fishing year, 8.3 million lb (3.8 million kg) for the 2018–2019 fishing year, and 7.4 million lb (3.4 million kg) for the 2019–2020 fishing year and subsequent fishing years. The recreational ACL is 10.9 million lb (4.9 million kg) for the 2016–2017 fishing year, 9.9 million lb (4.5 million kg) for the 2017–2018 fishing year, 8.9 million lb (4.0 million kg) for the 2018–2019 fishing year, and 8.0 million lb (3.6 million kg) for the 2019–2020 fishing year and subsequent fishing years.

(ii) In addition to the measures specified in paragraph (b)(2)(i) of this section, if the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (b)(3) of this section, and Atlantic migratory group king mackerel are overfished, based on the most recent status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the recreational ACL and ACT for that following year by the amount of any recreational sector overage in the prior fishing year.

(iii) For purposes of tracking the ACL, recreational landings will be evaluated based on the commercial fishing year, March through February. Recreational landings will be evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP.

(3) The stock ACL for Atlantic migratory group king mackerel is 17.4 million lb (7.9 million kg) for the 2016–2017 fishing year, 15.8 million lb (7.2 million kg) for the 2017–2018 fishing year, 14.1 million lb (6.4 million kg) for the 2018–2019 fishing year, and 12.7 million lb (5.8 million kg) for the 2019–2020 fishing year and subsequent fishing years.

* * * * *

(d) * * *

(2) * * *

(i) If the recreational landings exceed the recreational ACL as specified in this paragraph and the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (d)(3) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the bag limit by the amount necessary to ensure recreational

landings may achieve the recreational ACT, but do not exceed the recreational ACL, in the following fishing year. The recreational ACT for the Atlantic migratory group is 2.364 million lb (1.072 million kg). The recreational ACL for the Atlantic migratory group is 2.727 million lb (1.236 million kg).

* * * * *

(f) * * *

(2) * * *

(i) If landings of cobia that are not sold exceed the ACL specified in this paragraph and the sum of the cobia landings that are sold and not sold, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (f)(3) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the length of the following fishing season by the amount necessary to ensure landings may achieve the applicable ACT, but do not exceed the applicable ACL in the following fishing year. The applicable ACTs for the Atlantic migratory group of cobia are 550,000 lb (249,476 kg) for 2014, 520,000 lb (235,868 kg) for 2015, and 500,000 lb (226,796 kg) for 2016 and subsequent fishing years. The applicable ACLs for the Atlantic migratory group of cobia are 670,000 lb (303,907 kg) for 2014, 630,000 lb (285,763 kg) for 2015, and 620,000 lb (281,227 kg) for 2016 and subsequent fishing years.

* * * * *

■ 15. Revise Appendix G to Part 622 to read as follows:

Appendix G to Part 622—Coastal Migratory Pelagics Zone Illustration

BILLING CODE 3510–22–P

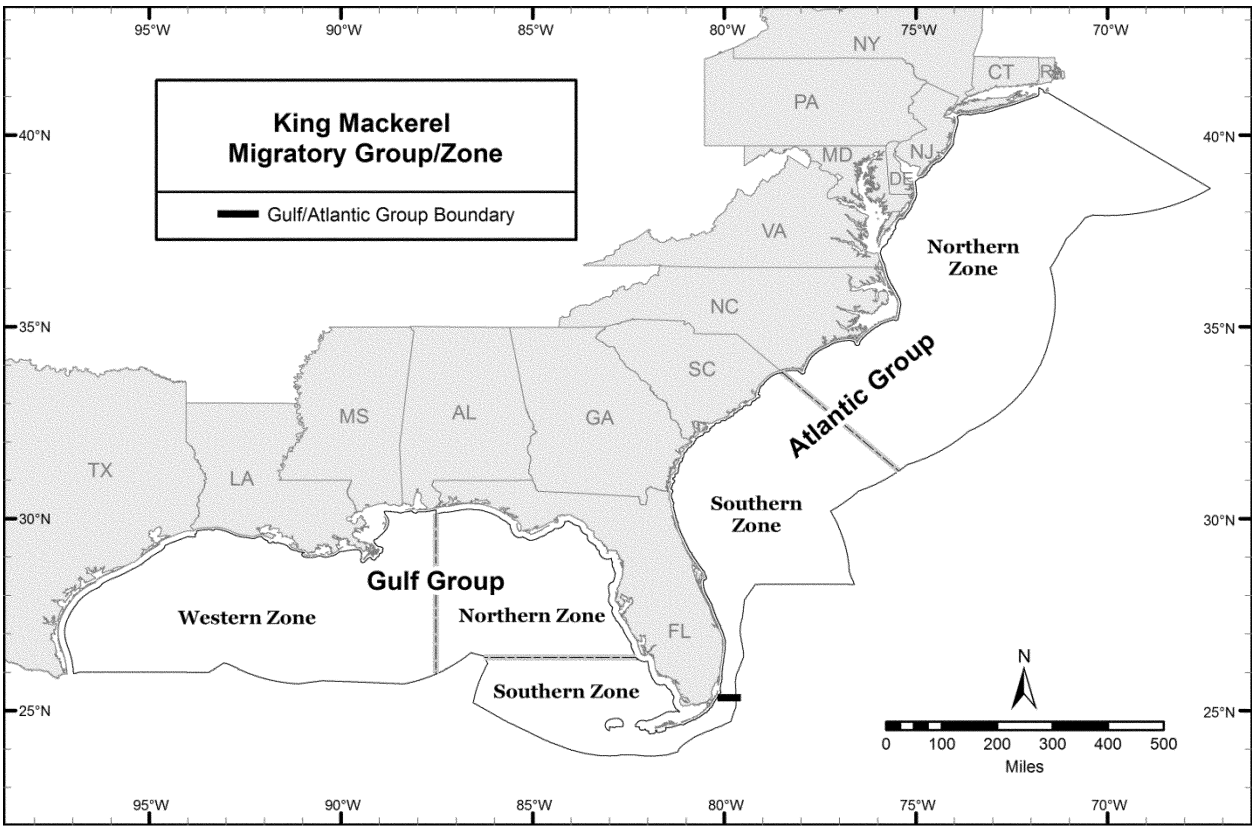

Figure 1 of Appendix G to Part 622--King Mackerel

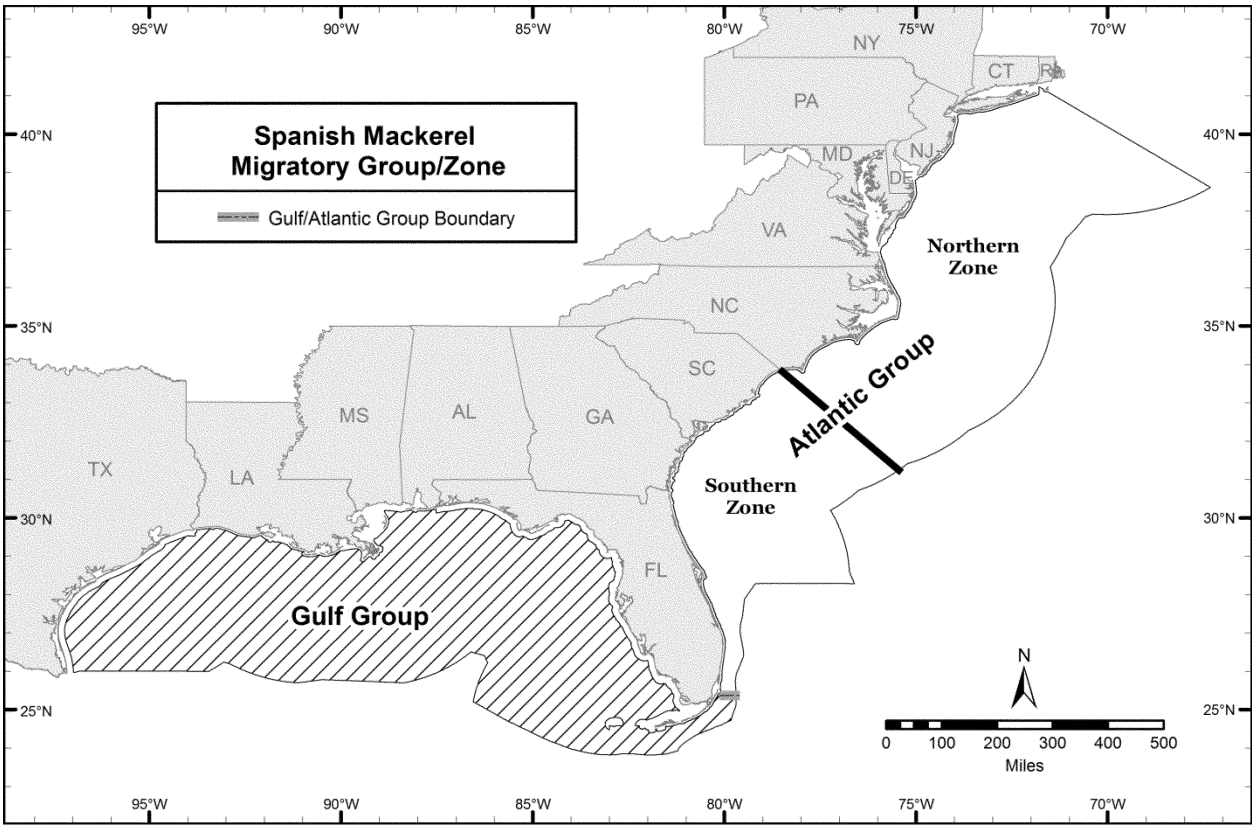

Figure 2 of Appendix G to Part 622--Spanish Mackerel

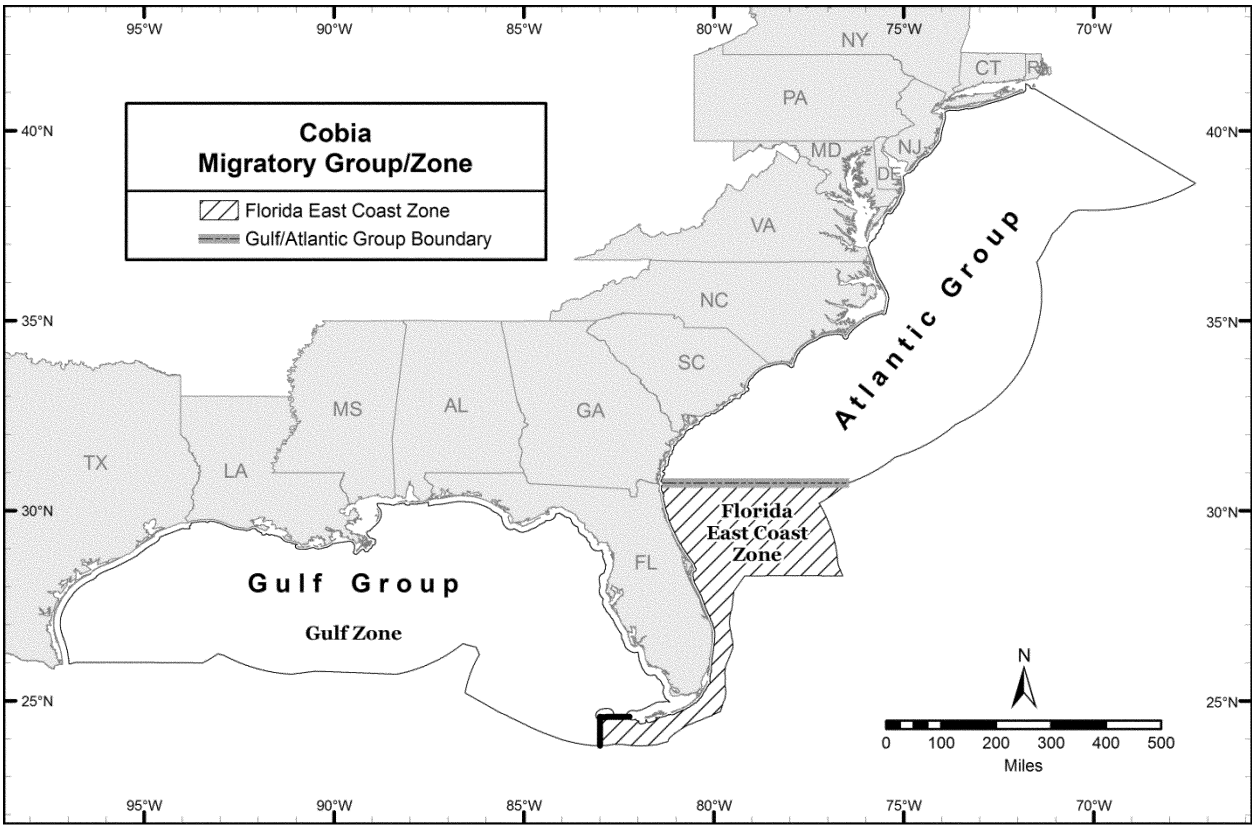

Figure 3 of Appendix G to Part 622--Cobia

[FR Doc. 2017–07233 Filed 4–10–17; 8:45 am]
BILLING CODE 3510–22–C

Proposed Rules

Federal Register
Vol. 82, No. 68
Tuesday, April 11, 2017

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–0247; Directorate Identifier 2016–NM–180–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2012–05–03, which applies to certain The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP series airplanes. AD 2012–05–03 currently requires modifying the fluid drain path in the leading edge area of the wing. Since we issued AD 2012–05–03, Boeing has informed us that it did not provide work instructions to seal two of the drainage holes in the wing leading edge area. This proposed AD would require additional work to seal those drainage holes in the wing access panels. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by May 26, 2017.

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

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

For service information identified in this NPRM, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0247.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0247; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tung Tran, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle Aircraft Certification Office (ACO), FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6505; fax: 425–917–6590; email: *Tung.Tran@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2017–0247; Directorate Identifier 2016–NM–180–AD'' at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

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

Discussion

On February 27, 2012, we issued AD 2012–05–03, Amendment 39–16975 (77 FR 16143, March 20, 2012) (''AD 2012–05–03''), for certain The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP series airplanes. AD 2012–05–03 requires modifying the fluid drain path in the leading edge area of the wing. AD 2012–05–03 resulted from a design review following a ground fire incident and reports of flammable fluid leaks from the wing leading edge area onto the engine exhaust area. We issued AD 2012–05–03 to prevent flammable fluid from leaking onto the engine exhaust nozzle, which could result in a fire.

Actions Since AD 2012–05–03 Was Issued

Since we issued AD 2012–05–03, Boeing has informed us that it did not provide work instructions to seal two of the drainage holes in the wing leading edge area.

Related Service Information Under 1 CFR Part 51

We reviewed Boeing Special Attention Service Bulletin 747–57–2332, Revision 2, dated February 22, 2016. This service information divides the affected airplanes into 10 groups.

For all groups, this service information describes procedures for modifying the fluid drain path in the leading edge area of the wing. The modification consists of changing fluid dam assemblies at wing outboard leading edge station (OLES) 1250, and installing seal assemblies at OLES 1185. Additionally, this service information specifies changing the lower leading edge wing panels through repairs and installation of parts.

For Groups 1 through 6 airplanes, this service information also specifies installing fluid dam assemblies at wing inboard leading edge station 770.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements

This proposed AD would retain all of the requirements of AD 2012–05–03. This proposed AD would also require sealing two drainage holes in the wing access panels, as specified in the service information described previously. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2017–0247.

Differences Between This Proposed AD and the Service Information

Boeing Special Attention Service Bulletin 747–57–2332, Revision 2, dated February 22, 2016, specifies a compliance time of within 60 months after April 24, 2012 (the effective date of AD 2012–05–03), to accomplish the new proposed actions. We have determined that an appropriate compliance time for accomplishing the new proposed actions is within 2 years after the effective date of this AD.

Costs of Compliance

We estimate that this proposed AD affects 258 airplanes of U.S. registry. We estimate the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Fluid drainage modification (Groups 1–6) (143 airplanes) (actions retained from AD 2012-05-03).	95 work-hours × $85 per hour = $8,075	$33,609	$41,684	$5,960,812
Fluid drainage modification (Groups 7–10) (115 airplanes) (actions retained from AD 2012-05-03).	90 work-hours × $85 per hour = $7,650	29,304	36,954	4,249,710
Drainage hole repair (258 airplanes) (new proposed action).	2 work-hours × $85 per hour = $170	9	179	46,182

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

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Airworthiness Directive (AD) 2012–05–03, Amendment 39–16975 (77 FR 16143, March 20, 2012), and adding the following new AD:

The Boeing Company: Docket No. FAA–2017–0247; Directorate Identifier 2016–NM–180–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by May 26, 2017.

(b) Affected ADs

This AD replaces AD 2012–05–03, Amendment 39–16975 (77 FR 16143, March 20, 2012) (''AD 2012–05–03'').

(c) Applicability

This AD applies to The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP series airplanes, certificated in any category, as identified in Boeing Special Attention Service Bulletin 747–57–2332, Revision 2, dated February 22, 2016.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Unsafe Condition

This AD was prompted by a design review following a ground fire incident and reports of flammable fluid leaks from the wing leading edge area onto the engine exhaust area. We are issuing this AD to prevent flammable fluid from leaking onto the engine exhaust nozzle, which could result in a fire.

(f) Compliance

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

(g) Retained Leading Edge Installation, With Revised Service Information

This paragraph restates the requirements of paragraph (g) of AD 2012–05–03, with revised service information. Within 60 months after April 24, 2012 (the effective date of AD 2012–05–03), modify the fluid drain path in the leading edge area of the wing, in accordance with all applicable parts of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747–57–2332, Revision 1, dated July 25, 2011; or Revision 2, dated February 22, 2016.

(h) Retained Credit for Previous Actions, With No Changes

This paragraph restates the provisions of paragraph (h) of AD 2012–05–03, with no changes. This paragraph provides credit for modification of the fluid drain path required by paragraph (g) of this AD, if the modification was performed before April 24, 2012, using Boeing Special Attention Service Bulletin 747–57–2332, dated November 9, 2010.

(i) New Addition of Drainage Hole Sealant

For airplanes on which the actions specified in Boeing Special Attention Service Bulletin 747–57–2332, dated November 9, 2010; or Revision 1, dated July 25, 2011; were done: Within 2 years after the effective date of this AD, fill the drainage holes in wing panels 521EB and 621EB with sealant, in accordance with Part 5 of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747–57–2332, Revision 2, dated February 22, 2016.

(j) 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 (k)(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, modification, or alteration 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. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved previously for AD 2012–05–03 are approved as AMOCs for the corresponding provisions of paragraph (g) of this AD.

(k) Related Information

(1) For more information about this AD, contact Tung Tran, Aerospace Engineer, Propulsion Branch, ANM–140S, Seattle ACO, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; phone: 425–917–6505; fax: 425–917–6590; email: *Tung.Tran@faa.gov.*

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; Internet *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

Issued in Renton, Washington, on April 3, 2017.

Michael Kaszycki,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017–07121 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2016–0466; FRL–9957–14-Region 9]

Approval of California Air Plan Revisions, Butte County Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Butte County Air Quality Management District (BCAQMD) portion of the California State Implementation Plan (SIP). This revision concerns the necessary procedures to create emission reduction credits (ERCs) from the reduction of volatile organic compounds (VOCs), oxides of nitrogen, oxides of sulfur, particulate matter and carbon monoxide emissions due to the permanent curtailment of burning rice straw. We are proposing to approve a local rule that provides administrative procedures for creating ERCs consistent with Clean Air Act (CAA or the Act) requirements.

DATES: Any comments must arrive by May 11, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2016–0466 at *http://www.regulations.gov,* or via email to Andrew Steckel, Rulemaking Office Chief at *Steckel.Andrew@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be removed or edited from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Nancy Levin, EPA Region IX, (415) 972–3848, *levin.nancy@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to the EPA. This proposal addresses the following local rule: BCAQMD Rule 433 ''Rice Straw Emission Reduction Credits.'' In the Rules and Regulations section of this **Federal Register**, we are approving this local rule in a direct final action without prior proposal because we believe this SIP revision is not controversial. If we receive adverse comments, however, we will publish a timely withdrawal of the direct final rule and address the comments in subsequent action based on this proposed rule.

We do not plan to open a second comment period, so anyone interested in commenting should do so at this time. If we do not receive adverse comments, no further activity is planned. For further information, please see the direct final action.

Dated: December 9, 2016.

Alexis Strauss

Acting Regional Administrator, Region IX.

Editorial note: This document was received at the Office of the Federal Register on April 5, 2017.

[FR Doc. 2017–07160 Filed 4–10–17; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 141 and 143

[EPA–HQ–OW–2015–0680; FRL–9960–52–OW]

RIN 2040–AF55

Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA) is extending the comment period for the proposed rule, ''Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water.'' In response to a stakeholder request, EPA is extending the comment period for an additional 30 days, from April 17, 2017, to May 17, 2017.

DATES: Comments must be received on or before May 17, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OW–2015–0680, to the Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Russ Perkinson at U.S. EPA, Office of Ground Water and Drinking Water (Mail Code 4607M), 1200 Pennsylvania Avenue NW., Washington, DC 20460; telephone: 202–564–4901; or email: *perkinson.russ@epa.gov.*

SUPPLEMENTARY INFORMATION: On January 17, 2017, EPA published in the **Federal Register** (82 FR 4805), a proposed rule. The Agency requests comment on the proposed rule: ''Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water.'' The proposed rule, as initially published in the **Federal Register**, provided for written comments to be submitted to EPA on or before April 17, 2017, (a 90-day public comment period). Since publication, EPA has received a request for additional time to submit comments. EPA is extending the public comment period for 30 days until May 17, 2017.

Dated: March 21, 2017.

Michael H. Shapiro,

Acting Assistant Administrator, Office of Water.

[FR Doc. 2017–07148 Filed 4–10–17; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[GN Docket No. 12–268, MB Docket No. 16–306; Report No. 3072]

Petition for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for reconsideration.

SUMMARY: A Petition for Reconsideration (Petition) has been filed in the Commission's rulemaking proceeding by Rick Kaplan, on behalf of NATIONAL ASSOCIATION OF BROADCASTERS.

DATES: Oppositions to the Petitions must be filed on or before April 26, 2017. Replies to an opposition must be filed on or before May 8, 2017.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Shaun Maher, Video Division, Media Bureau, Federal Communications Commission, email: *shaun.maher@fcc.gov,* phone: (202) 418–2324.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, Report No. 3072, released March 29, 2017. The full text of the Petition is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW., Room CY–A257, Washington, DC 20554. It also may be accessed online via the Commission's Electronic Comment Filing System at: *https://www.fcc.gov/ecfs/.* The Commission will not send a copy of this document pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this document does not have an impact on any rules of particular applicability.

Subject: Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition, DA 17–106, published at 82 FR 12594, March 6, 2017, in MB Docket No. 16–306 and GN Docket No. 12–268. This document is being published pursuant to 47 CFR 1.429(e). *See also* 47 CFR 1.4(b)(1) and 1.429(f), (g).

Number of Petitions Filed: 1.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2017–07235 Filed 4–10–17; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 82, No. 68
Tuesday, April 11, 2017

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Document No. AMS–ST–17–0013]

Plant Variety Protection Board; Open Teleconference Meeting

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act (FACA), the Agricultural Marketing Service (AMS) is announcing a meeting of the Plant Variety Protection Board (Board). The meeting is being held to discuss a variety of topics including, but not limited to, work and outreach plans, subcommittee activities, and proposals for procedure changes. The meeting is open to the public. This notice sets forth the schedule and location for the meeting.

DATES: Thursday, April 27, 2017, 10:00 a.m. to 12:00 p.m.

ADDRESSES: The meeting will be held at the United States Department of Agriculture (USDA), Room 3543, South Building, 1400 Independence Avenue SW., Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: Maria Pratt, Program Analyst, USDA, AMS, Science and Technology Programs, 1400 Independence Avenue SW., Washington, DC 20250. Telephone: (202) 260–898; Fax: (202) 260–8976, or Email: *maria.pratt@ams.usda.gov*.

SUPPLEMENTARY INFORMATION: Pursuant to the provisions of section 10(a) of the FACA (5 U.S.C., Appendix 2), this notice informs the public that the Plant Variety Protection Office (PVPO) is sponsoring a meeting of the Board on April 27, 2017. The Plant Variety Protection Act (PVPA) (7 U.S.C. 2321 *et seq*.) provides legal protection in the form of intellectual property rights to developers of new varieties of plants, which are reproduced sexually by seed or are tuber-propagated. A certificate of Plant Variety Protection is awarded to an owner of a crop variety after an examination shows that it is new, distinct from other varieties, genetically uniform and stable through successive generations. The term of protection is 20 years for most crops and 25 years for trees, shrubs, and vines. The PVPA also provides for a statutory Board (7 U.S.C. 2327). The Board is composed of 14 individuals who are experts in various areas of development and represent the seed industry sector, academia and government. The duties of the Board are to: (1) Advise the Secretary concerning the adoption of rules and regulations to facilitate the proper administration of the FACA; (2) provide advisory counsel to the Secretary on appeals concerning decisions on applications by the PVP Office and on requests for emergency public-interest compulsory licenses; and (3) advise the Secretary on any other matters under the Regulations and Rules of Practice and on all questions under Section 44 of the FACA, ''Public Interest in Wide Usage'' (7 U.S.C. 2404).

Meeting Agenda: The purpose of the meeting will be to discuss the PVPO 2017 achievements, the electronic application system, and PVP cooperation with other countries. The Board plans to discuss program activities that encourage the development of new plant varieties and address appeals to the Secretary. The meeting will be open to the public. Those wishing to participate are encouraged to pre-register by April 16, 2017, by contacting Maria Pratt, Program Analyst; Telephone: (202) 260–8983; Email: *maria.prat@ams.usda.gov*.

Meeting Accommodation: The meeting at USDA will provide reasonable accommodation to individuals with disabilities where appropriate. If you need reasonable accommodation to participate in this public meeting, please notify Maria Pratt at: Email: *maria.pratt@ams.usda.gov* or (202) 268– 8983. Determinations for reasonable accommodation will be made on a case-by-case basis. Minutes of the meeting will be available for public review 30 days following the meeting on the internet at *http://www.ams.usda.gov/PVPO*.

Dated: April 5, 2017.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2017–07214 Filed 4–10–17; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

April 6, 2017.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by May 11, 2017 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725—17th Street NW., Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. 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.

Animal Plant and Health Inspection Service

Title: Importation of Fresh Citrus Fruit from Uruguay into the United States.

OMB Control Number: 0579–0401.

Summary of Collection: Under the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States. The regulations in ''Subpart—Fruits and Vegetables'' (Title 7, Code of Federal Regulations (CFR) 319.56, referred to as the regulations), prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed with the United States. APHIS' fruits and vegetables regulations allow, under certain conditions, the importation into the United States of commercial consignments of fresh citrus fruit from Uruguay

Need and Use of the Information: APHIS uses the following information activities to verify that citrus fruit from Uruguay is grown in production areas that are registered and monitored by the North American Plant Protection Organization (NPPO) and to verify consignments have been produced with a systems approach: Bilateral Workplan, Production Site Registration, Phytosanitary Certificate, Labeling Boxes, Monitoring and Inspection, Investigation and Appropriate Remedial Action, Recordkeeping, Registration of Packinghouses, Certified Facility, and Monitoring. Failure to collect the information would cause millions of dollars in losses and cripple APHIS' ability to ensure that fresh citrus from Uruguay is not carrying plant pests.

Description of Respondents: Business or other for-profit and Federal Government.

Number of Respondents: 16.

Frequency of Responses: Recordkeeping; Reporting: On occasion.

Total Burden Hours: 1,351.

Animal Plant and Health Inspection Service

Title: Importation of Fresh Beans, Shelled or in Pods from Jordan into the Continental United States.

OMB Control Number: 0579–0405.

Summary of Collection: Under the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to carry out operations or measures to detect, eradicate, suppress, control, prevent, or retard the spread of plant pests new to the United States or not known to be widely distributed throughout the United States. The regulations in ''Subpart—Fruits and Vegetables'' (Title 7, Code of Federal Regulations (CFR) 319.56, referred to as the regulations), prohibit or restrict the importation of fruits and vegetables into the United States from certain parts of the world to prevent the introduction and dissemination of plant pests that are new to or not widely distributed with the United States. The fruits and vegetables regulations allow the importation of commercial shipments of fresh beans, shelled or in pods (French, green, snap, and string) from Jordan into the continental United States. As a condition of entry, the beans have to be produced in accordance with a system approach that includes requirements for packing, washing, and processing.

Need and Use of the Information: APHIS uses the following information activities to verify that fresh beans from Jordan are grown in production areas that are registered and monitored by the North American Plant Protection Organization (NPPO) of Jordan: (1) Phytosanitary Certificate with/Declaration, (2) Packinghouse Registration, (3) Box Labeling, and (4) Inspections.

Description of Respondents: Business or other for-profit and Federal Government.

Number of Respondents: 5.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 58.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2017–07244 Filed 4–10–17; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Office of Communications; Notice of Request for Approval of a New Information Collection

AGENCY: Office of Communications, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Office of Communications to request approval for a new information collection for Event Appearance Requests for the Secretary or members of his staff.

DATES: Comments on this notice must be received by June 12, 2017 to be assured of consideration.

ADDRESSES: The Office of the Secretary invites interested persons to submit comments on this notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to *http://www.regulations.gov.* Follow the on-line instructions at that site for submitting comments.
- *Mail, including CD–ROMs, etc.:* Send to Docket Clerk, U.S. Department of Agriculture, Office of Communications, Docket Clerk, 1400 Independence Avenue SW., Room 412A, Washington, DC 20250–3700.
- *Hand- or courier-delivered submittals:* Deliver to Docket Clerk, U.S. Department of Agriculture, Office of Communications, Docket Clerk, 1400 Independence Avenue SW., Room 412A, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Office of Communications and date and page number of this issue of the **Federal Register**. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *http://www.regulations.gov.*

Docket: For access to background documents or comments received, go to the Office of Communications Docket Room at 1400 Independence Ave. SW., Room 412A, Washington, DC 20250–3700 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Tomasina Brown, Office of Communications U.S. Department of Agriculture, 1400 Independence Ave. SW., Room 412A Washington, DC 20250 202–720–4623 and 202–720–5773 or *Tomasina.brown@oc.usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Event Appearance Requests for the Secretary or members of his staff.

OMB Number: 0506–New.

Expiration Date of Approval: Three years from approval date.

Type of Request: New information collection.

Abstract: A web form that collects information on events that the public would like the Secretary to participate in, or those in which the incoming Secretary may want to use to reach back

out to interested parties to invite them to events. Information that will be collected is as follows: Organization, Address, Phone/Cell Number, First and last name of point of contact, Email Address, Type of event, Date of event, Event location, Secretary's role, Number of attendees, Press open or closed.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 15 min per response.

Type of Respondents: Individual, Businesses, Not-for profit; State, Local or Tribal governments.

Estimated Number of Respondents: 5,000.

Estimated Number of Responses: 10,000.

Estimated Number of Responses per Respondent: 2.

Estimated Total Annual Burden on Respondents: 1,000.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Tomasina Brown, Office of Communications U.S. Department of Agriculture. All comments received will be available for public inspection during regular business hours at the same address. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

David Black,

Acting Director of Communications.

[FR Doc. 2017–07213 Filed 4–10–17; 8:45 am]

BILLING CODE 3410–13–P

DEPARTMENT OF COMMERCE

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: U.S. Census Bureau.

Title: National Survey of Children's Health.

OMB Control Number: 0607–0990.

Form Number(s):

English survey forms include:

NSCH–S1 (English Screener),

NSCH–T1 (English Topical for 0- to 5-year-old children),

NSCH–T2 (English Topical for 6- to 11-year-old children),

NSCH–T3 (English Topical for 12- to 17-year-old children).

Spanish survey forms include:

NSCH–S–S1 (Spanish Screener),

NSCH–S–T1 (Spanish Topical for 0- to 5-year-old children),

NSCH–S–T2 (Spanish Topical for 6- to 11-year-old children), and

NSCH–S–T3 (Spanish Topical for 12- to 17-year-old children).

Type of Request: Regular submission.

Number of Respondents: 58,345 for the Screener and 23,460 for the Topical.

Average Hours per Response: 0.083 for the screener and 0.5 for the topical.

Burden Hours: 16,573.

Needs and Uses: The National Survey of Children's Health (NSCH) enables the Maternal and Child Health Bureau (MCHB) of the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS) to produce national and state-based estimates on the health and well-being of children, their families, and their communities as well as estimates of the prevalence and impact of children with special health care needs.

Data will be collected using one of two modes. The first mode is a web instrument (Centurion) survey that contains the screener and topical instruments. The web instrument first will take the respondent through the screener questions. If the household screens into the study, the respondent will be taken directly into one of the three age-based topical sets of questions. The second mode is a mailout/mailback of a self-administered paper-and-pencil interviewing (PAPI) screener instrument followed by a separate mailout/mailback of a PAPI age-based topical instrument.

The National Survey of Children's Health (NSCH) is a large-scale (sample size is 156,054 addresses) national survey. The survey will consist of one experiment to test the efficacy of an infographic in the initial package as well as two key, non-experimental design elements. It is anticipated that the infographic will provide respondents with a visually pleasant overview of the survey, including survey design, key estimates from past iterations, and information on how the data can benefit their community, will encourage response. Higher response can reduce follow-up costs and nonresponse bias. The first additional non-experimental design element is a $2 screener cash incentive mailed to 90% of sampled addresses; the remaining 10% (the control) will receive no incentive to monitor the effectiveness of the cash incentive. This incentive is designed to increase response and reduce nonresponse bias. The incentive amount was chosen following an incentive test in the 2016 NSCH. From this test, we concluded that the $2 incentive significantly increased response over no incentive, particularly among low-response groups, and was more cost effective than the $5 incentive. The second additional non-experimental design element is a modification to data collection procedures based on the block group-level paper-only response probability to identify households (30% of the sample) that would be more likely to respond by paper and send them a paper questionnaire from the initial mailing.

Affected Public: Parents, researchers, policymakers, and family advocates.

Frequency: This 2017 collection is the second administration of the NSCH. It is expected that this will become an annual or biennial survey, with a new sample drawn for each administration.

Respondent's Obligation: Voluntary.

Legal Authority: Census Authority: 13 U.S.C. Section 8(b).

HRSA MCHB Authority: Section 501(a)(2) of the Social Security Act (42 U.S.C. 701).

USDA Authority: The Healthy, Hunger-Free Kids Act of 2010, Public Law 111–296. In particular, 42 U.S.C. 1769d(a) authorizes USDA to conduct research on the causes and consequences of childhood hunger included in 1769d(a)(4)(B), the geographic dispersion of childhood hunger and food insecurity.

CDC/NCBDDD Authority: Public Health Service Act, Section 301, 42 U.S.C. 241.

EPA Authority: FIFRA: Section 20(a); Toxic Substances Control Act: Section 10; 15 U.S.C. 2609.

Confidentiality: The U.S. Census Bureau is required by law to protect your information. The Census Bureau is not permitted to publicly release your responses in a way that could identify you or your household. Federal law protects your privacy and keeps your answers confidential (Title 13, United States Code, Section 9). Per the Federal Cybersecurity Enhancement Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.

This information collection request may be viewed at www.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.

Sheleen Dumas,

PRA Departmental Lead, Office of the Chief Information Officer.

[FR Doc. 2017–07159 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Notice of Partially Closed Meeting of the Information Systems Technical Advisory Committee

The Information Systems Technical Advisory Committee (ISTAC) will meet on April 26 and 27, 2017, 9:00 a.m., in the Herbert C. Hoover Building, Room 3884, 14th Street between Constitution and Pennsylvania Avenues NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration on technical questions that affect the level of export controls applicable to information systems equipment and technology.

Wednesday, April 26

Open Session

1. Welcome and Introductions
2. Working Group Reports
3. Old Business
4. Industry Presentations: Quantum Computing
5. New business

Thursday, April 27

Closed Session

6. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3).

The open session will be accessible via teleconference to 20 participants on a first come, first serve basis. To join the conference, submit inquiries to Ms. Yvette Springer at *Yvette.Springer@bis.doc.gov,* no later than April 19, 2017.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent time permits, members of the public may present oral statements to the Committee. The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that public presentation materials or comments be forwarded before the meeting to Ms. Springer.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 27, 2017, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app. 2 § (10)(d))), that the portion of the meeting concerning trade secrets and commercial or financial information deemed privileged or confidential as described in 5 U.S.C. 552b(c)(4) and the portion of the meeting concerning matters the disclosure of which would be likely to frustrate significantly implementation of an agency action as described in 5 U.S.C. 552b(c)(9)(B) shall be exempt from the provisions relating to public meetings found in 5 U.S.C. app. 2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482–2813.

Dated: April 6, 2017.

Yvette Springer,

Committee Liaison Officer.

[FR Doc. 2017–07218 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

International Trade Administration

Civil Nuclear Trade Advisory Committee: Meeting of the Civil Nuclear Trade Advisory Committee

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda for a meeting of the Civil Nuclear Trade Advisory Committee (CINTAC).

DATES: The meeting is scheduled for Thursday, April 27, 2017, from 9:00 a.m. to 4:00 p.m. Eastern Daylight Time (EDT).

ADDRESSES: The meeting will be held at the Herbert C. Hoover Building, Room 1412, 1401 Constitution Ave NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Chesebro, Office of Energy & Environmental Industries, International Trade Administration, Mail Stop 28018, 1401 Constitution Ave. NW., Washington, DC 20230. (Phone: 202–482–1297; Fax: 202–482–5665; email: *jonathan.chesebro@trade.gov*).

SUPPLEMENTARY INFORMATION:

Background: The CINTAC was established under the discretionary authority of the Secretary of Commerce and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), in response to an identified need for consensus advice from U.S. industry to the U.S. Government regarding the development and administration of programs to expand United States exports of civil nuclear goods and services in accordance with applicable U.S. laws and regulations, including advice on how U.S. civil nuclear goods and services export policies, programs, and activities will affect the U.S. civil nuclear industry's competitiveness and ability to participate in the international market.

Topics to be considered: The agenda for the Thursday, April 27, 2017 CINTAC meeting is as follows:

Closed Session (9:00 a.m.–3:00 p.m.)

1. Discussion of matters determined to be exempt from the provisions of the Federal Advisory Committee Act relating to public meetings found in 5 U.S.C. App. (10)(a)(1) and 10(a)(3).

Public Session (3:00 p.m.–4:00 p.m.)

2. Public comment period. Public attendance is limited and available on a first-come, first-served basis. Members of the public wishing to attend the meeting must notify Mr. Jonathan Chesebro at the contact information above by 5:00 p.m. EDT on Friday, April 21, 2017 in order to pre-register. Please specify any requests for reasonable accommodation at least five business days in advance of the meeting. Last minute requests will be accepted, but may not be possible to fill.

A limited amount of time will be available for pertinent brief oral comments from members of the public attending the meeting. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) minutes per person, with a total public comment period of 60 minutes. Individuals wishing to reserve speaking time during the meeting must contact Mr. Chesebro and submit a brief statement of the general nature of the comments and the name and address of the proposed participant by 5:00 p.m. EDT on Friday, April 21, 2017. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, ITA may conduct a lottery to determine the speakers.

Any member of the public may submit pertinent written comments concerning the CINTAC's affairs at any time before and after the meeting. Comments may be submitted to the Civil Nuclear Trade Advisory Committee, Office of Energy & Environmental Industries, Mail Stop 28018, 1401 Constitution Ave. NW., Washington, DC 20230. For consideration during the meeting, and to ensure transmission to the Committee prior to the meeting, comments must be received no later than 5:00 p.m. EDT on Friday, April 21, 2017. Comments received after that date will be distributed to the members but may not be considered at the meeting.

Copies of CINTAC meeting minutes will be available within 90 days of the meeting.

Dated: April 3, 2017.

Man Cho,

Deputy Director, Office of Energy and Environmental Industries.

[FR Doc. 2017–07193 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

Executive-Led Wastewater Treatment Business Development Mission to China From June 11–17, 2017

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Department of Commerce, International Trade Administration (ITA), Executive-led Wastewater Treatment Business Development Mission to China from June 11–17, 2017 is amending the Notice Published at 82 FR 11895 (February 27, 2017) regarding the Executive-Led Wastewater Treatment Business Development Mission to China from June 11–17, 2017, to modify the title to High-Level Wastewater Treatment Business Development Mission to China from June 11–17, 2017 and to modify the selection process of applicants on a rolling basis starting immediately with a maximum number of 15 participants. Applications received after May 11, 2017, will be considered only if space and scheduling constraints permit.

SUPPLEMENTARY INFORMATION: Amendments to revise the selection process.

Background

It has been determined that the selection process of companies interested in participating in the mission will be vetted on a rolling basis. All applications will be evaluated on their ability to meet certain conditions and best satisfy the selection criteria outlined under the conditions of participation clause. Applications for this Mission will be accepted through May 11, 2017. The Department of Commerce will evaluate all applications and inform applicants of selection decisions as soon as possible after this application deadline (and after that date if space remains and scheduling constraints permit).

Contact Information: Pamela Kirkland, International Trade Specialist, Trade Missions, U.S. Department of Commerce, Washington, DC 20230, Tel: 202–482–3587, Fax: 202–482–9000, *Pamela.kirkland@trade.gov*.

Frank Spector,

Trade Missions Program.

[FR Doc. 2017–07212 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

California Institute of Technology; Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Ave. NW., Washington, DC.

Docket Number: 16–017. Applicant: California Institute of Technology, Pasadena, CA 91125. Instrument: Photonic Professional GT 3D laser Lithography System. Manufacturer: Nanoscribe GmbH, Germany. Intended Use: See notice at 81 FR 89433, December 12, 2016.

Comments: None received. Decision: Approved. We know of no instrument of equivalent scientific value to the foreign instrument described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of order. Reasons: The instrument will be used to develop structural meta-materials that are mechanically robust and multi-functional. The instrument allows the fabrication of 3-dimensional architectures out of polymer, with dimensions on the order of nanometers. There is no other instrument capable of resolving features down to that size because to attain such resolution it is necessary to have the two-photon laser capability.

Dated: April 6, 2017.

Gregory W. Campbell,

Director, Subsidies Enforcement Office, Enforcement and Compliance.

[FR Doc. 2017–07263 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Renewable Energy And Energy Efficiency Advisory Committee

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of an open meeting.

SUMMARY: The Renewable Energy and Energy Efficiency Advisory Committee (REEEAC) will hold a meeting on Thursday, May 4, 2017 at the U.S. Department of Commerce Herbert C. Hoover Building in Washington, DC. The meeting is open to the public with registration instructions provided below.

DATES: May 4, 2017, from approximately 8:30 a.m. to 5:00 p.m. Eastern Standard Time (EST). Members of the public wishing to participate must register in advance with Victoria Gunderson at the contact information below by 5:00 p.m. EST on Friday, April 28, 2017, in order to pre-register, including any requests to make comments during the meeting or for accommodations or auxiliary aids.

FOR FURTHER INFORMATION CONTACT: Victoria Gunderson, Designated Federal Officer, Office of Energy and Environmental Industries (OEEI), International Trade Administration, U.S. Department of Commerce at (202) 482–7890; email: *Victoria.Gunderson@trade.gov.*

SUPPLEMENTARY INFORMATION:

Background: The Secretary of Commerce established the REEEAC pursuant to discretionary authority and in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App.), on July 14, 2010. The REEEAC was re-chartered on June 18, 2012, June 12, 2014, and June 9, 2016. The REEEAC provides the Secretary of Commerce with consensus advice from the private sector on the development and administration of programs and

policies to expand the export competitiveness of the U.S. renewable energy and energy efficiency products and services.

On May 4, the REEEAC will hold the third in-person meeting of its new charter term and hold REEEAC sub-committee working sessions, discuss next steps for each sub-committee, consider recommendations for approval, and hear from officials from the Department of Commerce and other agencies on major issues impacting the competitiveness of the U.S. renewable energy and energy efficiency industries.

The meeting will be open to the public and will be accessible to people with disabilities. All guests are required to register in advance by the deadline identified under the **DATES** caption. Requests for auxiliary aids must be submitted by the registration deadline. Last minute requests will be accepted, but may be impossible to fill.

A limited amount of time before the close of the meeting will be available for oral comments from members of the public attending the meeting. To accommodate as many speakers as possible, the time for public comments will be limited to two to five minutes per person (depending on number of public participants). Individuals wishing to reserve speaking time during the meeting must contact Ms. Gunderson and submit a brief statement of the general nature of the comments, as well as the name and address of the proposed participant by 5:00 p.m. EST on Friday, April 28, 2017. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the International Trade Administration may conduct a lottery to determine the speakers. Speakers are requested to submit a copy of their oral comments by email to Ms. Gunderson for distribution to the participants in advance of the meeting.

Any member of the public may submit written comments concerning the REEEAC's affairs at any time before or after the meeting. Comments may be submitted to the Renewable Energy and Energy Efficiency Advisory Committee, c/o: Victoria Gunderson, Designated Federal Officer, Office of Energy and Environmental Industries, U.S. Department of Commerce; 1401 Constitution Avenue NW.; Mail Stop: 4053; Washington, DC 20230. To be considered during the meeting, written comments must be received no later than 5:00 p.m. EST on Friday, April 28, 2017, to ensure transmission to the REEEAC prior to the meeting. Comments received after that date will be distributed to the members but may not be considered at the meeting.

Copies of REEEAC meeting minutes will be available within 30 days following the meeting.

Dated: April 3, 3017.

Adam O'Malley,

Director, Office of Energy and Environmental Industries.

[FR Doc. 2017–07192 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; National Marine Sanctuary Nominations

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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. This proposed information collection is for national marine sanctuary nominations received pursuant to NOAA regulations that provide that the public may nominate special places of the marine environment through the sanctuary nomination process.

DATES: Written comments must be submitted on or before June 12, 2017.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the Internet at *pracomments@doc.gov*).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Annie Sawabini, (240) 533–0658, or *Annie.Sawabini@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection.

National marine sanctuary regulations provide that the public may nominate special places of the marine environment through the sanctuary nomination process (15 CFR part 922). Persons wanting to submit nominations for consideration should submit information on the qualifying criteria and management considerations for the site to be nominated. The Office of National Marine Sanctuaries reviews the submissions, which could result in the nomination being added to an inventory of areas that NOAA may consider for sanctuary designation at some point in the future. Sanctuary designation is a separate public process that would be conducted pursuant to the requirements of the National Marine Sanctuaries Act, and all other applicable laws.

II. Method of Collection

Electronic applications submitted via email and paper nominations submitted via regular mail.

III. Data

OMB Control Number: 0648–0682.

Form Number(s): None.

Type of Review: Regular (extension of a currently approved information collection).

Affected Public: Individuals or households; business or other for-profit organizations; not-for-profit institutions; state, local, or tribal government; federal government.

Estimated Number of Respondents: 10.

Estimated Time Per Response: 29 hours.

Estimated Total Annual Burden Hours: 290.

Estimated Total Annual Cost to Public: $120 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (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.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 6, 2017.

Sarah Brabson,

NOAA PRA Clearance Officer.

[FR Doc. 2017–07268 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–NK–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO–C–2017–0006]

Notice of Public Meeting on Developments in Trade Secret Protection

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice of symposium.

SUMMARY: The United States Patent and Trademark Office (USPTO) will be holding a public symposium on issues relevant to the protection of trade secrets. Since our last symposium on these issues in January 2015, the area of trade secret protection has continued to develop, most notably with the May 11, 2016, enactment of the Defend Trade Secrets Act (DTSA). Given this legislation and the continuing domestic and international attention to trade secrets, the USPTO will be holding another public symposium to address recent developments.

DATES: The symposium will be held on May 8, 2017, from 9 a.m. to 4 p.m. EDT.

ADDRESSES: The symposium will be held at the auditorium of the United States Patent and Trademark Office, Madison Building, 600 Dulany Street, Alexandria, Virginia 22314. All major entrances to the building are accessible to people with disabilities.

FOR FURTHER INFORMATION CONTACT: For further information regarding the symposium, please contact Michael Smith, Jenny Blank, or Hollis Robinson at the Office of Policy and International Affairs, by telephone at (571) 272–9300, by email at *tradesecrets@uspto.gov,* or by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Michael Smith, Jenny Blank, or Hollis Robinson. Please direct all media inquiries to the Office of the Chief Communications Officer, USPTO, at (571) 272–8400.

SUPPLEMENTARY INFORMATION:

Trade Secret Symposium

Under U.S. law, trade secrets comprise commercially valuable information not generally known or readily ascertainable to the public, that are subject to reasonable measures to maintain confidentiality. In May 2016, the Defend Trade Secrets Act of 2016 (DTSA) established a federal private civil cause of action for the misappropriation of a trade secret, with the aim to provide businesses with a uniform, reliable and predictable way to protect their valuable trade secrets anywhere in the country. Given this legislation and the continuing domestic and international attention to trade secrets, the USPTO will hold a public symposium on recent developments in the protection of trade secrets. Topics to be discussed include: (1) Measuring the Value of Secrecy; (2) Use of the DTSA in Practice; (3) Differences in Trade Secret Protection in Foreign Jurisdictions; and (4) Considerations of Business Owners in International Cases. Experts from academia, private legal practice, international organizations, and industry will serve as panelists.

Instructions and Information on the Public Symposium

The symposium will be held on May 8, 2017, at the auditorium of the United States Patent and Trademark Office, Madison Building, 600 Dulany Street, Alexandria, Virginia 22314. The symposium will begin at 9 a.m. and end at 4 p.m. EDT. The agenda will be available a week in advance on the USPTO Web site, *https://www.uspto.gov/learning-and-resources/ip-policy/enforcement/trade-secret-symposium.* Pre-registration is available at *http://www.cvent.com/d/45q976.* Attendees may also register at the door one half-hour prior to the beginning of the symposium.

The symposium will be physically accessible to people with disabilities. Individuals requiring accommodation, such as sign language interpretation or other ancillary aids, should communicate their needs to Hollis Robinson at the Office of Policy and International Affairs, by telephone at (571) 272–9300, by email at *hollis.robinson@uspto.gov,* or by postal mail addressed to: Mail Stop OPIA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450, ATTN: Hollis Robinson, at least seven (7) business days prior to the symposium.

Dated: April 5, 2017.

Michelle K. Lee,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2017–07254 Filed 4–10–17; 8:45 am]

BILLING CODE 3510–16–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (''PRA''), this notice announces that the Information Collection Request (''ICR'') abstracted below has been forwarded to the Office of Management and Budget (''OMB'') for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before May 11, 2017.

ADDRESSES: Comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, may be submitted directly to the Office of Information and Regulatory Affairs (''OIRA'') in OMB, within 30 days of the notice's publication, by email at *OIRAsubmissions@omb.eop.gov.* Please identify the comments by OMB Control No. 3038–0090. Please provide the Commodity Futures Trading Commission (''CFTC'' or ''Commission'') with a copy of all submitted comments at the address listed below. Please refer to OMB Reference No. 3038–0090, found on *http://reginfo.gov.* Comments may also be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Commodity Futures Trading Commission, 725 17th Street NW., Washington, DC 20503, and to: Christopher J. Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, 1155 21st Street NW., Washington, DC 20581 or by Hand Deliver/Courier at the same address; or through the Agency's Web site at *http://comments.cftc.gov.* Follow the instructions for submitting comments through the Web site.

A copy of the supporting statements for the collection of information discussed above may be obtained by visiting *http://RegInfo.gov.* All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to *http://www.cftc.gov.*

FOR FURTHER INFORMATION CONTACT: August A. Imholtz III, Special Counsel, Division of Swap Dealer and Intermediary Oversight, Commodity

Futures Trading Commission, (202) 418–5140; email: *aimholtz@cftc.gov,* and refer to OMB Control No. 3038–0090.

SUPPLEMENTARY INFORMATION:

Title: Adaption of Regulations to Incorporate Swaps—Records of Transactions (OMB Control No. 3038–0090). This is a request for an extension and revision of a currently approved information collection.

Abstract: The Commission recently amended Regulation 1.35(a) to change and clarify several of the existing recordkeeping requirements that apply to certain registrants and market participants. *Records of Commodity Interest and Related Cash or Forward Transactions,* 80 FR 80247 (Dec. 24, 2015). Specifically, the amendment to Regulation 1.35: (1) Excludes members of designated contract markets (''DCMs'') and members of swap execution facilities (''SEFs'') that are not registered or required to register with the Commission (''Unregistered Members'') from the requirement to keep written communications that lead to the execution of a commodity interest transaction and related cash or forward transactions; (2) excludes Unregistered Members from the requirement to maintain records in a particular form and manner; (3) excludes Unregistered Members from the requirement to retain text messages; (4) excludes commodity trading advisors (''CTAs'') that are members of a DCM or of a SEF from the requirement to record oral communications that lead to the execution of a transaction; and (5) clarifies the form and manner requirements that apply to required records.

In *Agency Information Collection Activities: Proposed Collection Revision, Comment Request: Final Rule for Records of Commodity Interest and Related Cash or Forward Transactions,* 80 FR 80327 (Dec. 24, 2015), the Commission addressed the PRA implications of this amendment of Regulation 1.35. First, the Commission estimated that changing Regulation 1.35(a) to exclude Unregisted Members from the requirement to keep written communications that lead to transaction execution will decrease the information collection burden under the rule by approximately one-half hour per week per entity. Second, the Commission estimated that excluding Unregistered Members from the requirement to maintain records in a particular form and manner will decrease the information collection burden by approximately one-half hour per month per entity. Third, the Commission estimated that excluding Unregistered Members from the requirement to retain text messages will decrease the information collection burden by approximately approximately one-half hour per month per entity. In connection with these estimates, the Commission estimated that there are approximately 3,200 Unregistered Members that will have their recordkeeping obligations reduced as a result of these three changes to Regulation 1.35(a). Next, the Commission estimated that excluding CTAs that are members of a DCM or of a SEF from the requirement to record oral communications that lead to transaction execution will decrease the information collection burden by approximately one-half hour per week per entity. In connection with this estimate, the Commission estimated that there are approximately 1,175 CTAs that will have their recordkeeping obligations reduced as a result of this change to Regulation 1.35(a). Finally, the Commission noted that because the revised form and manner requirements are a clarification of the prior requirements, the revised requirements do not increase or decrease the information collection burden.

In the *Agency Information Collection Activities: Proposed Collection Revision, Comment Request: Final Rule for Records of Commodity Interest and Related Cash or Forward Transactions,* the Commission requested comments on, among other things, its estimates regarding the modified information collection burdens associated with the changes to Regulation 1.35(a). The Commission did not receive any comments that addressed any of its estimates or any other aspect of the information collection.

Burden Statement: The amendment of Regulation 1.35 reduces the recordkeeping burdens of Unregistered Members and of CTAs that are members of a DCM or of a SEF. For each respondent that is an Unregistered Member, the Commission estimates that the amendment reduces the annual recordkeeping burden by a total of 38 hours. For each respondent that is a CTA, the Commission estimates that the amendment reduces the annual recordkeeping burden by a total of 26 hours.

The Commission estimates the burden of this collection of information as follows:

Respondents/Affected Entities: Futures Commission Merchants, Retail Foreign Exchange Dealers, Introducing Brokers, and Members of a DCM or of a SEF.

Estimated number of respondents: 6,000.

Estimated total annual burden on respondents: 321,449 hours.[1]

Frequency of collection: Ongoing.

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

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

Dated: April 5, 2017.

Robert N. Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2017–07183 Filed 4–10–17; 8:45 am]

BILLING CODE 6351–01–P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2010–0055]

Agency Information Collection Activities; Submission for OMB Review; Comment Request—Standard for the Flammability of Mattresses and Mattress Pads and Standard for the Flammability (Open Flame) of Mattress Sets

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995, the Consumer Product Safety Commission (Commission or CPSC) announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of a collection of information associated with the collection of information set forth in the Standard for the Flammability of Mattresses and Mattress Pads, and the Standard for the Flammability (Open Flame) of Mattress Sets, approved previously under OMB Control No. 3041–0014. In the **Federal Register** of January 25, 2017 (82 FR 8409), the CPSC published a notice to announce the agency's intention to seek extension of approval of the collection of information. The Commission received no comments. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change.

[1] In the *Agency Information Collection Activities: Proposed Collection Revision, Comment Request: Final Rule for Records of Commodity Interest and Related Cash or Forward Transactions,* the Commission mistakenly estimated the total annual burden on respondents to be 319,707. This estimate appears to have incorporated a mathematical error. The correct estimate of the total annual burden on respondents is, and should have been, 321,449.

DATES: Written comments on this request for extension of approval of information collection requirements should be submitted by May 11, 2017.

ADDRESSES: Submit comments about this request by email: *OIRA_submission@omb.eop.gov* or fax: 202–395–6881. Comments by mail should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the CPSC, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503. In addition, written comments that are sent to OMB also should be submitted electronically at *http://www.regulations.gov,* under Docket No. CPSC–2010–0055.

FOR FURTHER INFORMATION CONTACT: For further information contact: Robert H. Squibb, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; (301) 504–7815, or by email to: *rsquibb@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC has submitted the following currently approved collection of information to OMB for extension:

A. Background

Approximately 358 firms produce mattresses.[1] The Standard for the Flammability of Mattresses and Mattress Pads, 16 CFR part 1632 (part 1632 standard), was promulgated under section 4 of the Flammable Fabrics Act (FFA), 15 U.S.C. 1193, to reduce unreasonable risks of burn injuries and deaths from fires associated with mattresses and mattress pads. The part 1632 standard prescribes requirements to test whether a mattress or mattress pad will resist ignition from a smoldering cigarette. The part 1632 standard also requires manufacturers to perform prototype tests of each combination of materials and construction methods used to produce mattresses or mattress pads and to obtain acceptable results from such testing. Manufacturers and importers must maintain the records and test results specified under the standard.

The Commission also promulgated the Standard for the Flammability (Open Flame) of Mattress Sets, 16 CFR part 1633 (part 1633 standard), under section 4 of the FFA to reduce deaths and injuries related to mattress fires, particularly those ignited by open-flame sources, such as lighters, candles, and matches. The part 1633 standard requires manufacturers to maintain certain records to document compliance with the standard, including maintaining records concerning prototype testing, pooling, and confirmation testing, and quality assurance procedures and any associated testing. The required records must be maintained for as long as mattress sets based on the prototype are in production and must be retained for 3 years thereafter. Although some larger manufacturers may produce mattresses based on more than 100 prototypes, most mattress manufacturers base their complying production on 15 to 20 prototypes. OMB previously approved the collection of information for 16 CFR parts 1632 and 1633, under control number 3041–0014, with an expiration date of April 30, 2017. The information collection requirements under the part 1632 standard do not duplicate the testing and recordkeeping requirements under the part 1633 standard.

B. Burden Hours

16 CFR 1632: Staff estimates that there are 358 respondents. It is estimated that each respondent will spend 26 hours for testing and record keeping annually for a total of 9,308 hours (358 firms × 26 hours = 9,308). The hourly compensation for the time required for record keeping is $66.19 (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' June 2016, Table 9, total compensation of all management, professional, and related occupations in goods-producing industries: *http://www.bls.gov/ncs*). The annualized cost to respondents would be approximately $616,097 (9,308 hours × $66.19).

16 CFR 1633: The standard requires detailed documentation of prototype identification and testing records, model and prototype specifications, inputs used, name and location of suppliers, and confirmation of test records, if establishments choose to pool a prototype. This documentation is in addition to documentation already conducted by mattress manufacturers in their efforts to meet 16 CFR part 1632. Staff estimates that there are 358 respondents. Based on staff estimates, the recordkeeping requirements are expected to require about 4 hours and 44 minutes per establishment, per qualified prototype. Although some larger manufacturers reportedly are producing mattresses based on more than 100 prototypes, most mattress manufacturers probably base their complying production on 15 to 20 prototypes, according to an industry representative contacted by staff. Assuming that establishments qualify their production with an average of 20 different qualified prototypes, recordkeeping time is about 94.6 hours (4.73 hours x 20 prototypes) per establishment, per year. (Note that pooling among establishments or using a prototype qualification for longer than 1 year will reduce this estimate). This translates to an annual recordkeeping time cost to all mattress producers of 33,867 hours (94.6 hours x 358 firms). The hourly compensation for the time required for record keeping is $66.19 (U.S. Bureau of Labor Statistics, ''Employer Costs for Employee Compensation,'' June 2016, Table 9, total compensation of all management, professional, and related occupations in goods-producing industries: *http://www.bls.gov/ncs*). The annual total estimated costs for recordkeeping are approximately $2,241,657 (33,867 hours × $66.19).

The total estimated cost to the 358 firms for the burden hours associated with both 16 CFR part 1632 and 16 CFR part 1633 is approximately $2.86 million annually.

Dated: April 6, 2017.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2017–07236 Filed 4–10–17; 8:45 am]

BILLING CODE 6355–01–P

[1] In the previous information collection, CPSC used the census data for the North American Industry Classification System (NAICS) code to count the number of establishments that produce mattresses. However, firms may have multiple establishments associated with them. Accordingly, CPSC uses the number of firms rather than the number of establishments.

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2009–0092]

Agency Information Collection Activities; Submission for OMB Review; Comment Request—Clothing Textiles, Vinyl Plastic Film

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act (PRA) of 1995, the Consumer Product Safety Commission (Commission or CPSC) announces that the Commission has submitted to the Office of Management and Budget (OMB) a request for extension of approval of a collection of information associated with the Commission's Standard for the Flammability of Clothing Textiles and the Standard for the Flammability of Vinyl Plastic Film approved previously under OMB Control No. 3041–0024. In the **Federal Register** of January 25, 2017 (82 FR 8411), the CPSC published a notice to announce the agency's intention to seek

extension of approval of the collection of information. The Commission received no comments. Therefore, by publication of this notice, the Commission announces that CPSC has submitted to the OMB a request for extension of approval of that collection of information, without change.

DATES: Written comments on this request for extension of approval of information collection requirements should be submitted by May 11, 2017.

ADDRESSES: Submit comments about this request by email: *OIRA_submission@omb.eop.gov* or fax: 202–395–6881. Comments by mail should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the CPSC, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503. In addition, written comments that are sent to OMB also should be submitted electronically at *http://www.regulations.gov,* under Docket No. CPSC–2009–0092.

FOR FURTHER INFORMATION CONTACT: For further information contact: Robert H. Squibb, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; (301) 504–7815, or by email to: *rsquibb@cpsc.gov.*

SUPPLEMENTARY INFORMATION: CPSC has submitted the following currently approved collection of information to OMB for extension.

A. Background

The Commission has promulgated several standards under section 4 of the Flammable Fabrics Act (FFA), 15 U.S.C. 1193, to prohibit the use of dangerously flammable textiles and related materials in wearing apparel. Clothing and fabrics intended for use in clothing (except children's sleepwear in sizes 0 through 14) are subject to the Standard for the Flammability of Clothing Textiles (16 CFR part 1610). Clothing made from vinyl plastic film and vinyl plastic film intended for use in clothing (except children's sleepwear in sizes 0 through 14) are subject to the Standard for the Flammability of Vinyl Plastic Film (16 CFR part 1611). These standards prescribe a test to ensure that articles of wearing apparel, and fabrics and film intended for use in wearing apparel, are not dangerously flammable because of rapid and intense burning. (Children's sleepwear and fabrics and related materials intended for use in children's sleepwear in sizes 0 through 14 are subject to other, more stringent flammability standards codified at 16 CFR parts 1615 and 1616).

Section 8 of the FFA (15 U.S.C. 1197) provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. The Commission uses the information compiled and maintained by firms that issue these guaranties to help protect the public from risks of injury or death associated with flammable clothing and fabrics and vinyl film intended for use in clothing. In addition, the information helps the Commission arrange corrective actions if any products covered by a guaranty fail to comply with the applicable standard in a manner that creates a substantial risk of injury or death to the public. Section 8 of the FFA requires that a guaranty must be based on ''reasonable and representative tests.'' The testing and recordkeeping requirements by firms that issue guaranties are set forth under 16 CFR part 1610, subpart B, and 16 CFR part 1611, subpart B.

B. Burden

The Commission estimates that approximately 1,000 firms issue guaranties. Although the Commission's records indicate that approximately 675 firms have filed continuing guaranties at the CPSC, staff believes additional guarantees may be issued that are not filed with the Commission. Accordingly, staff has estimated the number of firms upwards to account for those guaranties. Staff estimated the burden hours based on an estimate of the time for each firm to conduct testing, issue guaranties, and to establish and maintain associated records.

- Burden Hours per Firm—An estimated 5 hours for testing per firm, using either the test and conditioning procedures in the regulations or alternate methods. Although many firms are exempt from testing to support guaranties under 16 CFR 1610.1(d), CPSC staff does not know the proportion of those firms that are testing vs. those that are exempt. Thus, staff has included testing for all firms in the burden estimates.
- Guaranties Issued per Firm—On average, 20 new guaranties are issued per firm per year for new fabrics or garments.
- Estimated Annual Testing Time per Firm—100 hours per firm (5 hours for testing × 20 guaranties issued = 100 hours per firm).
- Estimated Annual Recordkeeping per Firm—1 hour to create, record, and enter test data into a computerized dataset; 20 minutes (=0.3 hours) for annual review/removal of records; 20 minutes (=0.3 hours) to respond to one CPSC records request per year; for a total of 1.6 recordkeeping hours per firm (1 hour + .3 hours + .3 hours = 1.6 hours per firm).
- Total Estimated Annual Burden Hours per Firm—100 hours estimated annual testing time per firm + 1.6 estimated annual recordkeeping hours per firm = 101.6 hours per firm.
- Total Estimated Annual Industry Burden Hours—101.6 hours per firm × 1,000 firms issuing guaranties = 101,600 industry burden hours. The total annual industry burden imposed by the flammability standards for clothing textiles and vinyl plastic film and enforcement regulations on manufacturers and importers of garments, fabrics, and related materials is estimated to be about 101,600 hours (101.6 hours per firm × 1,000 firms).
- Total Annual Industry Cost—The hourly wage for the testing and recordkeeping required by the standards is approximately $66.19 (for management, professional, and related occupations in goods-producing industries, Bureau of Labor Statistics, June 2016), for an estimated annual cost to the industry of approximately $6.7 million (101,600 × $66.19 = $6,724,904).

Dated: April 6, 2017.

Todd A. Stevenson,

Secretary, Consumer Product Safety Commission.

[FR Doc. 2017–07237 Filed 4–10–17; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2014–0016]

Proposed Collection; Comment Request

AGENCY: Department of the Army, DoD.

ACTION: Notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Department of the Army announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the

burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 12, 2017.

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

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Deputy Chief Management Officer, Directorate for Oversight and Compliance, Regulatory and Advisory Committee Division, 4800 Mark Center Drive, Mailbox #24, Suite 08D09B, Alexandria, VA 22350–1700.

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

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

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Director of Admissions, U.S. Military Academy, ATTN: Associate Director of Admissions—Support, 606 Thayer Road, West Point, NY 10996–1905, or call Department of the Army Reports Clearance Officer at (703) 428–6440.

SUPPLEMENTARY INFORMATION:

Title: Associated Form; and OMB Number: USMA Candidate Procedures; On-line Candidate Portal and USMA Form 5–518; OMB Control Number 0702–0061.

Needs and Uses: West Point candidates provide personal background information that allows the West Point Admissions Committee to make subjective judgements on non-academic experiences. Data are also used by West Point's Office of Institutional Research for correlation with success in graduation and military careers.

Affected Public: Individuals or Households.

Annual Burden Hours: 17,933.

Number of Respondents: 53,800.

Responses per Respondent: 1.

Annual Responses: 53,800.

Average Burden per Response: 20 Minutes.

Frequency: On occasion.

The U.S. Military Academy (USMA) strives to motivate outstanding potential candidates to apply for admission to USMA. Once candidates are found, USMA collects information necessary to nurture them through successful completion of the application process.

Dated: April 5, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–07177 Filed 4–10–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Government-Industry Advisory Panel; Notice of Federal Advisory Committee Meeting

AGENCY: Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics), Department of Defense (DoD).

ACTION: Federal advisory committee meeting notice.

SUMMARY: The Department of Defense is publishing this notice to announce the following Federal advisory committee meeting of the Government-Industry Advisory Panel. This meeting is open to the public.

DATES: The meeting will be held from 9:00 a.m. to 5:00 p.m. on Wednesday and Thursday, April 26 and 27, 2017. Public registration will begin at 8:45 a.m. on each day. For entrance into the meeting, you must meet the necessary requirements for entrance into the Pentagon. For more detailed information, please see the following link: *http://www.pfpa.mil/access.html.*

ADDRESSES: Pentagon Library, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301–1155. The meeting room will be displayed on the information screen for both days. The Pentagon Library is located in the Pentagon Library and Conference Center (PLC2) across the Corridor 8 bridge.

FOR FURTHER INFORMATION CONTACT: LTC Andrew Lunoff, Office of the Assistant Secretary of Defense (Acquisition), 3090 Defense Pentagon, Washington, DC 20301–3090, email: *andrew.s.lunoff.mil@mail.mil,* phone: 571–256–9004.

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: This meeting is being held under the provisions of the Federal Advisory Committee Act of 1972 (FACA) (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150. The Government-Industry Advisory Panel will review sections 2320 and 2321 of title 10, United States Code (U.S.C.), regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interest of the taxpayers and the national defense. The scope of the panel is as follows: (1) Ensuring that the Department of Defense (DoD) does not pay more than once for the same work, (2) Ensuring that the DoD contractors are appropriately rewarded for their innovation and invention, (3) Providing for cost-effective reprocurement, sustainment, modification, and upgrades to the DoD systems, (4) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the DoD, and (5) Ensuring that the DoD has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

Agenda: This will be the fifteenth meeting of the Government-Industry Advisory Panel. The panel will cover details of 10 U.S.C. 2320 and 2321, begin understanding the implementing regulations and detail the necessary groups within the private sector and government to provide supporting documentation for their review of these codes and regulations during follow-on meetings. Agenda items for this meeting will include the following: (1) Final review of tension point information papers; (2) Rewrite FY17 NDAA 2320 and 2321 language; (3) Review Report Framework and Format for Publishing; (4) Comment Adjudication & Planning for follow-on meeting.

Availability of Materials for the Meeting: A copy of the agenda or any updates to the agenda for the April 26–27 meeting will be available as requested or at the following site: *https://database.faca.gov/committee/meetings.aspx?cid=2561.* It will also be distributed upon request.

Minor changes to the agenda will be announced at the meeting. All materials will be posted to the FACA database after the meeting.

Public Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.140 through 102–3.165, and subject to the availability of space, this meeting is open to the public. Registration of members of the public who wish to attend the meeting will begin upon publication of this meeting notice and end three business days (April 21) prior to the start of the meeting. All members of the public must contact LTC Lunoff at the phone number or email listed in the **FOR FURTHER INFORMATION CONTACT** section to make arrangements for Pentagon escort, if necessary. Public attendees should arrive at the Pentagon's Visitor's Center, located near the Pentagon Metro Station's south exit and adjacent to the Pentagon Transit Center bus terminal with sufficient time to complete security screening no later than 8:30 a.m. on April 26–27. To complete security screening, please come prepared to present two forms of identification of which one must be a pictured identification card. Government and military DoD CAC holders are not required to have an escort, but are still required to pass through the Visitor's Center to gain access to the Building. Seating is limited and is on a first-to-arrive basis. Attendees will be asked to provide their name, title, affiliation, and contact information to include email address and daytime telephone number to the Designated Federal Officer (DFO) listed in the **FOR FURTHER INFORMATION CONTACT** section. Any interested person may attend the meeting, file written comments or statements with the committee, or make verbal comments from the floor during the public meeting, at the times, and in the manner, permitted by the committee.

Special Accommodations: The meeting venue is fully handicap accessible, with wheelchair access.

Individuals requiring special accommodations to access the public meeting or seeking additional information about public access procedures, should contact LTC Lunoff, the committee DFO, at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section, at least five (5) business days prior to the meeting so that appropriate arrangements can be made.

Written Comments or Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the Government-Industry Advisory Panel about its mission and/or the topics to be addressed in this public meeting. Written comments or statements should be submitted to LTC Lunoff, the committee DFO, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section in the following formats: Adobe Acrobat or Microsoft Word. The comment or statement must include the author's name, title, affiliation, address, and daytime telephone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the committee DFO at least five (5) business days prior to the meeting so that they may be made available to the Government-Industry Advisory Panel for its consideration prior to the meeting. Written comments or statements received after this date may not be provided to the panel until its next meeting. Please note that because the panel operates under the provisions of the Federal Advisory Committee Act, as amended, all written comments will be treated as public documents and will be made available for public inspection.

Verbal Comments: Members of the public will be permitted to make verbal comments during the meeting only at the time and in the manner allowed herein. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three (3) business days in advance to the committee DFO, via electronic mail, the preferred mode of submission, at the email address listed in the **FOR FURTHER INFORMATION CONTACT** section. The committee DFO will log each request to make a comment, in the order received, and determine whether the subject matter of each comment is relevant to the panel's mission and/or the topics to be addressed in this public meeting. A 30-minute period near the end of the meeting will be available for verbal public comments. Members of the public who have requested to make a verbal comment and whose comments have been deemed relevant under the process described in this paragraph, will be allotted no more than five (5) minutes during this period, and will be invited to speak in the order in which their requests were received by the DFO.

Dated: April 6, 2017.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2017–07252 Filed 4–10–17; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Proposals by Non-Federal Interests, for Feasibility Studies and for Modifications to an Authorized Water Resources Development Project or Feasibility Study, for Inclusion in the Annual Report to Congress on Future Water Resources Development

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice.

SUMMARY: Section 7001 of Water Resources Reform and Development Act (WRRDA) 2014 requires that the Secretary of the Army annually submit to the Congress a report (Annual Report) that identifies feasibility reports, proposed feasibility studies submitted by nonFederal interests, and proposed modifications to an authorized water resources development project or feasibility study that meet certain criteria. The Annual Report is to be based, in part, upon requests for proposals submitted by non-Federal interests.

DATES: Proposals must be submitted online by August 9, 2017.

ADDRESSES: Submit proposals online at: *http://www.usace.army.mil/Missions/CivilWorks/ProjectPlanning/WRRDA7001Proposals.aspx*. If a different method of submission is required, use the further information below to arrange an alternative submission process.

FOR FURTHER INFORMATION CONTACT: Send an email to the help desk at *WRRDA7001Proposal@usace.army.mil* or call Lisa Kiefel, Planning and Policy Division, Headquarters, USACE, Washington DC at 202–761–0626.

SUPPLEMENTARY INFORMATION: Section 7001 of WRRDA 2014 requires the publication of a notice in the **Federal Register** to request proposals by non-Federal interests for feasibility studies and modifications to an authorized USACE water resources development project or feasibility study. Project feasibility reports that have successfully completed Executive Branch review, but have not been authorized will be included in the Annual Report table by the Secretary of the Army and these proposals do not need to be submitted in response to this notice.

Proposals by non-Federal interests must be entered online and require the following information:

1. The name of all non-Federal interests planning to act as the sponsor, including any non-Federal interest that

has contributed to or is expected to contribute toward the non-Federal share of the proposed feasibility study or modification.

2. State if this proposal is for a feasibility study or a modification to an authorized USACE water resources development project or feasibility study and, if a modification, specify the authorized water resources development project or study that is proposed for modification.

3. State the specific project purpose(s) of the proposed study or modification.

4. Provide an estimate, to the extent practicable, of the total cost, and the Federal and non-Federal share of those costs, of the proposed study and, separately, an estimate of the cost of construction or modification.

5. Describe, to the extent applicable and practicable, an estimate of the anticipated monetary and non-monetary benefits of the proposal with regard to benefits to the protection of human life and property; improvement to transportation; the national economy; the environment; or the national security interests of the United States.

6. Describe if local support exists for the proposal.

7. State if the non-Federal interest has the financial ability to provide the required cost share, reference ER 1105–2–100.

8. Upload a letter or statement of support from each associated non-Federal interest.

All provided information may be included in the Annual Report to Congress on Future Water Resources Development. Therefore, information that is Confidential Business Information, information that should not be disclosed because of statutory restrictions, or other information that a non-Federal interest would not want to appear in the Annual Report should not be included.

Process: Proposals received within the time frame set forth in this notice will be reviewed by the Army and will be presented in one of two tables. The first table will be in the Annual Report itself, and the second table will be in an appendix. To be included in the Annual Report table, the proposals must meet the following criteria:

1. Are related to the missions and authorities of the USACE;

Involves a proposed or existing USACE water resources project or effort whose primary purpose is flood and storm damage reduction, commercial navigation, or aquatic ecosystem restoration. Following long-standing USACE practice, related proposals such as for recreation, hydropower, or water supply, are eligible for inclusion if undertaken in conjunction with such a project or effort.

2. Require specific congressional authorization, including by an Act of Congress;

Comprise the following cases:

a. REQUIRES CONSTRUCTION AUTHORIZATION.

- Signed Chief's Reports
- Non-Federal feasibility reports submitted to the Secretary of the Army under Section 203 of WRDA 1986, as amended, under Administration review,
- Ongoing feasibility studies that are expected to result in a Chief's Report, and
- Proposed modifications to environmental infrastructure projects that were authorized prior to the date of enactment of the Water Resources Development Act of 2016 (December 16, 2016); and
- Proposed modifications to authorized water resources development projects requested by non-Federal interests through the Section 7001 of WRRDA 2014 process.

b. SEEKING STUDY AUTHORIZATION.

- New feasibility studies proposed by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority, and
- Proposed modifications to studies requested by non-Federal interests through the Section 7001 of WRRDA 2014 process will be evaluated by the USACE to determine whether or not there is existing study authority.

c. The following cases are NOT ELIGIBLE to be included in the Annual Report and will be included in the appendix for transparency:

- Proposals for modifications to non-Federal projects where USACE has provided previous technical assistance. Authorization to provide technical assistance does not provide authorization of a water resources development project.
- Proposals for construction of a new water resources development project that is not the subject of a currently authorized USACE project or a complete or ongoing feasibility study.
- Proposals that do not include a request for a potential future water resources development project through completed feasibility reports, proposed feasibility studies, and proposed modifications to authorized projects or studies.

3. Have not been congressionally authorized;

4. Have not been included in the Annual Report table of any previous Annual Report to Congress on Future Water Resources Development; and

- If the proposal was included in the Annual Report table in a previous Report to Congress on Future Water Resources Development, then the proposal is not eligible to be included in the Annual Report table. If a proposal was previously included in an appendix it may be re-submitted.

5. If authorized, could be carried out by the USACE.

- Whether following the USACE Chief's Report process or Section 7001 of WRRDA 2014, a proposal for a project or a project modification would need a current decision document to provide updated information on the scope of the potential project and demonstrate a clear Federal interest. This determination would include an assessment of whether the proposal is:

—Technically sound, economically viable and environmentally acceptable.

—Compliant with environmental and other laws including but not limited to National Environmental Policy Act, Endangered Species Act, Coastal Zone Management Act, and the National Historic Preservation Act.

—Compliant with statutes and regulations related to water resources development including various water resources provisions related to the authorized cost of projects, level of detail, separable elements, fish and wildlife mitigation, project justification, matters to be addressed in planning, and the 1958 Water Supply Act.

Feasibility study proposals submitted by non-Federal interests are for the study only. If Congressional authorization of a feasibility study results from inclusion in the Annual Report, it is anticipated that such authorization would be for the study, not for construction. Once a decision document is completed in accordance with Executive Branch policies and procedures, the Secretary will determine whether to recommend the project for authorization.

All water resources development projects must meet certain requirements before proceeding to construction. These requirements include: (1) That the project is authorized for construction by Congress; (2) that the Secretary, or other appropriate official, has approved a current decision document; and, (3) that the funds for project construction have been appropriated and are available.

Section 902 of WRDA 1986 establishes a maximum authorized cost for projects (902 limit). A Post Authorization Change Report (PACR) is required to be completed to support

potential modifications, updates to project costs, and an increase to the 902 limit. Authority to undertake a 902 study is inherent in the project authority, so no authority is required to proceed with the study. Since these PACRs support project modifications, they may be considered for inclusion in the Annual Report if a report's recommendation requires Congressional authorization.

The Secretary shall include in the Annual Report to Congress on Future Water Resources Development a certification stating that each feasibility report, proposed feasibility study, and proposed modification to an authorized water resources development project or feasibility study included in the Annual Report meets the criteria established in Section 7001 of WRRDA 2014.

Please contact the appropriate district office or use the contact information above for assistance in researching and identifying existing authorizations and existing USACE decision documents. Those proposals that do not meet the criteria will be included in an appendix table included in the Annual Report to Congress on Future Water Resources Development. Proposals in the appendix table will include a description of why those proposals did not meet the criteria.

Dated: April 5, 2017.

James C. Dalton,

Director of Civil Works.

[FR Doc. 2017–07253 Filed 4–10–17; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy; DoD.

ACTION: Notice.

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are available for domestic and foreign licensing by the Department of the Navy.

The following patents are available for licensing: U.S. Patent No. 9,197,822: ARRAY AUGMENTED PARALLAX IMAGE ENHANCEMENT SYSTEM AND METHOD//U.S. Patent No. 9,199,707: CABLE CUTTING SYSTEM FOR RETRIEVAL OF EXERCISE MINES AND OTHER UNDERWATER PAYLOADS// U.S. Patent No. 9,208,386: CROWD STATE CHARACTERIZATION SYSTEM AND METHOD//U.S. Patent No. 9,217,452: BLIND FASTENER ASSEMBLY AND RELEASE PIN APPARATUS//U.S. Patent No. 9,217,455: QUICK RELEASE COLLAPSIBLE BOLT//U.S. Patent No. 9,246,282: ELECTRICALLY CONDUCTING, ENVIRONMENTALLY SEALING, LOAD TRANSFERRING CABLE TERMINATION FITTING//U.S. Patent No. 9,248,894: CONTROLLED CORROSION RELEASE SYSTEM//U.S. Patent No. 9,318,239: CORROSION RESISTANT, ENVIRONMENTALLY SEALING, ELECTRICALLY CONDUCTING, CABLE CONNECTOR// U.S. Patent No. 9,373,898: SWAGED–ON, EXTERNAL ELECTRODE ANCHORING CONNECTION//U.S. Patent No. 9,441,965: OCEANGRAPHIC ASSEMBLY FOR COLLECTING DATA ALONG MULTIPLE WATER COLUMNS//

ADDRESSES: Requests for copies of the patents cited should be directed to Office of Counsel, Naval Surface Warfare Center Panama City Division, 110 Vernon Ave., Panama City, FL 32407–7001.

FOR FURTHER INFORMATION CONTACT: Ms. Brenda Squires, Patent Administration, Naval Surface Warfare Center Panama City Division, 110 Vernon Ave., Panama City, FL 32407–7001, telephone 850–234–4646.

(Authority: 35 U.S.C. 207, 37 CFR part 404)

Dated: April 5, 2017.

A.M. Nichols,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2017–07269 Filed 4–10–17; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC17–10–000]

Commission Information Collection Activities (FERC Form No. 2 and FERC Form No. 2A) Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC Form No. 2 (Major Natural Gas Pipeline Annual Report) and FERC Form No. 2A (Non-major Natural Gas Pipeline Annual Report).

DATES: Comments on the collection of information are due June 12, 2017.

ADDRESSES: You may submit comments (identified by Docket No. IC17–10–000) by either of the following methods:

- *eFiling at Commission's Web site: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC Form No. 2 (Annual Report of Major Natural Gas Companies) & FERC Form No. 2A (Annual Report of Non-major Natural Gas Companies).[1]

OMB Control No.: 1902–0028 (FERC Form No. 2) and 1902–0030 (FERC Form No. 2A).

Type of Request: Three-year extension of the FERC Form No. 2 and FERC Form No. 2A information collection requirements with no changes to the current reporting requirements.

Abstract: Pursuant to sections 8, 10 and 14 of the National Gas Act (NGA), (15 U.S.C. 717g–717m, Pub. L. 75–688), the Commission is authorized to make investigations and collect and record data, to prescribe rules and regulations concerning accounts, records and memoranda as necessary or appropriate for purposes of administering the NGA. The Commission includes the filing requirements in 18 CFR parts 260.1 and 260.2.

The forms provide information concerning a company's past

[1] The FERC Form No. 2 and Form 2A are also part of the Forms Refresh effort (started in Docket No. AD15–11), which is a separate activity and not addressed in this Notice. In addition, there is a pending Docket No. RM15–19 which is a separate activity and is not addressed in this Notice.

performance. The information is compiled using a standard chart of accounts contained in the Commission's Uniform System of Accounts (USofA).[2] The forms contain schedules which include a basic set of financial statements: Comparative Balance Sheet, Statement of Income and Retained Earnings, Statement of Cash Flows, and the Statement of Comprehensive Income and Hedging Activities. Supporting schedules containing supplementary information are filed, including revenues and the related quantities of products sold or transported; account balances for various operating and maintenance expenses; selected plant cost data; and other information.

The information collected in the forms is used by Commission staff, state regulatory agencies and others in the review of the financial condition of regulated companies. The information is also used in various rate proceedings, industry analyses and in the Commission's audit programs and, as appropriate, for the computation of annual charges based on Page 520 of the forms. The Commission provides the information to the public, interveners and all interested parties to assist in the proceedings before the Commission.

Print versions of the Forms No. 2 and 2A are located on the Commission's Web site at *http://www.ferc.gov/docs-filing/forms.asp#2.*

Type of Respondent: Each natural gas company whose combined gas transported or stored for a fee exceed 50 million dekatherms in each of the previous three years must file the Form 2. Each natural gas company not meeting the filing threshold for the Form 2 but having total gas sales or volume transactions exceeding 200,000 dekatherms in each of the previous three calendar years must submit the Form 2A.

Estimate of Annual Burden:[3] The Commission estimates the annual public reporting burden for the information collection as:

FERC Form No. 2: Annual Report of Major Natural Gas Companies and FERC Form No. 2A: Annual Report of Non-Major Natural Gas Companies

	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden hours and cost per response[4]	Total annual burden hours and total annual cost	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
FERC Form No. 2	92	1	92	1,629 $124,619	149,868 $11,464,902	$124,619
FERC Form No. 2A	66	1	66	253.39 $19,384	16,724 $1,279,366	19,384

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07241 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14802–000]

Magnolia Water, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments and Motions To Intervene

On September 23, 2016, Magnolia Water, LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Magnolia Water Pumped Storage Hydroelectric Project (project) to be located on Long Creek and the Kiamichi River in Pushmataha County, Oklahoma. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A 1,970-foot-long, 360-foot-high earthen upper dam across Tombstone Creek; (2) a 100-foot-long, 3,400-foot-wide rock-lined upper emergency spillway connecting to the lower reservoir; (3) a 190-acre upper reservoir having a total storage capacity of 22,800 acre-feet; (4) an intake/outlet structure in the upper reservoir; (5) four 3,500-foot-long, 22-foot-diameter steel and reinforced concrete, tunneled penstocks extending to the powerhouse; (6) a 250-foot-long, 120-foot-wide powerhouse, containing four pump-turbine generating units, with a total generating capacity of 1,200 megawatts; (7) four 30-foot-long, 400-foot-wide tailrace pipes; (8) a 9,800-foot-long, 80-foot-high earthen lower dam; (9) a 375-acre lower reservoir having a total storage capacity of 22,500 acre-feet; (10) a 100-foot-long, 3,400-foot-wide rock-lined lower emergency spillway connecting to a creek flowing into the Kiamichi River; (11) a 200-foot-long, 5-foot-high concrete overflow diversion

[2] *See* 18 CFR part 201.

[3] The Commission defines burden as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[4] The estimates for cost per response are derived using the following formula: 2017 Average Burden Hours per Response * $76.50 per Hour = Average Cost per Response. The hourly cost figure of $76.50 is the average FERC employee wage plus benefits. We assume that respondents earn at a similar rate.

weir across the Kiamichi River to supply water to the project; (12) a 5-acre impoundment on the Kiamichi River with a storage capacity of 25 acre-feet; (13) a 200-foot-long, 200-foot-wide duplex pump station; (14) a 10,000-foot-long, 24-inch-diameter steel water supply pipe to the lower reservoir; (15) a 90-mile-long, 345 kilovolt transmission line; and (16) two new access roads; one 6,800-foot-long road to access the lower reservoir site, and one 11,500-foot-long road to access the upper reservoir site. Both roads would be constructed on private property to perform studies. The estimated annual generation of the project would be 3,400 gigawatt-hours.

Applicant Contact: Mr. Fred Brown, Magnolia Water, LLC, 4265 Kellway Circle, Addison, TX 75001; phone: (972) 239–0707.

FERC Contact: Navreet Deo; phone: (202) 502–6304.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The first page of any filing should include docket number P–14802–000.

More information about this project, including a copy of the application, can be viewed or printed on the ''eLibrary'' link of Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number (P–14802) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07243 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–1411–002.
Applicants: CNR Energy LLC.
Description: Notice of Change in Status of CNR Energy LLC.
Filed Date: 4/3/17.
Accession Number: 20170403–5638.
Comments Due: 5 p.m. ET 4/24/17.

Docket Numbers: ER17–1379–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: Revisions to Attachment AE Section 8.4 Re-Pricing Clarification to be effective 6/3/2017.
Filed Date: 4/4/17.
Accession Number: 20170404–5247.
Comments Due: 5 p.m. ET 4/25/17.

Docket Numbers: ER17–1380–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: ISA Service Agreement No. 4663, Queue Position AB1–181 to be effective 3/7/2017.
Filed Date: 4/5/17.
Accession Number: 20170405–5167.
Comments Due: 5 p.m. ET 4/26/17.

Docket Numbers: ER17–1381–000.
Applicants: AEM Wind, LLC.
Description: Baseline eTariff Filing: Application for Market Based Rate to be effective 6/7/2017.
Filed Date: 4/5/17.
Accession Number: 20170405–5174.
Comments Due: 5 p.m. ET 4/26/17.

Docket Numbers: ER17–1382–000.
Applicants: Southern California Edison Company.
Description: § 205(d) Rate Filing: Two DSA's Three Valley MWD Williams and Fulton Projects SA Nos. 955–956 to be effective 3/31/2017.
Filed Date: 4/5/17.
Accession Number: 20170405–5232.
Comments Due: 5 p.m. ET 4/26/17.

Docket Numbers: ER17–1383–000.
Applicants: Southern California Edison Company.
Description: § 205(d) Rate Filing: GIA & DSA SEPV Kennedy Project SA Nos. 953–954 to be effective 6/5/2017.
Filed Date: 4/5/17.
Accession Number: 20170405–5233.
Comments Due: 5 p.m. ET 4/26/17.

Docket Numbers: ER17–1384–000.
Applicants: Southern California Edison Company.
Description: § 205(d) Rate Filing: GIA & DSA Green Beanworks B Project SA Nos. 931–932 to be effective 6/5/2017.
Filed Date: 4/5/17.
Accession Number: 20170405–5234.
Comments Due: 5 p.m. ET 4/26/17.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07239 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17–638–000.
Applicants: Texas Gas Transmission, LLC.
Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Cap Rel Neg Rate Agmts (SABIC 35303, 304, 305 to CIMA 36089, 105, 088) to be effective 4/3/2017.
Filed Date: 04/04/2017.
Accession Number: 20170404–5020.
Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–639–000.
Applicants: Texas Gas Transmission, LLC.
Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (Gulfport 35446 to Eco-Energy 36159) to be effective 4/4/2017.
Filed Date: 04/04/2017.
Accession Number: 20170404–5023.
Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–640–000.

Applicants: Equitrans, L.P.

Description: Equitrans, L.P. submits tariff filing per 154.203: Notice Regarding Non-Jurisdictional Gathering Facilities (W–7744 E–1300).

Filed Date: 04/04/2017.

Accession Number: 20170404–5125.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–641–000.

Applicants: Rockies Express Pipeline LLC.

Description: Rockies Express Pipeline LLC submits tariff filing per 154.204: Neg Rate 2017–04–04 Encana, CP to be effective 4/4/2017.

Filed Date: 04/04/2017.

Accession Number: 20170404–5215.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–642–000.

Applicants: Texas Gas Transmission, LLC.

Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (Gulfport 35446 to BP 36166) to be effective 4/4/2017.

Filed Date: 04/04/2017.

Accession Number: 20170404–5239.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07267 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP17–621–001.

Applicants: Transcontinental Gas Pipe Line Company.

Description: Transcontinental Gas Pipe Line Company, LLC submits tariff filing per 154.205(b): Negotiated Rates—Dalton Expansion—Oglethorpe Capac Rls—AMENDMENT Filg to be effective 4/1/2017.

Filed Date: 03/31/2017.

Accession Number: 20170331–5524.

Comment Date: 5:00 p.m. Eastern Time on Wednesday, April 12, 2017.

Docket Numbers: RP17–626–000.

Applicants: Gulf Crossing Pipeline Company LLC.

Description: Gulf Crossing Pipeline Company LLC submits tariff filing per 154.204: Assign Cross Timbers to XTO (XTO 1846) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5455.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–627–000.

Applicants: Texas Gas Transmission, LLC.

Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Neg Rate Agmt (EcoEnergy 36134) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5457.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–628–000.

Applicants: Texas Gas Transmission, LLC.

Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Neg Rate Agmt (XTO 36084) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5460.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–629–000.

Applicants: Texas Eastern Transmission, LP.

Description: Texas Eastern Transmission, LP submits tariff filing per 154.204: Negotiated Rates—Piedmont to Atmos—8944226 & 8944227 to be effective 11/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5461.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–630–000.

Applicants: Gulf South Pipeline Company, LP.

Description: Gulf South Pipeline Company, LP submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (Encana 37663 to Texla 47957) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5465.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–631–000.

Applicants: Gulf South Pipeline Company, LP.

Description: Gulf South Pipeline Company, LP submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (EOG 34687 to Trans LA 47776) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5466.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–632–000.

Applicants: Gulf South Pipeline Company, LP.

Description: Gulf South Pipeline Company, LP submits tariff filing per 154.204: Amendment to Neg Rate Agmt & Cap Rel Agmt (CO Bend 36260–2) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5467.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–633–000.

Applicants: Millennium Pipeline Company, LLC.

Description: Millennium Pipeline Company, LLC submits tariff filing per 154.204: Modification to Spot Market Price Location Filing to be effective 5/3/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5488.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–634–000.

Applicants: Texas Gas Transmission, LLC.

Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (Gulfport 35446 to BP 36157) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5497.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–635–000.

Applicants: Tallgrass Interstate Gas Transmission, L.

Description: Tallgrass Interstate Gas Transmission, LLC submits tariff filing per 154.204: NRA Removal 2017/4/3 to be effective 4/3/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5498.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–636–000.

Applicants: Texas Gas Transmission, LLC.

Description: Texas Gas Transmission, LLC submits tariff filing per 154.204: Cap Rel Neg Rate Agmt (Edgemarc 35451 to BP 36154) to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5501.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

Docket Numbers: RP17–637–000.

Applicants: Equitrans, L.P.

Description: Equitrans, L.P. submits tariff filing per 154.204: Negotiated Capacity Release Agreements—4/1/17 to be effective 4/1/2017.

Filed Date: 04/03/2017.

Accession Number: 20170403–5515.

Comment Date: 5:00 p.m. Eastern Time on Monday, April 17, 2017.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: April 4, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07172 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. DI17–3–000]

Joel Herm; Notice of Declaration of Intention and Soliciting Comments, Protests, and Motions To Intervene

Take notice that the following application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Declaration of Intention.

b. *Docket No:* DI17–3–000.

c. *Date Filed:* March 8, 2017, and supplemented on March 20, 2017.

d. *Applicant:* Joel Herm.

e. *Name of Project:* Waterwood Micro Hydropower Project.

f. *Location:* The proposed Waterwood Micro Hydropower Project would be located on Landsman Kill Stream, near the Town of Rhinebeck, in Dutchess County, New York.

g. *Filed Pursuant to:* Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b) (2012).

h. *Applicant Contact and Agent:* Joel Herm, P.O. Box 224, Rhinebeck, NY 12572, telephone: (312) 278–3332, email: *joel@joelherm.com.*

i. *FERC Contact:* Any questions on this notice should be addressed to Jennifer Polardino, (202) 502–6437, or by email: *Jennifer.Polardino@ferc.gov.*

j. *Deadline for filing comments, protests, and motions to intervene is:* 30 days from the issuance date of this notice by the Commission.

The Commission strongly encourages electronic filing. Please file comments, protests, and motions to intervene using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. The first page of any filing should include docket number DI17–3–000.

k. *Description of Project:* The proposed run-of-river Waterwood Micro Hydropower Project would consist of: (1) The existing stone and concrete Waterwood dam on Landsman Kill Stream, a tributary of the Hudson River; (2) a 20-inch diameter, 500-foot-long penstock, extending from the dam to the generating unit; (3) a powerhouse containing one Kaplan turbine generating unit having a total installed capacity of 20 kilowatts with a rated head at 13 feet and a hydraulic capacity of 36 cubic feet per second (cfs); (4) a tailrace; (5) a transmission line connecting the generating unit to a point of interconnection with Central Hudson Gas and Electric Corporation's power grid; and (6) appurtenant facilities.

When a Declaration of Intention is filed with the Federal Energy Regulatory Commission, the Federal Power Act requires the Commission to investigate and determine if the project would affect the interests of interstate or foreign commerce. The Commission also determines whether or not the project: (1) Would be located on a navigable waterway; (2) would occupy public lands or reservations of the United States; (3) would utilize surplus water or water power from a government dam; or (4) would be located on a non-navigable stream over which Congress has Commerce Clause jurisdiction and would be constructed or enlarged after 1935.

l. *Locations of the Application:* This filing may be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also regi.ster online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above and in the Commission's Public Reference Room located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* All filings must bear in all capital letters the title ''COMMENTS'', ''PROTESTS'', and ''MOTIONS TO INTERVENE'', as applicable, and the Docket Number of the particular application to which the filing refers. A copy of any Motion to Intervene must also be served upon each representative of the Applicant specified in the particular application.

p. *Agency Comments:* Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07240 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 67–131]

Southern California Edison Company; Notice of Application for Temporary Variance Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Proceeding:* Request for temporary variance of the minimum reservoir elevation requirement for Florence Lake, pursuant to Article 37(a) of the Big Creek No. 2A, 8, and Eastwood Hydroelectric Project.

b. *Project No.:* 67–131.

c. *Date Filed:* March 17, 2017.

d. *Licensee:* Southern California Edison Company.

e. *Name of Project:* Big Creek No. 2A, 8, and Eastwood Project.

f. *Location:* The project is located on various streams which are tributaries of the San Joaquin River in Fresno County, California. The project occupies federal lands within the Sierra National Forest.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Licensee Contact:* Mr. Wayne Allen, Southern California Edison Company, 1515 Walnut Grove Avenue, Rosemead, California 91770, *wayne.allen@sce.com* or Jay Kimbler at *jay.kimbler@sce.com.*

i. *FERC Contact:* Ms. Diana Shannon, (202) 502–6136, *Diana.shannon@ferc.gov.*

j. Deadline for filing comments, interventions, and protests is 30 days from the issuance date of this notice by the Commission. The Commission strongly encourages electronic filing. Please file motions to intervene, protests and comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. The first page of any filing should include docket number P–67–131.

k. *Description of Request:* The licensee requests a temporary variance of its minimum reservoir elevation requirement at Florence Lake, pursuant to Article 37(a) of the license which requires an elevation of 7,276.6 feet during the recreation season (July 1 through August 31) and a minimum reservoir elevation of 7,232.6 feet during the remainder of the year. The licensee requests a variance to allow Florence Lake to be drawn down below elevation 7,276.6 feet during the entire 2017 recreation season, to facilitate the installation of a geomembrane liner on the bottom half of the upstream face of Florence Lake Dam. This will enable crews to access the lower portions of the dam, excavate sediment where necessary, and seal the bottom of the membrane liner. The licensee states that a variance from the non-recreation season minimum pool requirement will not be required as the lake will be maintained at or above 7,232.6 feet for the remainder of the year. The licensee has consulted with the resource agencies and the U.S. Army Corps of Engineers regarding this proposal.

l. This filing may be viewed on the Commission's Web site at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction in the Commission's Public Reference Room located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502–8371.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .212 and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate the temporary variance that is the subject of this notice. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Dated: April 5, 2017.

Kimberly D. Bose,

Secretary.

[FR Doc. 2017–07242 Filed 4–10–17; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Termination; 10049 Cape Fear Bank, Wilmington, North Carolina

The Federal Deposit Insurance Corporation (FDIC), as Receiver for 10049 Cape Fear Bank, Wilmington, North Carolina (Receiver) has been authorized to take all actions necessary to terminate the receivership estate of Cape Fear Bank (Receivership Estate); the Receiver has made all dividend distributions required by law.

The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver which FDIC-Corporate, in its sole discretion, deems necessary; including but not limited to releases, discharges, satisfactions, endorsements, assignments and deeds.

Effective April 1, 2017, the Receivership Estate has been terminated, the Receiver discharged, and the Receivership Estate has ceased to exist as a legal entity.

Dated: April 6, 2017.

Robert E. Feldman,

Executive Secretary, Federal Deposit Insurance Corporation.

[FR Doc. 2017–07189 Filed 4–10–17; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than April 25, 2017.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President), 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Matthew Michaelis Trust F,* Wichita Kansas; to acquire additional voting shares of Emprise Financial Corporation, and thereby indirectly acquire Emprise Bank, both of Wichita, Kansas. Additionally, Robert K. Anderson, Wichita, Kansas; to retain additional voting shares as trustee of various Michaelis Family Trusts and for approval as a member of the Michaelis Control Group, which acting in concert controls Emprise Financial Corporation.

Board of Governors of the Federal Reserve System, April 6, 2017.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2017–07272 Filed 4–10–17; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

AGENCY: Board of Governors of the Federal Reserve System.

SUMMARY: Notice is hereby given of the final approval of a proposed information collection by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority. Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

FOR FURTHER INFORMATION CONTACT: Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452–3829. Telecommunications Device for the Deaf (TDD) users may contact (202) 263–4869, Board of Governors of the Federal Reserve System, Washington, DC 20551. OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW.,Washington, DC 20503.

SUPPLEMENTARY INFORMATION: *Final approval under OMB delegated authority of the extension for three years, without revision, of the following report:*

Report title: Registration of Mortgage Loan Originators.

Agency form number: CFPB Reg G.

OMB control number: 7100–0328.

Frequency: Annually.

Respondents: Employees of state member banks, certain subsidiaries of state member banks, branches and agencies of foreign banks that are regulated by the Federal Reserve, and commercial lending companies of foreign banks who act as residential mortgage loan originators (MLOs).

Estimated number of respondents: MLOs *(new):* Initial set up and disclosure, 173 respondents; MLOs *(existing):* Maintenance and disclosure, 21,656 respondents; MLOs *(existing):* Updates for changes, 10,828 respondents; and Depository Institutions, and subsidiaries, 741 respondents.

Estimated average hours per response: MLOs *(new):* Initial set up and disclosure, 3.5 hours; MLOs *(existing):* Maintenance and disclosure, 0.85 hours; MLOs *(existing):* Updates for changes, 0.25 hours; and Depository Institutions, and subsidiaries, 118 hours.

Estimated annual burden hours: MLOs *(new):* Initial set up and disclosure, 606 hours; MLOs *(existing):* Maintenance and disclosure, 18,408 hours; MLOs *(existing):* Updates for changes, 2,707 hours; and Depository Institutions, and subsidiaries, 87,438 hours.

General Description of Report: In accordance with the Secure and Fair Enforcement for Mortgage Licensing Act (S.A.F.E. Act), the Consumer Financial Protection Bureau's (CFPB) Regulation G requires residential mortgage loan originators (MLOs) to register with the Nationwide Mortgage Licensing System and Registry (the Registry), obtain a unique identifier, maintain this registration, and disclose to consumers upon request and through the Registry their unique identifier and the MLO's employment history and publicly adjudicated disciplinary and enforcement actions. The CFPB's regulation also requires the institutions employing these MLOs to adopt and follow written policies and procedures to ensure their employees comply with these requirements and to conduct annual independent compliance tests to assure compliance. The CFPB's rule applies to a broad range of financial institutions and their employees, including Board-supervised institutions/employees, such as state member banks and their non-functionally-regulated subsidiaries, state uninsured branches and agencies of

foreign banks, and commercial lending companies owned or controlled by foreign banks.

Legal authorization and confidentiality: The Board's Legal Division has determined that Section 1507 of the S.A.F.E. Act, 12 U.S.C. 5106, requires that the CFPB develop and maintain a system for registering individual MLOs of covered financial institutions regulated by a federal banking agency with the Nationwide Mortgage Licensing System and Registry. Section 1504 of the S.A.F.E. Act, (12 U.S.C. 5103), requires that an individual desiring to engage in the business of a loan originator maintain an annual federal registration (or be licensed by an equivalent state regulatory scheme) and appear on the Registry with a unique identifier. Section 1007.103 of the CFPB's Regulation G implements this registration scheme; Section 1007.104 requires the adoption of appropriate policies and procedures by covered financial institutions; and Section 1007.105 requires that covered financial institutions provide the unique identifiers of MLOs to consumers. (12 CFR 1007.103–.105). Under Section 1061 of the Dodd-Frank Act, (12 U.S.C. 5581©), ''a transferor agency [such as the Board] that is a prudential regulator shall have . . . ''authority to require reports from . . . conduct examinations for . . . and enforce compliance with Federal consumer financial laws'' with respect to the Board-supervised entities enumerated above. Therefore, the Board is authorized to collect this information with respect to the institutions we supervise for this purpose. This information collection is mandatory.

As noted above, the unique identifier of MLOs must be made public and is not considered confidential. In addition, most of the information that MLOs submit in order to register with the Nationwide Mortgage Licensing System and Registry will be publicly available. However, certain identifying data about individuals who act as MLOs are entitled to confidential treatment under (b)(6) of the Freedom of Information Act (FOIA), which protects from disclosure information that ''would constitute a clearly unwarranted invasion of personal privacy.'' (5 U.S.C. 552(b)(6)).

With respect to the information collection requirements imposed on depository institutions, because the requirements require that depository institutions retain their own records and make certain disclosures to customers, the FOIA would only be implicated if the Board's examiners obtained a copy of these records as part of the examination or supervision process of a financial institution. However, records obtained in this manner are exempt from disclosure under FOIA exemption (b)(8), regarding examination-related materials. (5 U.S.C. 552(b)(8)).

Current Actions: On January 10, 2017 the Federal Reserve published a notice in the **Federal Register** (82 FR 2995) requesting public comment for 60 days on the extension, without revision, of the Registration of Mortgage Loan Originators. The comment period for this notice expired on March 13, 2017. The Federal Reserve did not receive any comments.

Board of Governors of the Federal Reserve System, April 6, 2017.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2017–07247 Filed 4–10–17; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project ''*AHRQ Research Reporting System (ARRS).*''

This proposed information collection was previously published in the **Federal Register** on January 11, 2017 and allowed 60 days for public comment. AHRQ did not receive any substantive comments during this period. The purpose of this notice is to allow an additional 30 days for public comment.

DATES: Comments on this notice must be received by May 11, 2017.

ADDRESSES: Written comments should be submitted to: AHRQ's OMB Desk Officer by fax at (202) 395–6974 (attention: AHRQ's desk officer) or by email at *OIRA_submission@omb.eop.gov* (attention: AHRQ's desk officer).

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@AHRQ.hhs.gov*.

SUPPLEMENTARY INFORMATION:

Proposed Project

AHRQ Research Reporting System (ARRS)

AHRQ has developed a systematic method for its grantees and vendors to report project progress and important preliminary findings for grants and contracts funded by the Agency. In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3521, AHRQ invites the public to comment on this proposed information collection. This system, the AHRQ Research Reporting System (ARRS), previously known as the Grants Reporting System (GRS), was last approved by OMB on May 16, 2014. The system addressed the shortfalls in the previous reporting process and established a consistent and comprehensive grants reporting solution for AHRQ. The ARRS provides a centralized repository of grants and contract research progress and additional information that can be used to support initiatives within the Agency. This includes future research planning and support for administrative activities such as performance monitoring, budgeting, knowledge transfer and strategic planning.

This project has the following goals:

(1) To promote the transfer of critical information more frequently and efficiently and enhance the Agency's ability to support research designed to improve the outcomes and quality of health care, reduce its costs, and broaden access to effective services.

(2) To increase the efficiency of the Agency in responding to ad-hoc information requests.

(3) To support Executive Branch requirements for increased transparency and public reporting.

(4) To establish a consistent approach throughout the Agency for information collection regarding grant and contract progress and a systematic basis for oversight and for facilitating potential collaborations among grantees.

(5) To decrease the inconvenience and burden on grantees and vendors of unanticipated ad-hoc requests for information by the Agency in response to particular one-time internal and external requests for information.

This study is being conducted by AHRQ pursuant to AHRQ's statutory authority to conduct and support research on health care and on systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of healthcare services and with respect to quality measurement and improvement. 42 U.S.C. 299a(a)(1) and (2).

Method of Collection

To achieve the goals of this project, the following data collections will be implemented:

AHRQ Research Reporting System (ARRS)—Grantees and vendors use the ARRS system to report project progress and important preliminary findings for grants and contracts funded by the Agency. Grantees and vendors submit progress reports on a monthly or quarterly basis which are reviewed by AHRQ personnel. All users access the ARRS system through a secure online interface which requires a user I.D. and password entered through the ARRS login screen. When status reports are due AHRQ notifies principal investigators and vendors via email.

The ARRS is an automated, user-friendly resource that is utilized by AHRQ staff for preparing, distributing, and reviewing reporting requests to grantees and vendors for the purpose of information sharing. AHRQ personnel are able to systematically search the information collected and stored in the ARRS database. Personnel will also use the information to address internal and/or external requests for information regarding grant progress, preliminary findings, and other requests, such as Freedom of Information Act requests and producing responses related to federally mandated programs and regulations.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated annualized burden hours for the respondents. It will take grantees and vendors an estimated 10 minutes to enter the necessary data into the ARRS System and reporting will occur four times annually. The total annualized burden hours are estimated to be 333 hours.

Exhibit 2 shows the estimated annualized cost burden for the respondents. The total estimated cost burden for respondents is $12,454.

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Hours per response	Total burden hours
Data entry into ARRS	500	4	10/60	333
Total	500	N/A	N/A	333

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents	Total burden hours	Average hourly wage rate *	Total cost burden
Data entry into ARRS	500	333	$37.40	$12,454
Total	500	333	N/A	12,454

* Based upon the average wages for Healthcare Practitioner and Technical Occupations (29–0000), ''National Compensation Survey: Occupational Wages in the United States, May 2015,'' U.S. Department of Labor, Bureau of Labor Statistics, *http://www.bls.gov/oes/current/oes_nat.htm#29-0000.*

Request for Comments

In accordance with the Paperwork Reduction Act, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Sharon B. Arnold,

Acting Director.

[FR Doc. 2017–07156 Filed 4–10–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Supplemental Evidence and Data Request on Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for supplemental evidence and data submissions.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public. Scientific information is being solicited to inform our review of *Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries,* which is currently being conducted by the AHRQ's Evidence-based Practice CentersProgram. Access to published and unpublished pertinent scientific information will improve the quality of this review.

DATES: *Submission Deadline* on or before May 11, 2017.

ADDRESSES:

Email submissions: SEADS@epc-src.org.

Print submissions: Mailing Address: Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet Coordinator, P.O. Box 69539, Portland, OR 97239.

Shipping Address (FedEx, UPS, etc.): Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet

Coordinator, 3710 SW U.S. Veterans Hospital Road, Mail Code: R&D 71, Portland, OR 97239.

FOR FURTHER INFORMATION CONTACT: Ryan McKenna, Telephone: 503–220–8262 ext. 51723 or Email: *SEADS@epc-src.org.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Evidence-based Practice Centers (EPC) Program to complete a review of the evidence for *Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries.* AHRQ is conducting this systematic review pursuant to Section 902(a) of the Public Health Service Act, 42 U.S.C. 299a(a).

The EPC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (*e.g.,* details of studies conducted). We are looking for studies that report on *Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries,* including those that describe adverse events. The entire research protocol, including the key questions, is also available online at: *https://effectivehealthcare.ahrq.gov/search-for-guides-reviews-and-reports/?pageaction=displayproduct&productID=2455*

This is to notify the public that the EPC Program would find the following information on *Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries* helpful:

- A list of completed studies that your organization has sponsored for this indication. In the list, please *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* please provide a summary, including the following elements: Study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies that your organization has sponsored for this indication.* In the list, please provide the *ClinicalTrials.gov* trial number or, if the trial is not registered, the protocol for the study including a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute ALL Phase II and above clinical trials sponsored by your organization for this indication and an index outlining the relevant information in each submitted file.

Your contribution will be very beneficial to the EPC Program. The contents of all submissions will be made available to the public upon request. Materials submitted must be publicly available or able to be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on indications not included in the review cannot be used by the EPC Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter.

The draft of this review will be posted on AHRQ's EPC Program Web site and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *https://www.effectivehealthcare.ahrq.gov/index.cfm/join-the-email-list1/.*

The systematic review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions.

The Key Questions

KQ 1a. What is the effectiveness and harms of programs and policies on initiation, duration, and exclusivity of breastfeeding?

KQ 1b. To what extent do the effectiveness and harms of programs and policies on initiation, duration, and exclusivity of breastfeeding differ for subpopulations of women defined by sociodemographic factors (*e.g.,* age, race, ethnicity, socioeconomic status)?

KQ 1c. To what extent do intervention-related characteristics (*e.g.,* type of breast pump provided—manual or electric; delivery personnel) influence the initiation, duration, and exclusivity of breast feeding?

KQ 2a. What are the comparative benefits and harms for maternal health outcomes among women who breastfeed for different intensities and durations?

KQ 2b. To what extent do benefits and harms for maternal health outcomes differ for subpopulations of women defined by age, race, ethnicity, and comorbidity?

Population(s)

KQs 1, 2: Childbearing women and adolescents; we will also search for evidence on subgroups of women defined by age, race, ethnicity, comorbidity, and socioeconomic status (including insurance status and payer type).

Interventions/Exposure

KQ 1: Community, workplace, and health care system-based interventions aimed at promoting and supporting breastfeeding, including the following: Health plan benefits, state and federal policies or programs (*e.g.,* WIC programs), hospital implementation of the BFHI, workplace or school-based programs, and others. For studies assessing the effectiveness of BFHI, we will include studies evaluating full and partial implementation (at least 3 steps) of the 10 steps.

KQ 2: Exposure to breastfeeding.

Comparators

KQ 1: No intervention (or usual practice); comparisons of two interventions that differ in content or intensity.

KQ 2: No breastfeeding; shorter duration of breastfeeding (*e.g.,* breastfeeding for 1 month vs. 12 months) and/or less intensive breastfeeding (*e.g.,* exclusive breastfeeding vs. mixed feeding or formula feeding).

Outcomes

KQ 1: Rates of breastfeeding initiation; duration and exclusivity of breastfeeding, adverse effects of interventions (*e.g.,* guilt about not breastfeeding, workplace discrimination, and other reported harms).

KQ 2: Postpartum depression, breast cancer, ovarian cancer, osteoporosis, cardiovascular outcomes (*e.g.,* stroke, myocardial infarction), postpartum weight change, type 2 diabetes, hypertension.

Timing

KQs 1, 2: We will have no minimum study duration or length of follow up.

Settings

KQs 1, 2: Studies conducted in a developed country [''very high'' (KQs 1, 2) and ''high'' (KQ 1) human development index per the United Nations Development Programme 40.

Study Design

KQ 1: Randomized and non-randomized controlled clinical trials; prospective cohort studies with concurrent control groups; systematic reviews; for studies assessing policy or system-level interventions, we will also include pre-post studies with repeated outcome measures before and after the intervention.

KQ 2: Randomized and non-randomized controlled clinical trials; cohort studies; case-control studies; systematic reviews.

Sharon B. Arnold,

Acting Director.

[FR Doc. 2017–07157 Filed 4–10–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Supplemental Evidence and Data Request on Lower Limb Prosthesis

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for supplemental evidence and data submissions.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public. Scientific information is being solicited to inform our review of *Lower Limb Prosthesis,* which is currently being conducted by the AHRQ's Evidence-based Practice Centers Program. Access to published and unpublished pertinent scientific information will improve the quality of this review.

DATES: *Submission Deadline* on or before May 11, 2017.

ADDRESSES:

Email submissions: SEADS@epc-src.org.

Print submissions:

Mailing Address: Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet Coordinator, P.O. Box 69539, Portland, OR 97239.

Shipping Address (FedEx, UPS, etc.): Portland VA Research Foundation, Scientific Resource Center, ATTN: Scientific Information Packet Coordinator, 3710 SW U.S. Veterans Hospital Road, Mail Code: R&D 71, Portland, OR 97239.

FOR FURTHER INFORMATION CONTACT: Ryan McKenna, Telephone: 503–220–8262 ext. 51723 or Email: *SEADS@epc-src.org.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Evidence-based Practice Centers (EPC) Program to complete a review of the evidence for *Lower Limb Prosthesis* (LLP). AHRQ is conducting this systematic review pursuant to Section 902(a) of the Public Health Service Act, 42 U.S.C. 299a(a).

The EPC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (*e.g.,* details of studies conducted). We are looking for studies that report on *Lower Limb Prosthesis,* including those that describe adverse events. The entire research protocol, including the key questions, is also available online at: *https://effectivehealthcare.ahrq.gov/search-for-guides-reviews-and-reports/?pageaction=displayproduct&productID=2451*

This is to notify the public that the EPC Program would find the following information on *Lower Limb Prosthesis* helpful:

- A list of completed studies that your organization has sponsored for this indication. In the list, please *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* please provide a summary, including the following elements: study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies that your organization has sponsored for this indication.* In the list, please provide the ClinicalTrials.gov trial number or, if the trial is not registered, the protocol for the study including a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute ALL Phase II and above clinical trials sponsored by your organization for this indication and an index outlining the relevant information in each submitted file.

Your contribution will be very beneficial to the EPC Program. The contents of all submissions will be made available to the public upon request. Materials submitted must be publicly available or able to be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on indications not included in the review cannot be used by the EPC Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter.

The draft of this review will be posted on AHRQ's EPC Program Web site and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *https://www.effectivehealthcare.ahrq.gov/index.cfm/join-the-email-list1/*.

The systematic review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions.

The Key Questions

Key Question 1

What assessment techniques used to measure functional ability of adults with major lower limb amputation have been evaluated in the published literature?

I. What are the measurement properties of these techniques, including: Reliability, validity, responsiveness, minimal detectable change, and minimal important difference?

II. What are the characteristics of the participants in studies evaluating measurement properties of assessment techniques?

Key Question 2

What prediction tools used to predict functional outcomes in adults with major lower limb amputation have been evaluated in the published literature?

I. What are their characteristics, including technical quality (reliability, validity, responsiveness), minimal detectable change, and minimal important difference?

II. What are the characteristics of the participants in these studies?

Key Question 3

What functional outcome measurement tools used to assess adults who use a lower limb prosthesis (LLP) have been evaluated in the published literature?

I. What are their characteristics, including technical quality (reliability,

validity, responsiveness), minimal detectable change, and minimal important difference?

II. What are the characteristics of the participants in these studies?

Key Question 4

In adults who use an LLP, how do the relative effects on ambulatory, functional, and patient-centered outcomes of different prosthetic components or levels of components/prostheses vary based on study participant characteristics?

Prosthetic components include: Foot/ankle; knee; socket; liner; suspension; pylon; other.

Study participant characteristics of interest include: K level; level of amputation; etiology of amputation; prior function (prior to new or replacement LLP); current function; expected potential function/level of activity and activities (*e.g.,* athletics, uneven surface walking); time since amputation; initial vs. subsequent limb LLP; unilateral vs bilateral LLP; time since last assessment; age; comorbidities that may affect use of LLP (*e.g.,* congestive heart failure, vascular dysfunction, skin ulceration/damage, visual dysfunction, peripheral neuropathy, local cancer treatment, other lower limb disease); type, setting, and description of rehabilitation, physical therapy, training; peri-amputation surgery information, including surgical details, inpatient rehabilitation details, wound status; residence setting; use of assistive devices; comfort of existing prosthesis (for patients receiving replacement LLP); psychosocial characteristics; family (etc.) support system; training and acclimation with LLP.

I. What assessment techniques that have been evaluated for measurement properties were used in these studies?

A. How do the characteristics of the participants in eligible studies that used these specific assessment techniques compare to the characteristics of the participants in the studies that evaluated the assessment techniques (as per Key Question 1II)?

B. What is the association between these pre-prescription assessment techniques and validated outcomes with the LLP in these studies?

II. What prediction tools that have been evaluated for measurement properties were used in these studies?

A. How do the characteristics of the participants in eligible studies that used these specific prediction tools compare to the characteristics of the participants in the studies that evaluated the prediction tools (as per Key Question 2II)?

B. What is the association between pre-prescription assessment techniques and validated outcomes with the LLP in these studies?

III. What functional outcomes that have been for measurement properties were used in these studies?

A. How do the characteristics of the participants in eligible studies that used these specific functional outcomes compare to the characteristics of the participants in the studies that evaluated the outcomes (as per Key Question 3II)?

Key Question 5

How do the patients' pre-prescription expectations of ambulation align with their functional outcomes?

I. How does the level of agreement vary based on the characteristics listed in Key Question 4, including level of componentry incorporated into their LLP?

Key Question 6

What is the level of patient satisfaction with the process of accessing a LLP (including experiences with both providers and payers)?

I. How does the level of patient satisfaction vary based on the characteristics listed in Key Question 4, including level of componentry incorporated into their LLP?

Key Question 7

At 6 months, 1 year, and 5 years after receipt of a LLP, (accounting for intervening mortality, subsequent surgeries or injuries) what percentage of individuals maintain bipedal ambulation; use their prostheses only for transfers; are housebound vs. ambulating in community; have abandoned their prostheses; have major problems with prosthesis.

I. How do these percentages vary based on the following characteristics?

A. Patient residence and setting
  i. Living situation (*e.g.,* homebound, institutionalized, community ambulation)
  ii. Setting for rehabilitation, physical therapy, or training (*e.g.,* in-home or at facility)
B. Patient characteristics
  i. Age
  ii. Level of amputation
  iii. Number of lower limbs amputated (unilateral vs. bilateral)
  iv. Prior level of function (prior to onset of extremity disability)
  v. Current level of function
  vi. Etiology of amputation
  vii. Time since amputation
  viii. Comorbidities (*e.g.,* diabetes, CVD, PVD)
  ix. Operative treatment
  x. Use of assistive device
  xi. Cosmesis of the prosthesis
  xii. Comfort of the prosthesis
  xiii. Other
C. Prosthetic componentry

II. What were the reasons for suboptimal use of the prosthetic device?

PICOTS (Population, Intervention, Comparator, Outcomes, Timing, Setting)

Pertinent to all Key Questions:

Population

I. Adults with lower limb amputation who are being evaluated for or already have an LLP
  A. Lower limb amputees who require or have a lower limb prosthesis
II. Exclude if study includes only participants with battle-related trauma
III. Exclude if study includes only congenital amputations (and not otherwise Medicare eligible)
IV. Exclude if study includes only children ≤18 years old
  A. If a study has a mixed population (related to battle trauma, congenital amputations, or pediatrics) and they report subgroup data based on these factors, include analyses of relevant populations (exclude substudy data on excluded populations). If study reports only combined data (*e.g.,* adults and children), include overall study, but note issue related to population.
V. Exclude if study conducted in low income or low resource country

Intervention

I. Custom fabricated lower limb prosthesis
II. Specific prosthetic component, including foot/ankle, knee, socket, liner, pylon and suspension, or components with specific characteristics (*e.g.,* shock absorbing, torque, multiaxial, computer assisted, powered, flexion, microprocessor)
III. New or existing definitive or replacement prosthetics
IV. Exclude initial or preparatory prosthetics (used temporarily prior to definitive or replacement prostheses immediately after amputation surgery)
V. Exclude studies comparing only rehabilitation, physical therapy, or training techniques or regimens
VI. Exclude evaluation of orthotics and of implanted devices

Comparators, Outcomes

I. Variable by Key Question

Study Design

I. Published, peer reviewed study

II. Any language (that can be read by research team or machine translated)
III. No publication or study date restriction
IV. Exclude case reports

Setting

I. Patients homebound, institutionalized, community ambulation, any residence
II. Clinical or laboratory setting (for evaluation of specific ambulatory function outcomes)
III. Rehabilitation setting (*e.g.,* physical therapy clinic, in-home)
IV. Exclude exclusively post-acute (post-surgical) setting or inpatient rehabilitation (immediately post-amputation)

Key Question-Specific Criteria

Key Questions 1–3

Population

I. As per criteria pertinent to all Key Questions
II. Also allow studies of amputees, whether or not they use LLPs (Key Questions 1 & 2)

Predictors/Tools/Tests/etc. (Key Questions 1 & 2)

I. Assessment techniques (that are used prior to prescription) (Key Question 1)
  A. Tests, scales, questionnaires that assess current functional or health status
  B. Include patient history and physical examination
  C. Measures of physical function and functional capacity (*e.g.,* parallel bar ambulation without LLP)
  D. Exclude single factors (*e.g.,* time since surgery, fasting blood glucose)
II. Predictor tools (used prior to prescription to predict functional outcomes with prosthesis) (Key Question 2)
  A. Tests, scales, questionnaires
  B. Exclude single factors (*e.g.,* time since surgery, fasting blood glucose)

Outcomes

I. Functional, patient centered, or ambulatory outcomes per Key Question 4

Study Design

I. Any assessment of validity, reliability, reproducibility, and related characteristics
II. Exclude studies of validation of translations of non-English scales, indexes, etc.
III. Any study design
IV. No minimum sample size (except not case reports)
V. No minimum followup time

Key Question 4

Population, Intervention

I. As per criteria pertinent to all Key Questions

Comparators

II. LLPs with different components (*e.g.,* feet/ankles, knees, sockets, pylons, liners, suspension), or that differ in other ways

Outcomes

I. Functional or patient-centered outcomes (measured or related to status in the community)
  A. Quality of life
  B. Disability measures
  C. Activities of daily living
  D. Mobility measures, including use of prostheses only for transfers
  E. Self-care
  F. Pain
  G. Fatigue post-use (*e.g.,* end of day)
  H. Daily activity
  I. Time LLP worn per day
  J. Falls
  K. Satisfaction with LLP
  L. Exclude (simple) preference
II. Ambulatory functional outcomes
  A. Gait speed, step count, walk distance
  B. Uneven or wet surface, low lighting walking
  C. Ramps and incline traversing
  D. Step/stair climbing function
  E. Ambulatory function measured in the community setting (*e.g.*, self-report or activity monitors)
  F. Achievement of bipedal ambulation
  G. Other patient-centered ambulatory function measures
  H. Exclude biomechanical measures
III. Adverse effects of LLP
  A. Skin ulcers/infections, (injuries from) falls due to mechanical failure, etc.
  B. Other problems with prosthesis

Study Design

I. Direct comparison between any two components
II. Must include an analysis or reporting of differences in relative effect between components by a patient characteristic of interest (see text of Key Question 4) or sufficient participant-level data to make such an analysis
III. No minimum sample size (other than no case reports)
IV. No minimum followup time

Key Question 5

Population

I. As per criteria pertinent to all Key Questions

Predictor

I. Any measure of preprescription expectation of ambulation

Outcome

I. Functional, patient-centered, and ambulatory outcomes per Key Question 4 (Not adverse effects)

Study Design

I. Any study design, including qualitative studies
II. No minimum sample size (other than no case reports)
III. No minimum followup time

Key Question 6

Population

I. As per criteria pertinent to all Key Questions

Intervention

I. Accessing (or attempting to access) a LLP

Outcomes

I. Satisfaction with the process of accessing a LLP

Study Design

I. Any study design, including qualitative studies
II. No minimum sample size (other than no case reports)
III. No minimum followup time

Key Question 7

Population

I. As per criteria pertinent to all Key Questions

Intervention

I. Prescription for a LLP

Outcomes

I. Maintain bipedal ambulation
II. Use of prostheses only for transfers
III. Housebound vs. ambulating in community
IV. Abandonment of prostheses
V. Major problems with prosthesis

Study Design

I. Either longitudinal with follow up since original lower limb prosthesis prescription or cross-sectional at timepoint after amputation or prescription
II. Minimum follow up time
  A. ≥6 month follow up from time of prescription, or
  B. ≥1 year follow up from time of amputation, if no data reported about time since prescription
III. Minimum sample size
  A. If subgroup analyses reported (based on bullet characteristics in text of Key Question 7I), N≥10 per

subgroup (thus, N≥20 total) [this number may change depending on available data]

B. If no subgroup analyses reported, N≥100 total [this number may change depending on available data]

Sharon B. Arnold,

Acting Director.

[FR Doc. 2017–07158 Filed 4–10–17; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[CDC–2016–0067; Docket Number NIOSH 270–A]

Issuance of Final Publication

AGENCY: National Institute for Occupational Safety and Health (NIOSH) of the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of issuance of final publication.

SUMMARY: NIOSH announces the availability of the following publication: ''*NIOSH Center for Motor Vehicle Safety: Results from 2016 Midcourse Review*'' [DHHS (NIOSH) Publication Number 2017–139].

DATES: The technical report was published on March 24, 2017.

ADDRESSES: This document may be obtained at the following link: *https://www.cdc.gov/niosh/docs/2017-139/.*

FOR FURTHER INFORMATION CONTACT: David Fosbroke, NIOSH Division of Safety Research, Room H–1808, 1095 Willowdale Rd., Morgantown, WV 26505. Telephone: (304) 285–6010 (not a toll free number). Email: *def2@cdc.gov.*

SUPPLEMENTARY INFORMATION: On August 15, 2016, NIOSH published a notice of public web meeting and request for comments on the ''NIOSH Center for Motor Vehicle Safety: Midcourse Review of Strategic Plan'' in the **Federal Register** [81 FR 54094]. The purpose of this midcourse review was to seek external input via public comments and invited stakeholder reviews to shape priorities for the NIOSH Center for Motor Vehicle Safety for the next 2 years and proceeding toward developing a new 10-year strategic plan. All comments received were reviewed and considered in finalizing the current document. Comments for Docket 270–A can be found at: *https://www.regulations.gov/* Docket No. CDC–2016–0067.

Dated: April 6, 2017.

Frank Hearl,

Chief of Staff, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention.

[FR Doc. 2017–07275 Filed 4–10–17; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request Information Collection Request Title: Rural Health Network Development Planning Performance Improvement and Measurement System Database, OMB No. 0915–0384-Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this Information Collection Request must be received no later than June 12, 2017.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 14N39, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call the HRSA Information Collection Clearance Officer at (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference, in compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995.

Information Collection Request Title: Rural Health Network Development Planning Performance Improvement and Measurement System Database.

OMB No. 0915–0384—Extension.

Abstract: The purpose of the Rural Health Network Development Planning Program (Network Planning) is to assist in the development of an integrated health care network, specifically for entities that do not have a history of formal collaborative efforts. Health care networks can be an effective strategy to help smaller rural health care providers and health care service organizations align resources, achieve economies of scale and efficiency, and address challenges more effectively as a group than as single providers. This program promotes the planning and development of healthcare networks in order to: (1) achieve efficiencies; (2) expand access to, coordinate, and improve the quality of essential health care services; and (3) strengthen the rural health care system as a whole.

The goals of the Network Planning program are centered around approaches that will aid providers in better serving their communities given the changes taking place in health care, as providers move from focusing on the volume of services to focusing on the value of services. The Network Planning program brings together key parts of a rural health care delivery system, particularly those entities that may not have collaborated in the past under a formal relationship, to establish and improve local capacity and coordination of care. The program supports 1 year of planning with the primary goal of helping networks create a foundation for their infrastructure and focusing member efforts to address important regional or local community health needs.

Need and Proposed Use of the Information: Performance measures for the Network Planning program serve the purpose of quantifying awardee-level data that conveys the successes and challenges associated with the grant award. The approved measures encompass the following principal topic areas: network infrastructure, network collaboration, sustainability, and network assessment.

Likely Respondents: The respondents for these measures are Network Planning program award recipients.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and

maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below. As no revisions are proposed, the burden does not change.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Rural Health Network Development Planning Program Performance Improvement Measurement System	21	1	21	1	21
Total	21		21		21

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Jason E. Bennett,

Director, Division of the Executive Secretariat.

[FR Doc. 2017–07220 Filed 4–10–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Information Collection Request Title: NURSE Corps Loan Repayment Program OMB No. 0915–0140—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period.

DATES: Comments on this ICR should be received no later than May 11, 2017.

ADDRESSES: Submit your comments, including the ICR Title, to the desk officer for HRSA, either by email to *OIRA_submission@omb.eop.gov* or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference, in compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995.

Information Collection Request Title: NURSE Corps Loan Repayment Program OMB No. 0915–0140—Revision.

Abstract: The NURSE Corps Loan Repayment Program (NURSE Corps LRP) assists in the recruitment and retention of professional Registered Nurses (RNs), including advanced practice RNs (*e.g.,* nurse practitioners, certified registered nurse anesthetists, certified nurse-midwives, clinical nurse specialists), dedicated to working at eligible health care facilities with a critical shortage of nurses (*e.g.,* a Critical Shortage Facility) or working as nurse faculty in eligible, accredited schools of nursing, by decreasing the financial barriers associated with pursuing a nursing profession. The NURSE Corps LRP provides loan repayment assistance to these nurses to repay a portion of their qualifying educational loans in exchange for full-time service at a public or private nonprofit Critical Shortage Facility or in an eligible, accredited school of nursing.

Need and Proposed Use of the Information: The information is used to consider an applicant for a NURSE Corps LRP contract award and to monitor a participant's compliance with the service requirements. Individuals must submit an application to participate in the program. The application asks for personal, professional, educational, and financial information required to determine the applicant's eligibility to participate in the NURSE Corps LRP. The semi-annual employment verification form asks for personal and employment information to determine if a participant is in compliance with the service requirements. The Authorization to Release Employment Information form has been revised as a self-certification within the NURSE Corps LRP application process, with applicants clicking a box. This contributes to a decrease in the overall burden by 550 hours.

Likely Respondents: Professional RNs or advanced practice RNs who are interested in participating in the NURSE Corps LRP, and official representatives at their service sites.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

Total Estimated Annualized Burden Hours:

The estimates of reporting burden for applicants are as follows:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
NURSE Corps LRP Application*	5,500	1	5,500	2.0	11,000
Authorization to Release Employment Information Form	5,500	1	5,500	.10	550
Total	5,500		11,000		11,550

*The burden hours associated with this instrument account for both new and continuation applications. Additional (uploaded) supporting documentation is included as part of this instrument and reflected in the burden hours.

The estimates of reporting burden for participants are as follows:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Participant Semi-Annual Employment Verification Form	2,300	2	4,600	.5	2,300
Total	2,300		4,600		2,300
Total for Applicants and Participants	7,800		15,600		13,850

Jason E. Bennett,

Director, Division of the Executive Secretariat.

[FR Doc. 2017–07273 Filed 4–10–17; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics: Meeting

Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) announces the following advisory committee meeting.

Name: National Committee on Vital and Health Statistics (NCVHS), Standards Subcommittee Meeting.

Date and Times: Wednesday, May 3, 2017: 9:00 a.m.–5:30 p.m. (EDT).

Place: U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Room 800, Washington, DC 20201, (202) 690–7100.

Status: Open. There will be an open comment period during the final 15 minutes of the Subcommittee meeting.

Purpose:

Health Insurance Portability and Accountability Act (HIPAA) legislation from 1996, as amended, directed the Secretary of HHS to publish regulations implementing a unique health plan identifier (HPID) for health plans (covered entities under the law). In September 2012, HHS published a final rule requiring health plans to obtain a health plan identifier by November 2014. The regulation also permitted other entities to obtain an identifier on a voluntary basis. Any entity that obtained an identifier was to begin using it in HIPAA transactions by November 2015. Small health plans would begin using the identifier by November 2016.

In February and June of 2014, NCVHS held meetings on the HPID final rule. Following both hearings, NCVHS sent letters to the HHS Secretary stating that the industry was confused about the HPID policy, terminology and the affected entities, and that reporting the HPID in health care transactions provided little benefit or value to the health care system. In October 2014, HHS announced an enforcement discretion period for the HPID rule, halting its implementation.

The purpose of this NCVHS Standards Subcommittee meeting is to seek further input from the health care industry for disposition and next steps of the HPID.

The times and topics are subject to change. Please refer to the posted agenda for any updates.

Contact Persons for More Information: Substantive program information may be obtained from Rebecca Hines, MHS, Executive Secretary, NCVHS, National Center for Health Statistics, Centers for Disease Control and Prevention, 3311 Toledo Road, Hyattsville, Maryland 20782, telephone (301) 458–4715. Information pertaining to meeting content may be obtained from Lorraine Doo, MSW, MPH, or Geanelle G. Herring, MSW, Centers for Medicare & Medicaid Services, Office of Information Technology, Division of National Standards, 7500 Security Boulevard, Baltimore, Maryland 21244, telephone (410) 786–4160. Summaries of meetings and a roster of Committee members are available on the home page of the NCVHS Web site: *http://www.ncvhs.hhs.gov/,* where further information including an agenda and instructions to access the audio broadcast of the meetings will also be posted.

Should you require reasonable accommodation, please contact the CDC Office of Equal Employment Opportunity on (770) 488–3210 as soon as possible.

Date: April 4, 2017.

Laina Bush,

Deputy Assistant Secretary for Planning and Evaluation, Office of the Assistant Secretary for Planning and Evaluation.

[FR Doc. 2017–07194 Filed 4–10–17; 8:45 am]

BILLING CODE 4151–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract

proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Peer Review Meeting

Date: April 19, 2017.

Time: 11:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 5601 Fishers Lane, Rockville, MD 20892, (Telephone Conference Call).

Contact Person: Dharmendar Rathore, Ph.D., Senior Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room 3G30, National Institutes of Health/NIAID, 5601 Fishers Lane, Drive, MSC 9823, Bethesda, MD 20892–9823, 240–669–5058, *rathored@mail.nih.gov*.

The meeting had to be convened at a short notice to evaluate the revised contract proposals received in response to the Nonhuman Primate Core Cellular Immunology Laboratory for AIDS Vaccine Research and Development RFP.

Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 5, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07185 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: NIGMS Initial Review Group; Training and Workforce Development Subcommittee—A Review of T32 Applications.

Date: June 15–16, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Cambria Suites Rockville, 1 Helen Heneghan Way, Rockville, MD 20850.

Contact Person: John J. Laffan, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 3AN18J, Bethesda, MD 20892, 301–594–2773, *laffanjo@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07261 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Amended Notice of Meeting

Notice is hereby given of a change in the meeting of the National Institute on Aging Special Emphasis Panel, May 1, 2017, 1:00 p.m. to May 1, 2017, 4:30 p.m., National Institute on Aging, Gateway Building, 7201 Wisconsin Ave, Suite 2W200C, Bethesda, MD, 20892 which was published in the **Federal Register** on March 31, 2017, 82 FR 16052.

The meeting notice is amended to change the meeting time from 1:00 p.m.–4:30 p.m. to 10:00 a.m.–1:00 p.m. The meeting is closed to the public.

Dated: April 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07258 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the National Advisory General Medical Sciences Council.

The meeting will be open to the public as indicated below, with a short public comment period at the end. Attendance is limited by the space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The open session will also be videocast and can be accessed from the NIH Videocasting and Podcasting Web site (*http://videocast.nih.gov*).

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory General Medical Sciences Council.

Date: May 25–26, 2017.

Closed: May 25, 2017, 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.

Open: May 26, 2017, 8:30 a.m. to 12:00 p.m.

Agenda: For the discussion of program policies and issues; opening remarks; report of the Director, NIGMS; and other business of the Council.

Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.

Contact Person: Ann A. Hagan, Ph.D., Associate Director for Extramural Activities, NIGMS, NIH, DHHS, 45 Center Drive, Room 2AN24H, MSC6200, Bethesda, MD 20892–6200, (301) 594–4499, *hagana@nigms.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://www.nigms.nih.gov/About/Council,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 5, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07187 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Arthritis and Musculoskeletal and Skin Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Arthritis and Musculoskeletal and Skin Diseases Special Emphasis Panel; Extramural Loan Repayment Program for Clinical and Pediatric Research Investigators.

Date: April 17, 2017.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: NIAMS, NIH, Democracy One, 6701 Democracy Blvd., Bethesda, MD 20892.

Contact Person: Yin Liu, Ph.D., MD, Scientific Review Branch NIAMS, NIH, Scientific Review Officer, 6701 Democracy Blvd., Suite 824, Bethesda, MD 20892, 301–594–4952, *liuy@exchange.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.846, Arthritis, Musculoskeletal and Skin Diseases Research, National Institutes of Health, HHS)

Dated: April 5, 2017.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07186 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Myalgic Encephalomyelitis/Chronic Fatigue Syndrome.

Date: April 18, 2017.

Time: 2:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: M. Catherine Bennett, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5182, MSC 7846, Bethesda, MD 20892, 301–435–1766, *bennettc3@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: April 6, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07257 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Secretary; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Muscular Dystrophy Coordinating Committee (MDCC).

The meeting will be open to the public and accessible by live webcast. Attendance is limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

Name of Committee: Muscular Dystrophy Coordinating Committee.

Type of meeting: Open Meeting.

Date: June 19, 2017.

Time: 8:30 a.m. to 4:30 p.m. *Eastern Time*—Approximate end time.

Agenda: The purpose of this meeting is to bring together committee members, representing government agencies, patient advocacy groups, other voluntary health organizations, and patients and their families to update one another on progress relevant to the Action Plan for the Muscular Dystrophies and to coordinate activities and discuss gaps and opportunities leading to better understanding of the muscular dystrophies, advances in treatments, and improvements in patients' and their families' lives. Prior to the meeting, an agenda will be posted to the MDCC meeting registration Web site: *https://meetings.ninds.nih.gov/meetings/MDCC19June2017/.*

Registration: To register, please go to: *https://meetings.ninds.nih.gov/meetings/MDCC19June2017/.*

Webcast Live: For those not able to attend in person, this meeting will be webcast at: *http://videocast.nih.gov/.*

Place: Neuroscience Center, Conference Room C/D, 6001 Executive Boulevard, Rockville, Maryland 20852.

Contact Person: Glen H. Nuckolls, Ph.D., Executive Secretary, Muscular Dystrophy Coordinating Committee, National Institute of Neurological Disorders and Stroke, NIH, 6001 Executive Boulevard, NSC 2203, Bethesda, MD 20892, (301) 496–5745, *glen.nuckolls@ninds.nih.gov.*

Any member of the public interested in presenting oral comments to the committee may notify the Contact Person listed on this notice at least 10 days in advance of the meeting. Interested individuals and representatives of organizations may submit a letter of intent, a brief description of the organization represented, and a short description of the oral presentation. Only one representative of an organization may be allowed to present oral comments and if accepted by the committee, presentations may be limited to five minutes. Both printed

and electronic copies are requested for the record. In addition, any interested person may file written comments with the committee by forwarding their statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

All visitors must go through a security check at the building entrance to receive a visitor's badge. A government issued photo ID is required. Further information can be found at the registration Web site: *https://meetings.ninds.nih.gov/meetings/MDCC19June2017/.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: April 5, 2017.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07188 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Biomedical Imaging and Bioengineering Special Emphasis Panel, BRAIN Initiative R01—U01 Review Meeting (2017/08).

Date: May 24, 2017.

Time: 8:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The William F. Bolger Center, 9600 Newbridge Drive, Potomac, MD 20854 (Telephone Conference Call).

Contact Person: Ruixia Zhou, Ph.D., Scientific Review Officer, 6707 Democracy Boulevard, Democracy Two Building, Suite 957, Bethesda, MD 20892, (301) 496–4773, *zhour@mail.nih.gov.*

Dated: April 6, 2017.

David Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07259 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Fogarty International Center; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of a meeting of the Fogarty International Center Advisory Board.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and/or contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Fogarty International Center Advisory Board.

Date: May 8–9, 2017.

Closed: May 08, 2017, 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 16, 16 Center Drive, Bethesda, MD 20892.

Open: May 09, 2017, 9:00 a.m. to 3:00 p.m.

Agenda: Update and discussion of current and planned FIC activities.

Place: National Institutes of Health, Stone House, Building 16, Conference Room, Bethesda, MD 20892.

Contact Person: Kristen Weymouth, Executive Secretary, Fogarty International Center, National Institutes of Health, 31 Center Drive, Room B2C02, Bethesda, MD 20892, (301) 496–1415, *weymouthk@mail.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance onto the NIH campus. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *http://www.fic.nih.gov/About/Advisory/Pages/default.aspx,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.106, Minority International Research Training Grant in the Biomedical and Behavioral Sciences; 93.154, Special International Postdoctoral Research Program in Acquired Immunodeficiency Syndrome; 93.168, International Cooperative Biodiversity Groups Program; 93.934, Fogarty International Research Collaboration Award; 93.989, Senior International Fellowship Awards Program, National Institutes of Health, HHS)

Dated: April 5, 2017.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07184 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel Review the Center of Biomedical Research Excellence applications.

Date: July 10, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Cambria Suites Rockville, 1 Helen Heneghan Way, Rockville, MD 20850.

Contact Person: Lisa A. Newman, Scientific Review Officer, Office of Scientific Review, National Institutes of General Medical Sciences, 45 Center Drive, RM 3AN18A, Bethesda, MD 20814, (301)435–0965, *newmanla2@mail.nih.gov.*

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel Review of the Centers for Biomedical Research Excellence applications.

Date: July 14, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Garden Inn Bethesda, 7301 Waverly Street, Bethesda, MD 20814.

Contact Person: Saraswathy Seetharam, Scientific Review Officer, Office Scientific Review, National Institute of General Medical Sciences, National Institutes Health, 45 Center Drive, Room 3AN12C, Bethesda, MD 20892, 301–594–2763, *seetharams@nigms.nih.gov.*

Name of Committee: National Institute of General Medical Sciences Special Emphasis Panel Review of SCORE applications.

Date: July 21, 2017.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at Chevy Chase Pavilion, 4300 Military Road NW., Washington DC 20015.

Contact Person: John J. Laffan, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 3AN18J, Bethesda, MD 20892, 301–594–2773, *laffanjo@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 6, 2017.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2017–07260 Filed 4–10–17; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2017–0240]

National Offshore Safety Advisory Committee

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: The National Offshore Safety Advisory Committee and its Subcommittee will hold meetings in New Orleans, Louisiana to discuss the safety of operations and other matters affecting the offshore oil and gas industry. These meetings are open to the public.

DATES: The Safety Management Systems on Vessels Engaging in Well Intervention Activities Subcommittee of the National Offshore Safety Advisory Committee will meet on Tuesday, May 16, 2017 from 1 p.m. to 3 p.m. and the full Committee will meet on Wednesday, May 17, 2017, from 8 a.m. to 5:30 p.m. (All times are Central Daylight Time). These meetings may end early if the Committee has completed its business, or they may be extended based on the number of public comments.

ADDRESSES: The meetings will be held at the Omni Riverfront Hotel, 701 Convention Center Boulevard, New Orleans, Louisiana 70130. Omni Riverfront Hotel.

For information on facilities or services for individuals with disabilities, or to request special assistance at the meetings, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section as soon as possible.

Instructions: You are free to submit comments at any time, including orally at the meetings, but if you want committee members to review your comment before the meetings, please submit your comments no later than April 24, 2017. We are particularly interested in comments on the issues in the ''Agenda'' section below. You must include ''Department of Homeland Security'' and the docket number USCG–2017–0240. Written comments may also be submitted using the Federal eRulemaking Portal at *http://www.regulations.gov.* If you encounter technical difficulties with comment submission, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section below. Comments received will be posted without alteration at *http://www.regulations.gov,* including any personal information provided. You may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Docket Search: For access to the docket or to read documents or comments related to this notice, go to *http://www.regulations.gov,* insert USCG–2017–0240 in the Search box, press Enter, and then click on the item you wish to view.

A public oral comment period will be held during the meeting on May 17, 2017, and speakers are requested to limit their comments to 3 minutes. Contact one of the individuals listed below to register as a speaker.

FOR FURTHER INFORMATION CONTACT: Commander Jose Perez, Designated Federal Officer of the National Offshore Safety Advisory Committee, Commandant (CG–OES–2), United States Coast Guard, 2703 Martin Luther King Jr. Avenue Southeast, Stop 7509, Washington, DC 20593–7509; telephone (202) 372–1410, fax (202) 372–8382 or email *jose.a.perez3@uscg.mil,* or Mr. Patrick Clark, telephone (202) 372–1358, fax (202) 372–8382 or email *Patrick.w.clark@uscg.mil.*

SUPPLEMENTARY INFORMATION: Notice of this meeting is in compliance with the *Federal Advisory Committee Act,* Title 5 United States Code Appendix. The National Offshore Safety Advisory Committee provides advice and recommendations to the Department of Homeland Security on matters and actions concerning activities directly involved with or in support of the exploration of offshore mineral and energy resources insofar as they relate to matters within United States Coast Guard jurisdiction.

A copy of all meeting documentation will be available at *https://homeport.uscg.mil/nosac* no later than April 16, 2017. Alternatively, you may contact Mr. Patrick Clark as noted in the **FOR FURTHER INFORMATION CONTACT** section above.

Agenda

Day 1

The National Offshore Safety Advisory Committee's Subcommittee on ''Safety Management Systems on Vessels Engaging in Well Intervention Activities'' will meet on May 16, 2017 from 1 p.m. to 3 p.m. to review, discuss, and formulate recommendations.

Day 2

The National Offshore Safety Advisory full Committee will hold a public meeting on May 17, 2017 from 8 a.m. to 5:30 p.m. (Central Daylight Time) to review and discuss the progress of, and any reports and recommendations received from, the above listed Subcommittee from their deliberations on May 16, 2017. The Committee will then use this information and consider public comments in formulating recommendations to the United States Coast Guard. Public comments or

questions will be taken at the discretion of the Designated Federal Officer during the discussion and recommendation portions of the meeting and during the public comment period, see Agenda item (8).

A complete agenda for May 17, 2017 Committee meeting is as follows:

(1) Welcoming remarks.

(2) General Administration and accept minutes from February 21, 2017 National Offshore Safety Advisory Committee public teleconference meeting.

(3) Installation of new members.

(4) Installation of new Committee Chair.

(5) Current Business—Presentation and discussion of progress from the Subcommittee on Safety Management Systems on Vessels Engaging in Well Intervention Activities.

(6) New Business.

(7) Presentations on the following matters:

(a) ''The Internet of Things'' and how digital engineering can transform the safety and operability of equipment used by the oil and gas industry;

(b) United States Coast Guard Cyber Security Initiatives update;

(c) Update from the Bureau of Safety and Environmental Enforcement;

(d) Eighth Coast Guard District Officer in Charge Marine Inspection Outer Continental Shelf Inspection Program Updates.

(8) Public comment period.

Minutes

Meeting minutes from this public meeting will be available for public view and copying within 90 days following the close of the meeting at the *https://homeport.uscg.mil/nosac* Web site.

Dated: April 5, 2017.

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2017–07215 Filed 4–10–17; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1707

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before July 10, 2017.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1707, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov*; or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online

through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Date: March 21, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Non-watershed-based studies:

Community	Community map repository address
Brown County, Illinois and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–05–2492S Preliminary Date: August 31, 2016	
Unincorporated Areas of Brown County	Brown County Courthouse, 200 West Court Street, Mount Sterling, IL 62353
Pike County, Illinois and Incorporated Areas	
Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata*	
Project: 11–05–2492S Preliminary Date: August 31, 2016	
Village of Perry	Perry Village Hall, 210 West Main Street, Perry, IL 62362.
Unincorporated Areas of Pike County	Pike County Government Building, 121 East Washington Street, Pittsfield, IL 62363.

[FR Doc. 2017–07277 Filed 4–10–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The effective date of July 18, 2017 which has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *www.msc.fema.gov* by the effective date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated March 21, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Non-watershed-based studies:

Community	Community map repository address
Mendocino County, California and Incorporated Areas Docket No.: FEMA–B–1610	
City of Fort Bragg	Community Development Department, 416 North Franklin Street, Fort Bragg, CA 95437.
City of Point Arena	City Hall, 451 School Street, Point Arena, CA 95468.
Unincorporated Areas of Mendocino County	Planning Department, 860 North Bush Street, Ukiah, CA 95482.

[FR Doc. 2017–07280 Filed 4–10–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4306–DR; Docket ID FEMA–2017–0001]

Wyoming; 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 State of Wyoming (FEMA–4306–DR), dated March 21, 2017, and related determinations.

DATES: Effective March 21, 2017.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated March 21, 2017, 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 State of Wyoming resulting from a severe winter storm and straight-line winds during the period of February 6–7, 2017, 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 State of Wyoming.

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 in the designated area and Hazard Mitigation throughout the State. 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, Nancy M. Casper, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Wyoming have been designated as adversely affected by this major disaster:

Teton County for Public Assistance.

All areas within the State of Wyoming 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.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–07286 Filed 4–10–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The effective date of August 2, 2017 which has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *www.msc.fema.gov* by the effective date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400

C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *www.msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: March 21, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Non-watershed-based studies:

Community	Community map repository address
Del Norte County, California and Incorporated Areas Docket No.: FEMA–B–1602	
City of Crescent City	Public Works Department, 377 J Street, Crescent City, CA 95531.
Unincorporated Areas of Del Norte County	Community Development Department, 981 H Street, Suite 110, Crescent City, CA 95531.
San Mateo County, California and Incorporated Areas Docket No.: FEMA–B–1604	
City of Daly City	Public Works, Engineering Division, 333 90th Street, Daly City, CA 94015.
City of Half Moon Bay	City Hall, 501 Main Street, Half Moon Bay, CA 94019.
City of Pacifica	Engineering Division, 151 Milagra Drive, Pacifica, CA 94044.
Unincorporated Areas of San Mateo County	Planning and Building Department, 455 County Center, Redwood City, CA 94063.
Delaware County, Indiana and Incorporated Areas Docket No.: FEMA–B–1621	
City of Muncie	Delaware County Building, 100 West Main Street, Room 206, Muncie, IN 47305.
Town of Yorktown	Yorktown Town Hall, 9800 West Smith Street, Yorktown, IN 47396.
Unincorporated Areas of Delaware County	Delaware County Building, 100 West Main Street, Room 206, Muncie, IN 47305.

[FR Doc. 2017–07278 Filed 4–10–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2017–0002; Internal Agency Docket No. FEMA–B–1708]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

DATES: Comments are to be submitted on or before July 10, 2017.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1708, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *http://floodsrp.org/pdfs/srp_fact_sheet.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *www.msc.fema.gov* for comparison. (Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: March 21, 2017.

Roy E. Wright,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

I. Watershed-based studies:

Community	Community map repository address
Middle Savannah Watershed **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Aiken County, South Carolina and Incorporated Areas	
City of North Augusta	Municipal Center, 100 Georgia Avenue, North Augusta, SC 29841.
Unincorporated Areas of Aiken County	Aiken County Planning and Development Department, 1930 University Parkway, Suite 2800, Aiken, SC 29801.
Edgefield County, South Carolina and Incorporated Areas	
Unincorporated Areas of Edgefield County	Edgefield County Building and Planning Department, 210 Penn Street, Edgefield, SC 29824.
Stevens Watershed **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Edgefield County, South Carolina and Incorporated Areas	
Unincorporated Areas of Edgefield County	Edgefield County Building and Planning Department, 210 Penn Street, Edgefield, SC 29824.
McCormick County, South Carolina and Incorporaed Areas	
Unincorporated Areas of McCormick County	McCormick County Administration Center, 610 South Mine Street, McCormick, SC 29835.
Upper Savannah Watershed **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Abbeville County, South Carolina and Incorporated Areas	
Unincorporated Areas of Abbeville County	Abbeville County Administrative Complex, 901 West Greenwood Street, Suite 2100, Abbeville, SC 29620.

II. Non-watershed-based studies:

Community	Community map repository address
Adams County, Colorado and Incorporated Areas **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Project: 15–08–1409S Preliminary Date: August 25, 2016	
Unincorporated Areas of Adams County	Adams County Community and Economic Development, 4430 South Adams County Parkway, 1st Floor, Suite W2000, Brighton, CO 80601.
Arapahoe County, Colorado and Incorporated Areas **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Project: 15–08–1409S Preliminary Date: August 25, 2016	
City of Aurora	Engineering Department, 15151 East Alameda Parkway, Suite 3200, Aurora, CO 80012.
Unincorporated Areas of Arapahoe County	Public Works and Development Department, 6924 South Lima Street, Centennial, CO 80112.
City and County of Denver, Colorado **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Project: 15–08–1409S Preliminary Date: August 25, 2016	
City and County of Denver	Public Works Department, 201 West Colfax Avenue, Department 507, Denver, CO 80202.
Carroll County, Georgia and Incorporated Areas **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Project: 16–04–2660S Preliminary Date: May 12, 2016	
City of Villa Rica	City Hall, 571 West Bankhead Highway, Villa Rica, GA 30180.
Douglas County, Georgia and Incorporated Areas **Maps Available for Inspection Online at: *http://www.fema.gov/preliminaryfloodhazarddata***	
Project: 16–04–2660S Preliminary Date: May 12, 2016	
City of Douglasville	City Hall, 6695 Church Street, Douglasville, GA 30134.
Unincorporated Areas of Douglas County	Douglas County Courthouse, 8700 Hospital Drive, Douglasville, GA 30134.

[FR Doc. 2017–07283 Filed 4–10–17; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4272–DR; Docket ID FEMA–2017–0001]

Texas; Amendment No. 9 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 State of Texas (FEMA–4272–DR), dated June 11, 2016, and related determinations.

DATES: Effective March 1, 2017.

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: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Jerry S. Thomas, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of William J. Doran III as Federal Coordinating Officer for this disaster.

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.

Robert J. Fenton,

Acting Administrator, Federal Emergency Management Agency.

[FR Doc. 2017–07290 Filed 4–10–17; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R7–ES–2016–N241; FF07CAMM00–FXES111607MPB01]

U.S.-Russia Polar Bear Commission; Maintenance of Annual Taking Limit for the Alaska-Chukotka Polar Bear Population

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: On November 18, 2016, the U.S.-Russia Polar Bear Commission (Commission), established under the *Agreement Between the Government of the United States and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population (2000 Agreement),* unanimously agreed to maintain the annual taking limit adopted in 2010 for the Alaska-Chukotka polar bear population. In 2010, the Commission established an annual taking limit of the number of bears that may be removed from this population as a result of human activities, such as bears taken for subsistence purposes and in defense of human life. This annual taking limit, which corresponds with the annual sustainable harvest level for this population, is 58 polar bears per year, of which no more than one-third will be females. Under the 2000 Agreement, the annual taking limit is to be shared equally between the United States of America and the Russian Federation.

FOR FURTHER INFORMATION CONTACT: Dr. Patrick Lemons, Marine Mammals Management Chief, U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503; by telephone (907) 786–3800; or by facsimile (907) 786–3816. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at (800) 877–8339.

SUPPLEMENTARY INFORMATION:

Background

The *Agreement between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population* (2000 Agreement), signed in 2000 and ratified by the United States in 2007, provides legal protections for the population of polar bears found in the Chukchi and Northern Bering Seas. The 2000 Agreement is implemented in the United States through Title V of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*), and builds upon the protections provided to this population of polar bears through the *Agreement on the Conservation of Polar Bears* (1973 Agreement), which was a significant early step in the international conservation of polar bears. The 1973 Agreement is a multilateral treaty to which the United States and Russia are parties with other polar bear range states—Norway, Canada, and Denmark (on behalf of Greenland). While the 1973 Agreement provides authority for the maintenance of a subsistence harvest of polar bears and provides for habitat conservation, the 2000 Agreement establishes a common legal, scientific, and administrative framework directed specifically for the conservation and management of the Alaska-Chukotka polar bear population.

As a shared population, polar bears within the Alaska-Chukotka population readily move between the United States and Russian Federation. Article 3 of the 2000 Agreement defines the geographic boundaries of the Agreement, which correspond to the areas within the jurisdiction of the United States and Russian Federation in which the joint polar bear population may be found. Under Article 3, the geographic boundaries of the 2000 Agreement are ''bounded on the west by a line extending north from the mouth of the Kolyma River; on the east by a line extending north from Point Barrow; and on the south by a line describing the southernmost annual formation of drift ice.'' Thus, the 2000 Agreement recognizes the need for a unified, common management regime to provide for the long-term sustainability of this shared population, while assisting in safeguarding the social, cultural, and subsistence needs of Alaska Natives and native people of Chukotka. For example, the 2000 Agreement requires the Commission, the bilateral authority established under the 2000 Agreement, to determine a ''sustainable harvest level'' that is based upon reliable scientific information, does not exceed net annual recruitment to the population, and maintains the population at or near its current level.

Article 8 of the 2000 Agreement sets forth the composition and responsibilities of the Commission. The Commission includes a U.S. section and Russian section, with each national section comprising two members appointed by their respective parties to provide for the inclusion of a member representing the country's native people in addition to a Federal representative. Under the 2000 Agreement, each section has one vote, and all decisions of the Commission may be made only with the approval of both sections. Among other duties under Article 8, the Commission must promote cooperation among the parties and the native people, make scientific determinations, establish annual taking limits, and adopt other restrictions on take of polar bears for subsistence purposes within the framework of the established annual taking limits. Article 8 further requires the establishment of a Scientific Working Group (SWG) to advise the Commission on its decisions.

At its first annual meeting, held in Moscow, Russia, September 23–25, 2009, the Commission identified members of the SWG and tasked the SWG with reviewing the current level of take of polar bears and providing recommendations to the Commission on the sustainable harvest level. Recommendations from the SWG help guide the research necessary to address present and future polar bear conservation issues in the shared Alaska-Chukotka polar bear population.

The second annual meeting of the Commission took place June 7–10, 2010, in Anchorage, Alaska. During this meeting the Commission reviewed the recommendations of the SWG and, consistent with the SWG's recommendation, determined that establishing a limit to the total allowable take, including subsistence harvest, of polar bears from the Alaska-Chukotka polar bear population was needed. Thus, consistent with the 2000 Agreement, the Commission adopted an annual taking limit that corresponds with, but does not exceed, the sustainable harvest level of no more than 58 polar bears per year, of which no more than 19 animals may be females, that may be removed from the Alaska-Chukotka polar bear population. The Commission determined that all forms of human-caused removal of individuals from the Alaska-Chukotka polar bear population will be incorporated in this annual taking limit (75 FR 65507; October 25, 2010). Under Section 502(a)(2) of the MMPA, it is unlawful to take any polar bear from the Alaska-Chukotka population in violation of this annual taking limit adopted by the Commission. At its third annual meeting, in 2011, the Commission made no change to the take limit established in 2010.

At its fourth annual meeting, held June 25–27, 2012, in Anchorage, Alaska, the Commission adopted a multiyear quota system that would allow the Commission to set a sustainable harvest level for a 5-year timeframe, and within the 5-year cycle, adjust the annual taking limit upward or downward depending on the actual harvest of bears the preceding year. For example, if harvest was above the annual taking limit in one year, which would constitute a violation of the 2000 Agreement and Title V of the MMPA, the annual taking limit could be reduced by the Commission for subsequent years. Alternatively, if ice conditions or other factors limit hunters' abilities to harvest polar bears in one year, the Commission could increase the

annual taking limit in subsequent years, as long as the sustainable harvest level over a 5-year period is not exceeded.

Therefore, in 2012, based on the recommendation of the SWG, the Commission agreed upon a 5-year sustainable harvest level of 290 polar bears (*i.e.,* the annual sustainable harvest level of 58 bears × 5 years), with no more than one-third being female. Under this multiyear quota system, the 5-year sustainable harvest level would be allocated over a 5-year period and would include the identification of annual sustainable harvest levels for consideration by the Commission in setting annual taking limits. The Commission, at each of its subsequent annual meetings held in 2013, 2014, and 2015, was advised by the SWG that new biological information considered at the meeting did not suggest the need to change the sustainable harvest level established by the Commission. The Commission, therefore, at each of those meetings in 2013, 2014, and 2015 adopted the SWG's recommendation that no change be made to the existing sustainable harvest level of up to 58 polar bears per year to be shared equally between the United States and Russia, of which no more than one-third will be female.

At the eighth annual meeting of the Commission, held November 17–18, 2016, in Anchorage, Alaska, the SWG recognized that new biological information considered at the meeting did not suggest the need to change the sustainable harvest level established by the Commission and, therefore, it recommended no change to the current annual sustainable harvest level of 58 polar bears per year to be shared equally between the United States and the Russian Federation, of which no more than one-third will be female, or to the multiyear quota system previously adopted by the Commission. The Commission unanimously adopted this recommendation. Additionally, the U.S. Commissioners discussed their collaborative efforts over the past year to lay the foundation for effective implementation of the annual taking limit, and expressed their commitment to continuing that work together to achieve the goal of a sustainably managed polar bear subsistence harvest.

As discussed in the U.S. Fish and Wildlife Service's (Service) recent advance notice of proposed rulemaking (81 FR 78560; November 8, 2016), the Service is currently working with the Alaska Native community to identify a new co-management partner. To allow time for this co-management partner to be identified and to establish a program of locally enforceable ordinances for polar bear harvest, it is appropriate to delay issuance of regulations to administer the annual taking limit, which were originally anticipated to be put into effect on January 1, 2017. The Service believes additional work in establishing local, on-the-ground co-management structures will greatly improve compliance with the annual taking limit.

We now anticipate issuing regulations in 2019, with an anticipated effective date of January 1, 2020. The Service will continue conducting consultation with federally recognized tribes, providing outreach and education to affected communities, and evaluating biological information. During this interim period, the Service will use its enforcement discretion with respect to any take that exceeds the annual taking limit established by the Commission in 2010. Currently, the Service's MMPA implementing regulations at 50 CFR 18.23(f) require Alaskan natives who harvest any polar bears for subsistence purposes or for purposes of selling authentic Native articles of handicrafts and clothing to report such take to the Service and present the skin and skull to Service personnel or the Service's authorized local representative. Under these regulations, an Alaskan native may possess the unmarked, untagged, and unreported polar bear for a period of time not to exceed 30 days from the time of taking for the purpose of transporting the skin and skull to Service personnel or the Service's authorized local representative for marking, tagging, and reporting. These regulations remain in effect.

Determination of the Commission

Pursuant to section 507(b) of the MMPA, we are publishing in the **Federal Register** this notice of the U.S.-Russia Polar Bear Commission's determination concerning the annual taking limit for the Alaska-Chukotka polar bear population. As detailed above, at its 2016 annual meeting, the Commission agreed to maintain the limit on the annual harvest of polar bears from this population to no more than 58 animals, of which no more than one-third may be female, to be shared equally between the United States and the Russian Federation.

Dated: February 1, 2017.

James W. Kurth,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 2017–07245 Filed 4–10–17; 8:45 am]

BILLING CODE 4333–15–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 Joint Board for the Enrollment of Actuaries gives notice of a closed meeting of the Advisory Committee on Actuarial Examinations.

DATES: The meeting will be held on April 28, 2017, from 8:30 a.m. to 5:00 p.m.

ADDRESSES: The meeting will be held at Willis Towers Watson, 2901 North Central Avenue, Suite 1100, Phoenix, AZ 85012–2731.

FOR FURTHER INFORMATION CONTACT: Elizabeth Van Osten, Designated Federal Officer, Advisory Committee on Actuarial Examinations, 703–414–2163.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at Willis Towers Watson, 2901 North Central Avenue, Suite 1100, Phoenix, AZ 85012–2731.

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, pension law and methodology referred to in 29 U.S.C. 1242(a)(1)(B).

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App., that the subject of the meeting falls within the exception to the open meeting requirement set forth in Title 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such meeting be closed to public participation.

Dated: April 4, 2017.

Chet Andrzejewski,

Chair, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2017–07203 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0001]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection; Registration Statement of Foreign Agents (NSD–1)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** on February 6, 2017, allowing for a 60 day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and/or

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Registration Statement (Foreign Agents).

3. *The agency form number:* Form NSD–1.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are 61 respondents, at approximately 1 hour and 22 minutes (1.375 hours) per response to complete.

6. *An estimate of the total public burden (in hours) associated with the collection:* 83.875 annual burden hours. (61 respondents × 1 hour and 22 minutes (1.375) = 83.875 hours).

7. Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a web form version of form NSD–1. NSD continues to make progress in enhancing the functionality of FARA eFile. Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA.

New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07205 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0002]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection Supplemental Statement of Foreign Agents (NSD–2)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** at 82 FR 9396, on February 06, 2017, allowing for a 60 day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention

Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *The Title of the Form/Collection:* Supplemental Statement (Foreign Agents).

(3) *The agency form number:* Form NSD–2.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

5 *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are 288 respondents, 2 responses annually per each registrant or approximately 576 responses, at approximately 2 hours and 3 minutes (2.063 hours) per response to complete.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1,188.29 annual burden hours. (288 respondents × 2 = 576 responses × 2 hours and 3 minutes (2.063) = 1,188.29 hours).

(7) Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a web form version of form NSD–2. NSD continues to make progress in enhancing the functionality of FARA eFile. Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA. New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07206 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0006]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection Exhibit A to Registration Statement of Foreign Agents (NSD–3)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** at 82 FR 9395, on February 06, 2017, allowing for a 60 day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Exhibit A to Registration Statement (Foreign Agents).

3. *The agency form number:* Form NSD–3.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are 57 respondents annually, at approximately .49 hours (29 minutes) per response to complete.

6. *An estimate of the total public burden (in hours) associated with the collection:* 27.93 annual burden hours. (57 respondents × .49 hours (29 minutes) = 27.93 hours).

7. Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a Web form version of form NSD–3. NSD continues to make progress in enhancing the functionality of FARA eFile. Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA. New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07211 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0330]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection; Law Enforcement Congressional Badge of Bravery

AGENCY: Bureau of Justice Assistance, Department of Justice.

ACTION: 30-day notice.

SUMMARY: BJA's CBOB Office will use the CBOB application information to confirm the eligibility of applicants to be considered for the CBOB, and forward the application as appropriate to the Federal or the State and Local CBOB Board for their further consideration. This proposed information collection was previously published in the **Federal Register** at, allowing for a 60 day comment period.

DATES: Comments are encouraged and will be accepted for 60 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Michelle Martin, Administrative Services Director Bureau of Justice Assistance, 810 Seventh Street NW., Washington, DC 20531 (phone: 202–514–9354).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Law Enforcement Congressional Badge of Bravery.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* None.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Law Enforcement Agencies. Under Public Law 110–298 The U.S. Department of Justice Attorney General may request voluntary nominations from an appointed Federal Board, for the names of law enforcement officers cited as performing an act of bravery while in the line of duty, for a Federal Law Enforcement Congressional Badge of Bravery award.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 184 applicants annually.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 61 hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07256 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0003]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection; Amendment to Registration Statement of Foreign Agents (NSD–5)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and

Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** on February 06, 2017, allowing for a 60 day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Enhance the quality, utility, and clarity of the information to be collected; and/or

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Amendment to Registration Statement (Foreign Agents).

3. *The agency form number:* Form NSD–5.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are 255 respondents, at approximately 1.5 hours (1 hour and 30 minutes) per response to complete.

6. *An estimate of the total public burden (in hours) associated with the collection:* 382.50 annual burden hours. (255 respondents × 1 hour and 30 minutes (1.5 hours) = 382.50 hours).

7. Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a web form version of form NSD–5. NSD continues to make progress in enhancing the functionality of FARA eFile. Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA. New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07207 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0005]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection; Short Form Registration Statement of Foreign Agents (NSD–6)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** on February 06, 2017, allowing for a 60-day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should

address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Short Form Registration Statement (Foreign Agents).

3. *The agency form number:* Form NSD–6.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there are 328 respondents annually, at approximately .429 hours (25 minutes) per response to complete.

6. *An estimate of the total public burden (in hours) associated with the collection:* 140.71 annual burden hours. (328 respondents × .429 hours (25 minutes) = 140.71 hours).

7. Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a web form version of form NSD–6. NSD continues to make progress in enhancing the functionality of FARA eFile.

Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA.

New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody D. Braswell,

Department Clearance Officer for PRA, Department of Justice.

[FR Doc. 2017–07209 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

DEPARTMENT OF JUSTICE

[OMB Number 1124–0004]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With Non-Substantive Changes of a Previously Approved Collection; Exhibit B to Registration Statement of Foreign Agents (NSD–4)

AGENCY: Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), National Security Division (NSD), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published in the **Federal Register** at 82 *FR* 9392, on February 06, 2017, allowing for a 60 day comment period. There were no comments received.

DATES: Comments are encouraged and will be accepted for an additional 30 days until May 11, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Heather H. Hunt, Chief, Foreign Agents Registration Act (FARA) Unit, BICN Building, Room 1300, 600 E Street NW., Washington, DC 20530. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov*.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
—Enhance the quality, utility, and clarity of the information to be collected; and/or
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *The Title of the Form/Collection:* Exhibit B to Registration Statement (Foreign Agents).

(3) *The agency form number:* Form NSD–4.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Private Sector, Business or other for-profit.

Other: Not-for-profit institutions, and individuals.

Abstract: This form contains registration statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*

(5) *An estimate of the total number of respondents and the amount of time*

estimated for an average respondent to respond: It is estimated that there are 178 respondents annually, at approximately .33 hours (20 minutes) per response to complete.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 58.74 annual burden hours. (178 respondents × .33 hours (20 minutes) = 58.74 hours).

(7) Registrants/foreign agents and the general public are alerted that in the future, the National Security Division will complete its ongoing multi-year design review, testing, and requirements enhancement efforts to offer a web form version of form NSD–4. NSD continues to make progress in enhancing the functionality of FARA eFile. Personnel are in the process of developing new web form versions of the current fillable FARA registration forms with the intent of providing greater standardization, improved intuitive features, and less burdensome requirements that will benefit foreign agents who are required to register under FARA. New capabilities are expected to improve online search capabilities. NSD is confident that the new features will offer an enhanced system, promoting greater transparency.

If additional information is required contact: Melody D. Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405A, Washington, DC 20530.

Dated: April 6, 2017.

Melody D. Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2017–07208 Filed 4–10–17; 8:45 am]

BILLING CODE 4410–PF–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: 17–018]

NASA Astrophysics Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Astrophysics Advisory Committee. This Committee reports to the Director, Astrophysics Division, Science Mission Directorate, NASA Headquarters. The meeting will be held for the purpose of soliciting, from the scientific community and other persons, scientific and technical information relevant to program planning.

DATES: Monday, April 24, 2017, 9:30 a.m.–5:00 p.m.; and Tuesday, April 25, 2017, 8:30 a.m.–5:00 p.m., Local Time.

ADDRESSES: NASA Headquarters, Room 3H42, 300 E Street SW., Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Ms. KarShelia Henderson, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358–2355, fax (202) 358–2779, or *khenderson@nasa.gov.*

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the capacity of the room. The meeting will be available telephonically and by WebEx. You must use a touch-tone phone to participate in this meeting. Any interested person may dial the USA toll free conference call number 1–888–790–3531 or toll number 1–210–234–0035, passcode 7238462 followed by the # sign, to participate in this meeting by telephone on both days. The WebEx link is *https://nasa.webex.com/;* the meeting number on April 24 is 999 766 498, password is APAC24–25; and the meeting number on April 25 is 997 182 323, password is APAC24–25.

The agenda for the meeting includes the following topics:

—Astrophysics Division Update
—Updates on Specific Astrophysics Missions
—Reports from the Program Analysis Groups
—Reports from Specific Research and Analysis Programs

The agenda will be posted on the Astrophysics Advisory Committee Web page at *https://science.nasa.gov/researchers/nac/science-advisory-committees/apac.* Attendees will be requested to sign a register and to comply with NASA Headquarters Security requirements, including the presentation of a valid picture ID to Security before access to NASA Headquarters. Due to the Real ID Act, any attendees with driver's licenses issued from non-compliant states must present a second form of ID. Non-compliant states are: Maine, Minnesota, Missouri, and Montana. Foreign nationals attending this meeting will be required to provide a copy of their passport and visa in addition to providing the following information no less than 10 days prior to the meeting: full name; gender; date/place of birth; citizenship; passport information (number, country, telephone); visa information (number, type, expiration date); employer/affiliation information (name of institution, address, country, telephone); title/position of attendee. To expedite admittance, attendees with U.S. citizens and Permanent Residents (green card holders) are requested to provide full name and citizenship status 3 working days in advance. Information should be sent to Ms. KarShelia Henderson, via email at *khenderson@nasa.gov* or by fax at (202) 358–2779. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Patricia D. Rausch,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 2017–07152 Filed 4–10–17; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Sunshine Act; Notice of Agency Meeting

TIME AND DATE: 1:00 p.m., Wednesday, April 12, 2017.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314–3428.

STATUS: Closed.

Pursuant to the provisions of the ''Government in the Sunshine Act,'' notice is hereby given that the NCUA Board unanimously determined that agency business required holding a closed meeting with less than seven days' notice to the public, and that no earlier notice of the meeting was possible.

MATTERS TO BE CONSIDERED:

1. Consideration of Supervisory Action. Closed pursuant to Exemptions (8), (9) and (9)(ii).

FOR FURTHER INFORMATION: Contact Gerard Poliquin, Secretary of the Board, Telephone: 703–518–6304.

Gerard Poliquin,

Secretary of the Board.

[FR Doc. 2017–07374 Filed 4–7–17; 4:15 pm]

BILLING CODE 7535–01–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meetings of Humanities Panel

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: The National Endowment for the Humanities will hold eight meetings of the Humanities Panel, a federal advisory committee, during May, 2017. The purpose of the meetings is for panel review, discussion, evaluation, and recommendation of applications for financial assistance under the National Foundation on the Arts and Humanities Act of 1965.

DATES: See **SUPPLEMENTARY INFORMATION** section for meeting dates. The meetings will open at 8:30 a.m. and will adjourn by 5:00 p.m. on the dates specified below.

ADDRESSES: The meetings will be held at Constitution Center at 400 7th Street SW., Washington, DC 20506, unless otherwise indicated.

FOR FURTHER INFORMATION CONTACT: Elizabeth Voyatzis, Committee Management Officer, 400 7th Street SW., Room 4060, Washington, DC 20506; (202) 606–8322; *evoyatzis@neh.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), notice is hereby given of the following meetings:

1. *Date:* May 1, 2017.

This meeting will discuss applications for the Seminars for School Teachers grant program, submitted to the Division of Education Programs.

2. *Date:* May 2, 2017.

This meeting will discuss applications for the Institutes for School Teachers grant program, submitted to the Division of Education Programs.

3. *Date:* May 2, 2017.

This meeting will discuss applications on the subjects of Languages, Linguistics, and Text Analysis, for Digital Humanities Advancement Grants, submitted to the Office of Digital Humanities.

4. *Date:* May 3, 2017.

This meeting will discuss applications on the subject of Public Programs, for Digital Humanities Advancement Grants, submitted to the Office of Digital Humanities.

5. *Date:* May 8, 2017.

This meeting will discuss applications on the subject of Scholarly Communications, for Digital Humanities Advancement Grants, submitted to the Office of Digital Humanities.

6. *Date:* May 10, 2017.

This meeting will discuss applications on the subject of Education, for Digital Humanities Advancement Grants, submitted to the Office of Digital Humanities.

7. *Date:* May 11, 2017

This meeting will discuss applications for Level III Digital Humanities Advancement Grants, submitted to the Office of Digital Humanities.

8. *Date:* May 16, 2017.

This meeting will discuss applications for the Institutes for Advanced Topics in the Digital Humanities grant program, submitted to the Office of Digital Humanities.

Because these meetings will include review of personal and/or proprietary financial and commercial information given in confidence to the agency by grant applicants, the meetings will be closed to the public pursuant to sections 552b(c)(4) and 552b(c)(6) of Title 5, U.S.C., as amended. I have made this determination pursuant to the authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings dated April 15, 2016.

Dated: April 6, 2017.

Elizabeth Voyatzis,

Committee Management Officer.

[FR Doc. 2017–07255 Filed 4–10–17; 8:45 am]

BILLING CODE 7536–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0092]

Biweekly Notice: Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Biweekly notice.

SUMMARY: Pursuant to Section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular biweekly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued, from March 14, 2017, to March 27, 2017. The last biweekly notice was published on March 28, 2017.

DATES: Comments must be filed by May 11, 2017. A request for a hearing must be filed by June 12, 2017.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0092. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining information and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Janet Burkhardt, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001; telephone: 301–415–1384, email: *janet.burkhardt@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2017–0092, facility name, unit number(s), plant docket number, application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0092.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in

ADAMS) is provided the first time that it is mentioned in this document.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2017–0092, facility name, unit number(s), plant docket number, application date, and subject, in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC 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.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in § 50.92 of title 10 of the *Code of Federal Regulations* (10 CFR), this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. If the Commission takes action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final no significant hazards consideration determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's ''Agency Rules of Practice and Procedure'' in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC's regulations are accessible electronically from the NRC Library on the NRC's Web site at *http://www.nrc.gov/reading-rm/doc-collections/cfr/.* Alternatively, a copy of the regulations is available at the NRC's Public Document Room, located at One White Flint North, Room O1–F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party's admitted contentions, including the opportunity to present evidence, consistent with the NRC's regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii). The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to establish when the hearing is held. If the final determination is that the

amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner's interest in the proceeding. The petition should be submitted to the Commission by June 12, 2017. The petition must be filed in accordance with the filing instructions in the ''Electronic Submissions (E-Filing)'' section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or federally recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make an oral or written statement of his or her position on the issues but may not otherwise participate in the proceeding. A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC Web site at *http://www.nrc.gov/site-help/e-submittals.html.* Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at *hearing.docket@nrc.gov,* or by telephone at 301–415–1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals/getting-started.html.* Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public Web site at *http://www.nrc.gov/site-help/electronic-sub-ref-mat.html.* A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the ''Contact Us'' link located on the NRC's public Web site at *http://www.nrc.gov/site-help/e-submittals.html,* by email to *MSHD.Resource@nrc.gov,* or by a toll-free call at 1–866–672–7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at *https://adams.nrc.gov/ehd,* unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click cancel when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

For further details with respect to these license amendment applications, see the application for amendment which is available for public inspection in ADAMS and at the NRC's PDR. For additional direction on accessing information related to this document, see the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Carolinas, LLC, Docket Nos. 50–413 and 50–414, Catawba Nuclear Station, Units 1 and 2, York County, South Carolina

Date of amendment request: December 15, 2016. A publicly available version is in Agencywide Documents Access and Management System (ADAMS) under Accession No. ML16350A422.

Description of amendment request: The amendments would modify Technical Specification 3.1.2, ''Core Reactivity,'' to revise the Completion Times of Required Action A.1 and A.2 from 72 hours to 7 days. This proposed change is consistent with Technical Specification Task Force (TSTF) Traveler TSTF–142–A, Revision 0, ''Increase the Completion Time when the Core Reactivity Balance is Not Within Limit.''

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes extend the Completion Time to take the Required Actions when measured core reactivity is not within the specified limit of the predicted values. The Completion Time to respond to a difference between predicted and measured core reactivity if not an initiator to any accident previously evaluated. The radiological consequences of an accident during the proposed Completion Time are no different from the consequences of an accident during the existing Completion Time. Therefore, the proposed changes do not involve a significant increase in the probability or consequences of any accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed changes do not involve a physical alteration to the plant (*i.e.,* no new or different type of equipment will be installed) or a change to the methods governing normal plant operation. The changes do not alter the assumptions made in the safety analysis. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

Response: No.

The proposed changes provide additional time to investigate and to implement appropriate operating restrictions when measured core reactivity is not within the specified limit of the predicted values. The additional time will not have a significant effect on plant safety due to the conservatisms used in designing the reactor core and performing the safety analyses, and the low probability of an accident or transient which would approach the core design limits during the additional time. Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Kate Nolan, Deputy General Counsel, Duke Energy Corporation, 526 South Church Street—DEC45A, Charlotte, NC 28202.

NRC Branch Chief: Michael T. Markley.

Exelon Generation Company, LLC, Docket Nos. 50–237 and 50–249, Dresden Nuclear Power Station (DNPS), Units 2 and 3, Grundy County, Illinois

Date of amendment request: February 10, 2017. A publicly-available version is in ADAMS under Accession No. ML17045A006.

Description of amendment request: The proposed amendment would revise the DNPS, Units 2 and 3, technical specifications (TSs) by replacing the existing specifications related to ''operation with a potential for draining the reactor vessels'' (OPDRVs), with revised requirements for reactor pressure vessel (RVP) water inventory control (WIC) to protect Safety Limit 2.1.1.3. Safety Limit 2.1.1.3 requires reactor vessel water level to be greater than the top of active irradiated fuel. The proposed amendment would adopt changes, with variations as noted in the license amendment request, and is based on the NRC-approved safety evaluation for Technical Specification Task Force (TSTF) Traveler TSTF–542, Revision 2, ''Reactor Pressure Vessel Water Inventory Control,'' dated December 20, 2016.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change replaces existing TS requirements related to OPDRVs with new requirements on RPV WIC that will protect Safety Limit 2.1.1.3. Draining of RPV water inventory in Mode 4 (*i.e.,* cold shutdown) and Mode 5 (*i.e.,* refueling) is not an accident previously evaluated and, therefore, replacing the existing TS controls to prevent or mitigate such an event with a new set of controls has no effect on any accident previously evaluated. RPV water inventory control in Mode 4 or Mode 5 is not an initiator of any accident previously evaluated. The existing OPDRV controls or the proposed RPV WIC controls are not mitigating actions assumed in any accident previously evaluated.

The proposed change reduces the probability of an unexpected draining event (which is not a previously evaluated accident) by imposing new requirements on the limiting time in which an unexpected draining event could result in the reactor vessel water level dropping to the top of the active fuel (TAF). These controls require cognizance of the plant configuration and control of configurations with unacceptably short drain times. These requirements reduce the probability of an unexpected draining

event. The current TS requirements are only mitigating actions and impose no requirements that reduce the probability of an unexpected draining event.

The proposed change reduces the consequences of an unexpected draining event (which is not a previously evaluated accident) by requiring an Emergency Core Cooling System (ECCS) subsystem to be operable at all times in Modes 4 and 5. The current TS requirements do not require any water injection systems, ECCS or otherwise, to be operable in certain conditions in Mode 5. The change in requirement from two ECCS subsystems to one ECCS subsystem in Modes 4 and 5 does not significantly affect the consequences of an unexpected draining event because the proposed Actions ensure equipment is available within the limiting drain time that is as capable of mitigating the event as the current requirements. The proposed controls provide escalating compensatory measures to be established as calculated drain times decrease, such as verification of a second method of water injection and additional confirmations that secondary containment and/or filtration would be available if needed.

The proposed change reduces or eliminates some requirements that were determined to be unnecessary to manage the consequences of an unexpected draining event, such as automatic initiation of an ECCS subsystem and control room ventilation. These changes do not affect the consequences of any accident previously evaluated since a draining event in Modes 4 and 5 is not a previously evaluated accident and the requirements are not needed to adequately respond to a draining event.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

The proposed change replaces existing TS requirements related to OPDRVs with new requirements on RPV WIC that will protect Safety Limit 2.1.1.3. The proposed change will not alter the design function of the equipment involved. Under the proposed change, some systems that are currently required to be operable during OPDRVs would be required to be available within the limiting drain time or to be in service depending on the limiting drain time. Should those systems be unable to be placed into service, the consequences are no different than if those systems were unable to perform their function under the current TS requirements.

The event of concern under the current requirements and the proposed change is an unexpected draining event. The proposed change does not create new failure mechanisms, malfunctions, or accident initiators that would cause a draining event or a new or different kind of accident not previously evaluated or included in the design and licensing bases.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed change replaces existing TS requirements related to OPDRVs with new requirements on RPV WIC. The current requirements do not have a stated safety basis and no margin of safety is established in the licensing basis. The safety basis for the new requirements is to protect Safety Limit 2.1.1.3. New requirements are added to determine the limiting time in which the RPV water inventory could drain to the top of the fuel in the reactor vessel should an unexpected draining event occur. Plant configurations that could result in lowering the RPV water level to the TAF within one hour are now prohibited. New escalating compensatory measures based on the limiting drain time replace the current controls. The proposed TS establish a safety margin by providing defense-in-depth to ensure that the Safety Limit is protected and to protect the public health and safety. While some less restrictive requirements are proposed for plant configurations with long calculated drain times, the overall effect of the change is to improve plant safety and to add safety margin.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

NRC Branch Chief: David J. Wrona.

Exelon Generation Company, LLC, Docket Nos. 50–289 and 50–320, Three Mile Island Nuclear Station (TMI), Unit 1 and Unit 2, Dauphin County, Pennsylvania

Date of amendment request: July 15, 2016, as supplemented by letter dated February 13, 2017. Publicly-available versions are in ADAMS under Accession Nos. ML16201A306 and ML17045A036, respectively.

Description of amendment request: The amendment request was originally noticed in the **Federal Register** on October 25, 2016 (81 FR 73435). The notice is being reissued in its entirety to include the revised scope, description of the amendment request, and proposed no significant hazards consideration determination. The amendment would revise the Radiological Emergency Plan Annex for TMI, Unit 1. The proposed changes would decrease the radiation protection technician staffing from three to two technicians. The proposed amendment would also make changes to staffing of on-shift maintenance personnel. Specifically, the amendment would revise the on-shift position operations support center director (renamed repair team lead) to remove the requirement that the position be from the maintenance organization; remove two dedicated maintenance technicians from the on-shift staffing total; and remove two additional personnel from the repair and corrective actions major task and assign them to respond within 60 minutes, as well as one additional staff person to respond within 90 minutes.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to the TMI Emergency Plan do not increase the probability or consequences of an accident. The proposed changes do not impact the function of plant Structures, Systems, or Components (SSCs). The proposed changes do not affect accident initiators or accident precursors, nor do the changes alter design assumptions. The proposed changes do not alter or prevent the ability of the onsite ERO [emergency response organization] to perform their intended functions to mitigate the consequences of an accident or event. The proposed changes remove onsite ERO positions no longer credited or considered necessary in support of Emergency Plan implementation.

Therefore, the proposed changes to the Emergency Plan do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

The proposed changes have no impact on the design, function, or operation of any plant SSCs. The proposed changes do not affect plant equipment or accident analyses. The proposed changes do not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed), a change in the method of plant operation, or new operator actions. The proposed changes do not introduce failure modes that could result in a new accident, and the proposed changes do not alter assumptions made in the safety analysis. The proposed changes remove onsite ERO positions no longer credited or considered necessary in support of Emergency Plan implementation.

Therefore, the proposed changes to the Emergency Plan do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with confidence in the ability of the fission product barriers (*i.e.,* fuel cladding, reactor coolant system pressure boundary, and containment structure) to limit the level of radiation dose to the public.

The proposed changes do not adversely affect existing plant safety margins or the reliability of the equipment assumed to operate in the safety analyses. There are no changes being made to safety analysis assumptions, safety limits, or limiting safety system settings that would adversely affect plant safety as a result of the proposed changes. Margins of safety are unaffected by the proposed changes to the ERO minimum on-shift staffing.

The proposed changes are associated with the Emergency Plan staffing and do not impact operation of the plant or its response to transients or accidents. The proposed changes do not affect the Technical Specifications. The proposed changes do not involve a change in the method of plant operation, and no accident analyses will be affected by the proposed changes. Safety analysis acceptance criteria are not affected by these proposed changes. The proposed changes to the Emergency Plan will continue to provide the necessary onsite ERO response staff.

Therefore, the proposed changes to the Emergency Plan do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

NRC Branch Chief: James G. Danna.

Exelon Generation Company, LLC, Docket Nos. STN 50–456 and STN 50–457, Braidwood Station, Units 1 and 2, Will County, Illinois

Exelon Generation Company, LLC, Docket Nos. STN 50–454 and STN 50–455, Byron Station, Unit Nos. 1 and 2, Ogle County, Illinois

Date of amendment request: February 23, 2017. A publicly-available version is in ADAMS under Accession No. ML17055A631.

Description of amendment request: The amendment would revise the operating licenses and technical specifications to remove time, cycle, or modification-related items. Additionally, the proposed amendment makes editorial and formatting changes. The time, cycle, or modification-related items have been implemented or superseded and are no longer applicable.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The initial conditions and methodologies used in the accident analyses remain unchanged. The proposed changes do not change or alter the design assumptions for the systems or components used to mitigate the consequences of an accident. Therefore, accident analyses results are not impacted.

All changes proposed by EGC [Exelon Generation Company, LLC] in this amendment request are administrative in nature, and are removing one-time requirements that have been satisfied, items that are no longer applicable, or are editorial. There are no physical changes to the facilities, nor any changes to the station operating procedures, limiting conditions for operation, or limiting safety system settings.

Therefore, the proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

None of the proposed changes affect the design or operation of any system, structure, or component in the plants. The safety functions of the related structures, systems, or components are not changed in any manner, nor is the reliability of any structure, system, or component reduced by the revised surveillance or testing requirements. The changes do not affect the manner by which the facility is operated and do not change any facility design feature, structure, system, or component. No new or different type of equipment will be installed. Since there is no change to the facility or operating procedures, and the safety functions and reliability of structures, systems, or components are not affected, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed changes are administrative in nature and have no impact on the margin of safety of any of the TS [technical specifications]. There is no impact on safety limits or limiting safety system settings. The changes do not affect any plant safety parameters or setpoints. The OL [operating license] Conditions have been satisfied as required.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Tamra Domeyer, Associate General Counsel, Exelon Generation Company, LLC, 4300 Winfield Road, Warrenville, IL 60555.

NRC Acting Branch Chief: Kimberly J. Green.

Northern States Power Company—Minnesota, Docket Nos. 50–282 and 50–306, Prairie Island Nuclear Generating Plant (PINGP), Units 1 and 2, Goodhue County, Minnesota

Date of amendment request: February 23, 2017. A publicly-available version is in ADAMS under Accession No. ML17055C359.

Brief description of amendment request: The proposed amendments would revise the PINGP, Units 1 and 2, Emergency Plan (E-Plan) to increase augmentation times for Emergency Response Organization (ERO) response functions. The amendment would also include other E-Plan modifications to include facility activation criteria, changes to survey requirements, removal of radiation protection support from Monticello Nuclear Generating Plant, and removal of some positions from the augmentation list.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed increase in staff augmentation times has no effect on normal plant operation or on any accident initiator or precursors and does not impact the function of plant structures, systems, or components (SSCs).

The proposed change does not alter or prevent the ability of the on-shift ERO to perform their intended functions to mitigate the consequences of an accident or event. The ability of the ERO to respond adequately to radiological emergencies has been demonstrated as acceptable through a staffing analysis as required by 10 CFR 50, Appendix E, Section IV.A.9.

Therefore, the proposed [E-Plan] changes do not involve a significant increase in the

probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not impact any accident analysis. The proposed change does not involve a physical alteration of the plant (*i.e.,* no new or different type of equipment will be installed), a change in the method of plant operation, or new operator actions. The proposed change does not introduce failure modes that could result in a new accident, and the change does not alter assumptions made in the safety analysis. The proposed change increases the staff augmentation response times in the E-Plan, which are demonstrated as acceptable through a functional analysis as required by 10 CFR 50, Appendix E, Section IV.A.9. The proposed change does not alter or prevent the ability of the ERO to perform their intended functions to mitigate the consequences of an accident or event.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with confidence in the ability of the fission product barriers (*i.e.,* fuel cladding, reactor coolant system pressure boundary, and containment structure) to limit the level of radiation dose to the public. The proposed change is associated with the E-Plan staffing and does not impact operation of the plant or its response to transients or accidents. The change does not affect the Technical Specifications. The proposed change does not involve a change in the method of plant operation, and no accident analyses will be affected by the proposed change. Safety analysis acceptance criteria are not affected by this proposed change. The proposed revisions to the E-Plan continue to provide the necessary response staff with the proposed change.

A staffing analysis and a functional analysis were performed for the proposed change focusing on the timeliness of performing major tasks for the functional areas of E-Plan. The analysis concluded that an extension in staff augmentation times would not significantly affect the ability to perform the required E-Plan tasks. Therefore, the proposed change is determined to not adversely affect the ability to meet 10 CFR 50.54(q)(2), the requirements of 10 CFR 50 Appendix E, and the emergency planning standards as described in 10 CFR 50.47 (b).

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment requests involve no significant hazards consideration.

Attorney for licensee: Peter M. Glass, Assistant General Counsel, Xcel Energy Services, Inc., 414 Nicollet Mall, Minneapolis, MN 55401

NRC Branch Chief: David J. Wrona.

South Carolina Electric & Gas Company, Docket Nos. 52–027 and 52–028, Virgil C. Summer Nuclear Station, Units 2 and 3, Fairfield County, South Carolina

Date of amendment request: February 27, 2017. A publicly-available version is in ADAMS under Accession No. ML17060A662.

Description of amendment request: The requested amendment proposes to depart from Tier 2 information in the Updated Final Safety Analysis Report (UFSAR) and to change Combined License Appendix A, Technical Specifications (TS), to modify engineered safety features logic for containment vacuum relief actuation.

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed changes to the UFSAR and TS will include the Containment Pressure—Low automatic reset function for the containment vacuum relief valves manual initiation logic, such that the containment vacuum relief manual actuation will be automatically reset when the containment pressure rises above the Containment Pressure—Low setpoint. This reset allows a containment isolation signal to close the valves when necessary. The Containment Pressure—Low signal is an interlock for the containment vacuum relief manual actuation such that the valves cannot be opened unless the Containment Pressure—Low setpoint has been reached in any two-out-of-four divisions. The modified logic will ensure that the automatic initiation of containment isolation is made available following manual initiation of containment vacuum relief actuation. The analyzed design and function of the Engineered Safety Features Actuation System and its actuated components is not affected. The proposed changes do not adversely affect any safety-related equipment and does not involve any accident, initiating event, or component failure, thus the probabilities of accidents previously evaluated are not affected. The proposed changes do not adversely interface with or adversely affect any system containing radioactivity or affect any radiological material release source term; thus the radiological releases in an accident are not affected.

Therefore, the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The changes to the UFSAR and TS to include the Containment Pressure—Low manual actuation interlock and automatic reset function for the containment vacuum relief valves manual initiation logic will maintain the Engineered Safety Features Actuation System and Plant Safety and Monitoring System in accordance with the design objectives as licensed. The design of the Class 1E Containment Pressure—Low manual actuation interlock and automatic reset function is required to meet the licensing basis for the Engineered Safety Features Actuation System and Plant Safety and Monitoring System. The changes to the manual initiation logic do not adversely affect the function of any safety-related structure, system, or component, and thus does not introduce a new failure mode. The changes to the containment vacuum relief valves manual initiation logic do not adversely interface with any safety-related equipment or any equipment associated with radioactive material and, thus, do not create a new fault or sequence of events that could result in a new or different kind of accident.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident [from any accident previously evaluated].

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The changes to the UFSAR and TS to include the Containment Pressure—Low automatic reset function for the containment vacuum relief valves manual initiation logic will maintain the Engineered Safety Features Actuation System and Plant Safety and Monitoring System in accordance with the design objectives as licensed. The changes to the manual initiation logic do not adversely interface with any safety-related equipment or adversely affect any safety-related function. The changes to the containment vacuum relief manual initiation logic continue to comply with existing design codes and regulatory criteria, and do not involve a significant reduction in the margin of safety.

Therefore, the proposed amendment does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Ms. Kathryn M. Sutton, Morgan, Lewis & Bockius LLC, 1111 Pennsylvania Avenue NW, Washington, DC, 20004–2514.

NRC Branch Chief: Jennifer Dixon-Herrity.

Susquehanna Nuclear, LLC, Docket Nos. 50–387 and 50–388, Susquehanna Steam Electric Station, Units 1 and 2, Luzerne County, Pennsylvania

Date of amendment request: February 1, 2017. A publicly-available version is in ADAMS under Accession No. ML17032A259.

Description of amendment request: The amendments would revise Technical Specification (TS) 3.6.4.3, ''Standby Gas Treatment (SGT) System,'' and TS 3.7.3, ''Control Room Emergency Outside Air Supply (CREOAS) System,'' by changing the run time of monthly surveillance requirements (SRs) for the standby gas treatment and control room emergency outside air supply systems from 10 hours to 15 minutes. This change is consistent with Technical Specifications Task Force (TSTF) Traveler TSTF–522, Revision 0, ''Revise Ventilation System Surveillance Requirements to Operate for 10 hours per Month,'' with minor variations. The notice of availability and model safety evaluation of TSTF–522, Revision 0, were published in the **Federal Register** on September 20, 2012 (77 FR 58421).

Basis for proposed no significant hazards consideration determination: As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below, along with NRC edits in square brackets:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change modifies the performance length of an existing Surveillance Requirement of the SGT and CREOAS Systems. The requirement for heater operation will not be modified.

These systems are not accident initiators and therefore [these changes do not involve a significant increase in the probability] of an accident previously evaluated. The proposed changes are consistent with current regulatory guidance for these systems and will continue to assure that these systems perform their design function(s), which may include mitigating accident consequences. Therefore, the change does not involve a significant increase in the consequences of an accident.

Therefore, it is concluded that this change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The changes proposed do not change the way the system is operated or maintained. The changes reduce the performance length of existing SRs. The reduced performance length will continue to demonstrate that the Limiting Conditions for Operation (LCO) for the SGT and CREOAS systems are met. The change does not create new failure modes or mechanisms and no new accident precursors are generated.

Therefore, it is concluded that this change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

This change reduces the performance length of SRs used to demonstrate operability of the CREOAS and SGT systems. This change is consistent with current regulatory guidance for these systems.

Therefore, it is concluded that this change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

Attorney for licensee: Damon D. Obie, Associate General Counsel, Talen Energy Supply, LLC, 835 Hamilton St., Suite 150, Allentown, PA 18101.

NRC Branch Chief: James G. Danna.

III. Previously Published Notices of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The following notices were previously published as separate individual notices. The notice content was the same as above. They were published as individual notices either because time did not allow the Commission to wait for this biweekly notice or because the action involved exigent circumstances. They are repeated here because the biweekly notice lists all amendments issued or proposed to be issued involving no significant hazards consideration.

For details, see the individual notice in the **Federal Register** on the day and page cited. This notice does not extend the notice period of the original notice.

DTE Electric Company, Docket No. 50–341, Fermi 2, Monroe County, Michigan

Date of amendment request: February 23, 2017. A publicly-available version is in ADAMS under Accession No. ML17055A365.

Brief description of amendment request: The proposed amendment would revise the technical specification requirements for high pressure coolant injection system and reactor core isolation cooling system actuation instrumentation in low pressure conditions.

Date of publication of individual notice in ***Federal Register:*** March 13, 2017 (82 FR 13512).

Expiration date of individual notice: April 12, 2017 (public comments); May 12, 2017 (hearing requests).

IV. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating license or combined license, as applicable, proposed no significant hazards consideration determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items can be accessed as described in the ''Obtaining Information and Submitting Comments'' section of this document.

Duke Energy Progress, LLC, Docket No. 50–261, H. B. Robinson Steam Electric Plant, Unit No. 2, Darlington County, South Carolina

Date of amendment request: April 24, 2016, as supplemented by letters dated September 14, 2016, and March 8, 2017.

Brief description of amendment: The amendment adopted Technical Specification Task Force (TSTF) Change Traveler TSTF–339, Revision 2, ''Relocate TS [Technical Specification] Parameters to COLR [Core Operating Limits Report],'' consistent with NRC-approved Westinghouse topical report WCAP–14483–A, ''Generic Methodology for Expanded Core Operating Limits Report,'' and relocated reactor coolant system-related cycle-specific parameters and core safety limits from the TSs to the COLR.

Date of issuance: March 23, 2017.

Effective date: As of the date of issuance and shall be implemented within 120 days of issuance.

Amendment No.: 250. A publicly-available version is in ADAMS under Accession No. ML17039A153; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. DPR–23: Amendment revised the Renewed Facility Operating License and TSs.

Date of initial notice in ***Federal Register:*** July 5, 2016 (81 FR 43651). The supplemental letters dated September 14, 2016, and March 8, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 23, 2017.

No significant hazards consideration comments received: No.

Exelon Generation Company, LLC, Docket No. 50–353, Limerick Generating Station, Unit 2, Montgomery County, Pennsylvania

Date of amendment request: December 20, 2016.

Brief description of amendment: The amendment authorized use of the release fractions listed in Tables 1 and 3 of NRC Regulatory Guide (RG) 1.183, ''Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors,'' for a limited number of partial length fuel rods that are currently in the Limerick Generating Station, Unit 2, Cycle 14, reactor core for the remainder of the current operating cycle and revise the licensing basis for subsequent fuel movement of irradiated fuel bundles containing partial length rods.

Date of issuance: March 15, 2017.

Effective date: As of its date of issuance and shall be implemented prior to exceeding the burnup limit in the current operating Cycle 14.

Amendment No.: 186. A publicly-available version is in ADAMS under Accession No. ML17047A353; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–85: The amendment revised the licensing basis to allow the use of the release fractions listed in Tables 1 and 3 of NRC RG 1.183 for a limited number of partial length fuel rods currently in the Cycle 14 reactor core for the remainder of the current operating cycle and subsequent fuel movements.

Date of initial notice in ***Federal Register:*** January 31, 2017 (82 FR 8871).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 15, 2017.

No significant hazards consideration comments received: No.

NextEra Energy Seabrook, LLC, Docket No. 50–443, Seabrook Station, Unit No. 1, Rockingham County, New Hampshire

Date of amendment request: March 31, 2016, as supplemented by letters dated May 31, 2016; October 27, 2016; November 17, 2016; and December 30, 2016.

Description of amendment request: The amendment revised Technical Specification 6.15, ''Containment Leakage Rate Testing Program,'' to require a program that is in accordance with Nuclear Energy Institute (NEI) Topical Report NEI 94–01, Revision 3–A, ''Industry Guideline for Implementing Performance-Based Option of 10 CFR part 50, Appendix J.''

Date of issuance: March 15, 2017.

Effective date: As of its date of issuance and shall be implemented within 30 days of issuance.

Amendment No.: 153. A publicly-available version is in ADAMS under Accession No. ML17046A443; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–86: Amendment revised the Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register:*** July 19, 2016 (81 FR 46964). The supplemental letters dated October 27, 2016; November 17, 2016; and December 30, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the **Federal Register.**

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 15, 2017.

No significant hazards consideration comments received: No.

PSEG Nuclear LLC, Docket No. 50–354, Hope Creek Generating Station, Salem County, New Jersey

Date of amendment request: June 17, 2016, as supplemented by letters dated December 27, 2016, and February 17, 2017.

Brief description of amendment: The amendment revised the Technical Specifications by adding a note permitting one low pressure coolant injection subsystem of residual heat removal to be considered OPERABLE in Operating Conditions 4 and 5 during alignment and operation for decay heat removal, if capable of being manually realigned and not otherwise inoperable.

Date of issuance: March 15, 2017.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No.: 202. A publicly-available version is in ADAMS under Accession No. ML17053A178; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–57: Amendment revised the Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register:*** August 16, 2016 (81 FR 54615). The supplemental letters dated December 27, 2016, and February 17, 2017, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register.**

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 15, 2017.

No significant hazards consideration comments received: No.

PSEG Nuclear LLC, Docket No. 50–354, Hope Creek Generating Station, Salem County, New Jersey

Date of amendment request: May 11, 2016, as supplemented by letter dated December 13, 2016.

Brief description of amendment: The amendment revised the Hope Creek Generating Station Technical Specification (TS) requirements by deleting TS Action Statement 3.4.2.1.b concerning stuck open safety/relief valves. In addition, TS 3.6.2.1 Action Statements regarding suppression chamber water temperature were revised to align with NUREG–1433, Revision 4, ''Standard Technical Specifications—General Electric Plants (BWR/4).''

Date of issuance: March 21, 2017.

Effective date: As of the date of issuance, and shall be implemented within 60 days of issuance.

Amendment No.: 203. A publicly-available version is in ADAMS under Accession No. ML17047A020; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–57: Amendment revised the Renewed Facility Operating License and TSs.

Date of notice in ***Federal Register:*** January 17, 2017 (82 FR 4932). The license amendment request was originally noticed in the **Federal Register** on July 19, 2016 (81 FR 46965). The notice was reissued in its entirety to include the revised scope, description of the amendment request, and proposed no significant hazards consideration determination.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 21, 2017.

No significant hazards consideration comments received: No.

Southern Nuclear Operating Company, Inc., Docket Nos. 50–424, 50–425, 52–025, 52–026, Vogtle Electric Generating Plant (VEGP), Units 1, 2, 3, and 4, Burke County, Georgia

Southern Nuclear Operating Company, Inc., Docket Nos. 50–348 and 50–364, Joseph M. Farley Nuclear Plant (Farley), Units 1 and 2, Houston County, Alabama

Southern Nuclear Operating Company, Inc., Docket Nos. 50–321 and 50–366, Edwin I. Hatch Nuclear Plant (Hatch), Unit Nos. 1 and 2, City of Dalton, Georgia

Date of application for amendments: August 31, 2015, as supplemented by letters dated February 17, 2016; April 8, 2016; May 13, 2016; May 26, 2016; June 9, 2016; and November 2, 2016.

Brief description of amendments: The amendments approved a standard emergency plan for all Southern Nuclear Operating Company, Inc., sites and site-specific annexes.

Date of issuance: March 14, 2017.

Effective date: As of the date of issuance and shall be implemented by January 31, 2018.

Amendment Nos.: VEGP, Unit 1—184, Unit 2—167, Unit 3—74, Unit 4—73; Farley, Unit 1—209, Unit 2—206; and Hatch, Unit 1—283, Unit 2—228. A publicly-available version is in ADAMS under Package Accession No. ML16141A090, documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–68, NPF–81, NPF–2, NPF–8, DPR–57, and NPF–5: The amendments revised the Renewed Facility Operating Licenses.

Facility Combined License Nos. NPF–91 and NPF–92: The amendments revised the Facility Combined Licenses.

Date of initial notices in ***Federal Register:*** October 27, 2015 (80 FR 65816). The supplemental letters dated February 17, 2016; April 8, 2016; May 13, 2016; May 26, 2016; June 9, 2016; and November 2, 2016, provided additional information that clarified the applications, did not expand the scope of the applications as originally noticed, and did not change the staff's original proposed no significant hazards consideration determinations as published in the **Federal Register**.

The Commission's related evaluations of the amendments is contained in Safety Evaluations dated March 14, 2017.

No significant hazards considerations comments received: No.

Southern Nuclear Operating Company, Inc., Docket Nos. 50–348 and 50–364, Joseph M. Farley Nuclear Plant (FNP), Units 1 and 2, Houston County, Alabama

Southern Nuclear Operating Company, Inc., Docket Nos. 50–424 and 50–425, Vogtle Electric Generating Plant (VEGP), Units 1 and 2, Burke County, Georgia

Southern Nuclear Operating Company, Inc., Georgia Power Company, Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, City of Dalton, Georgia, Docket Nos. 50–321 and 50–366, Edwin I. Hatch Nuclear Plant (HNP), Unit Nos. 1 and 2, Appling County, Georgia

Date of amendment request: March 3, 2016, as supplemented by letter dated November 3, 2016.

Brief description of amendments: The amendments adopted Nuclear Energy Institute (NEI) 99–01, Revision 6, ''Development of Emergency Action Levels for Non-Passive Reactors,'' to replace the Emergency Action Level (EAL) schemes for VEGP, FNP, and HNP that are currently based on Revision 4. Additionally, SNC proposes changes to the radiation monitors at FNP.

Date of issuance: March 16, 2017.

Effective date: As of the date of issuance and shall be implemented within 1 year of issuance.

Amendment Nos.: Farley—Unit 1 (210) and Unit 2 (207); Vogtle—Unit 1 (185) and Unit 2 (168); and Hatch—Unit 1 (284) and Unit 2 (229). A publicly-available version is in ADAMS under Accession No. ML17023A237; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–2, NPF–8, NPF–68, NPF–81, DPR–57, NPF–5: Amendments revised the Emergency Action Level Schemes.

Date of initial notice in ***Federal Register:*** April 26, 2016 (81 FR 24664). The supplemental letter dated November 3, 2016, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the **Federal Register**.

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 16, 2017.

No significant hazards consideration comments received: No.

Susquehanna Nuclear, LLC, Docket Nos. 50–387 and 50–388, Susquehanna Steam Electric Station, Units 1 and 2, Luzerne County, Pennsylvania

Date of amendment request: July 27, 2016, as supplemented by letter dated September 13, 2016.

Brief description of amendments: The amendments revised Technical Specification 3.6.4.1, ''Secondary Containment,'' Surveillance Requirement (SR) 3.6.4.1.3 to provide an allowance for brief, inadvertent, simultaneous opening of redundant secondary containment access doors during normal entry and exit conditions.

Date of issuance: March 27, 2017.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: 267 (Unit 1) and 249 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17067A444; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. NPF–14 and NPF–22: The amendments revised the Renewed Facility Operating Licenses and Technical Specifications.

Date of initial notice in ***Federal Register:*** October 25, 2016 (81 FR 73441).

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated March 27, 2017.

No significant hazards consideration comments received: No.

Tennessee Valley Authority, Docket Nos. 50–259, 50–260, and 50–296, Browns Ferry Nuclear Plant (BFN), Units 1, 2 and 3, Limestone County, Alabama

Tennessee Valley Authority, Docket Nos. 50–327 and 50–328, Sequoyah Nuclear Plant (SQN), Units 1 and 2, Hamilton County, Tennessee

Date of amendment request: April 14, 2016.

Brief description of amendments: The amendments revised Technical Specification (TS) 5.3, ''Unit Staff Qualifications,'' for BFN, Units 1, 2, and 3, and SQN, Units 1 and 2, to delete the references to Regulatory Guide 1.8, Revision 2, and replace them with references to the Tennessee Valley Authority (TVA) Nuclear Quality Assurance Plan. The changes will ensure consistent regulatory requirements regarding staff qualifications for the TVA nuclear fleet. The changes will further allow TVA to implement standard procedures related to staff qualifications. Additionally, the TS changes are consistent with the intent of NRC Administrative Letter 95–06 in that the relocated requirements are adequately controlled by 10 CFR 50 Appendix B and the quality assurance change control process in 10 CFR 50.54(a).

Date of issuance: March 27, 2017.

Effective date: As of its date of issuance and shall be implemented within 60 days of issuance.

Amendment Nos.: BFN—298 (Unit 1), 322 (Unit 2), and 282 (Unit 3); and SQN—338 (Unit 1), and 331 (Unit 2). A publicly-available version is in ADAMS under Accession No. ML17034A360; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–33, DPR–52, DPR–68, DPR–77, and DPR–79: Amendments revised the Renewed Facility Operating Licenses and TSs.

Date of initial notice in ***Federal Register:*** August 2, 2016 (81 *FR* 50739).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 27, 2017.

No significant hazards consideration comments received: No.

Tennessee Valley Authority, Docket Nos. 50–259, 50–260, and 50–296, Browns Ferry Nuclear Plant, Units 1, 2, and 3, Limestone County, Alabama

Date of amendment request: July 14, 2016.

Brief description of amendments: The amendments revised the date of cyber security plan implementation schedule Milestone 8 from July 31, 2017, to December 31, 2017.

Date of issuance: March 16, 2017.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment No.: 297 (Unit 1), 321 (Unit 2), 281 (Unit 3). A publicly-available version is in ADAMS under Accession No. ML17052A136; documents related to these amendments are listed in the Safety Evaluation enclosed with the amendments.

Renewed Facility Operating License Nos. DPR–33, DPR–52, and DPR–68: Amendments revised the Renewed Facility Operating Licenses.

Date of initial notice in ***Federal Register:*** November 8, 2016 (81 FR 78666).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 16, 2017.

No significant hazards consideration comments received: No.

Tennessee Valley Authority, Docket No. 50–391, Watts Bar Nuclear Plant (WBN), Unit 2, Rhea County, Tennessee

Date of amendment request: November 14, 2016.

Brief description of amendment: The amendment revised the WBN Unit 2 Cyber Security Plan Implementation Schedule for Milestone 8 and associated license condition in the Facility Operating License.

Date of issuance: March 16, 2017.

Effective date: As of the date of issuance and shall be implemented within 30 days of issuance.

Amendment No.: 7. A publicly-available version is in ADAMS under Accession No. ML17033A333; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–96: Amendment revised the Facility Operating License.

Date of initial notice in ***Federal Register:*** January 5, 2017 (82 FR 1370).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 16, 2017.

No significant hazards consideration comments received: No.

Tennessee Valley Authority, Docket No. 50–391, Watts Bar Nuclear Plant, Unit 2, Rhea County, Tennessee

Date of amendment request: May 16, 2016.

Brief description of amendment: The amendment revised the Technical Specifications (TS) to correct an administrative error in the initial issuance of the TSs regarding the steam generator narrow range level specified in Surveillance Requirement 3.4.6.3.

Date of issuance: March 23, 2017.

Effective date: As of the date of issuance and shall be implemented within 60 days of issuance.

Amendment No.: 8. A publicly-available version is in ADAMS under Accession No. ML17019A019; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Facility Operating License No. NPF–96: Amendment revised the Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register:*** September 13, 2016 (81 FR 62933).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 23, 2017.

No significant hazards consideration comments received: No.

Wolf Creek Nuclear Operating Corporation, Docket No. 50–482, Wolf Creek Generating Station (WCGS), Coffey County, Kansas

Date of amendment request. June 14, 2016.

Brief description of amendment: The amendment revised the Cyber Security Plan (CSP) Implementation Milestone 8 completion date and paragraph 2.E of the Renewed Facility Operating License No. NPF–42 for WCGS to incorporate the revised CSP implementation schedule.

Date of issuance: March 24, 2017.

Effective date: As of its date of issuance and shall be implemented within 30 days from the date of issuance.

Amendment No.: 217. A publicly-available version is in ADAMS under Accession No. ML17024A241; documents related to this amendment are listed in the Safety Evaluation enclosed with the amendment.

Renewed Facility Operating License No. NPF–42: The amendment revised

the Renewed Facility Operating License and Technical Specifications.

Date of initial notice in ***Federal Register:*** August 16, 2016 (81 FR 54618).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated March 24, 2017.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 31st day of March 2017.

For the Nuclear Regulatory Commission.

Kathryn M. Brock,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2017–07279 Filed 4–10–17; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0094]

Patient Release Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is requesting comment from the general public on its patient release programs. Specifically, the NRC would like input from the public on whether additional or alternate criteria are needed and whether to clarify the NRC's current patient release requirements. The information will be used to determine whether significant regulatory changes to the NRC's patient release requirements are warranted.

DATES: Submit comments by June 12, 2017. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0094. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN–12–H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on obtaining and submitting comments, see ''Obtaining Information and Submitting Comments'' in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Donna-Beth Howe, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7848; email: *Donna-Beth.Howe@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2017–0094 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

• *Federal Rulemaking Web site:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2017–0094.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''ADAMS Public Documents'' and then select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** section.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

B. Submitting Comments

Please include Docket ID NRC–2017–0094 in your submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at *http://www.regulations.gov* and enters the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Background

In a March 10, 2014, Commission Action Memorandum (COMAMM–14–0001/COMWDM–14–0001, ''Background and Proposed Direction to NRC Staff to Verify Assumptions Made Concerning Patient Release Guidance'' (ADAMS Accession No. ML14072A112), then NRC Chairman MacFarlane and then Commissioner Magwood brought into question, among other things, whether significant regulatory changes to the patient release program are warranted. They asked whether different criteria should be used to determine when patients should be released, whether the application of the current dose release standard needed to be clarified, whether all exposed members of the public should be subject to the same patient release dose limit, and whether new release requirements are needed for patients who are likely to expose young children and pregnant women.

In the Staff Requirements Memorandum (SRM) to COMAMM–14–0001/COMWDM–14–0001 (ADAMS Accession No. ML14118A387), the Commission, among other things, directed the NRC staff to evaluate whether regulatory changes are necessary to clarify the NRC's current release criteria and whether additional or alternate criteria are needed. As a result of earlier public comments on other elements of the SRM (November 16, 2015; 80 FR 70843), the staff identified two additional questions to consider. These are whether a requirement is needed to ensure the discussion between the licensee and patient concerning patient isolation occurs in sufficient time for licensees or patients to make necessary arrangements for holding or releasing the patient and whether patients required to receive instructions on minimizing dose to others should be provided with these instructions before the administration.

The NRC is interested in obtaining input from as many stakeholders as possible, including the NRC's Advisory

Committee on the Medical Use of Isotopes, professional organizations, physicians, patients, patient advocacy groups, licensees, Agreement States, and other interested individuals. The focus of this request is to gather information that will permit the NRC staff to determine whether significant regulatory changes to the patient release program are warranted.

During the comment period on April 25, 2017 and May 23, 2017, the NRC will have two public meeting at the NRC's Headquarters that will explain and clarify the information requested with members of the public. These meetings will be webcast.

The NRC does not intend to provide any responses to comments received during the public meeting(s). The public meeting(s) will be noticed on the NRC's public meeting Web site at least 10 calendar days before the meeting. Members of the public should monitor the NRC's public meeting Web site at *http://www.nrc.gov/public-involve/public-meetings/index.cfm.*

The NRC will also post the meeting notices on the Federal rulemaking Web site at *http://www.regulations.gov* under Docket ID NRC–2017–0094. The NRC may post additional materials related to this document, including public comments, on the Federal rulemaking Web site. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2017–0094); (2) click the ''Sign up for Email Alerts'' link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

III. Requested Information and Comments

A. Development of an Activity-Based Patient Release Threshold

The NRC is asking the public to comment on whether the NRC should develop an activity-based patient release threshold under which patients would be required to be maintained in a clinic-sponsored facility (*e.g.,* a medical facility or facility under the licensee's control) until the standard for release is met.

Question: Should the NRC develop an activity-based patient release threshold?

1. If so, explain why and provide a potential activity-based criterion.

2. If not, explain why the regulations should remain as is.

3. In either case, describe the resulting health and safety benefits, or lack of benefits, to the individual being released and to individual members of the public.

B. Clarification of the Time Covered by the Current Dose Limit in 10 CFR 35.75(a) for Releasing Individuals

Currently, under section 35.75(a) of title 10 of the *Code of Federal Regulations* (10 CFR), allows a licensee to release a patient if the dose to any other individual is not likely to exceed 5 milliSieverts (mSv) (0.5 rem). The NRC staff determined in the NRC' Regulatory Issue Summary 2008–07, ''Dose Limit for Patient Release Under 10 CFR 35.75'' (ADAMS Accession No. ML063030572) that, as written the regulation is ambiguous and the dose to any other individual from the released individual does not reflect the NRC's intent of a per-year limit and that this limit has been interpreted by others to be per release. The NRC staff explained that a ''per release'' interpretation does not consider the cumulative dose received in a year from the same released individual or repeated exposure to different released individuals. The Commission has asked the NRC staff to clarify this issue.

Question: Should the NRC amend the regulations to clarify the time frame for the current dose limit in 10 CFR 35.75(a) for releasing Individuals? For example, should the regulations explicitly state that the criterion is a per year limit? If not, is there a different criterion that the NRC should consider? In either case, describe the resulting health and safety benefits, or lack of benefit, to the individual being released and to individual members of the public as a result of the proposed clarification.

C. Appropriateness of Applying the Same Limit on Dose From Patient Exposure to All Members of the General Public

In the current NRC patient release dose criterion, the NRC does not distinguish between family members, young children, pregnant women, caregivers, hotel workers, and other members of the public. Further, the NRC patient release dose criterion is above the 10 CFR part 20 public dose limit.

Question: Should the NRC continue to apply the same dose criteria of 5 mSv (0.5 rem), to all members of the general public, including family members, young children, pregnant women, caregivers, hotel workers, and other members of the public when considering the release of patients?

1. If so, explain why.

2. If not, what criterion should the NRC use for an individual group or groups? Specify the group (*e.g.,* family members, young children, pregnant women, caregivers, hotel workers, or others) for each criterion.

3. In either case, describe the resulting health and safety benefits, or lack of benefits, to the individual being released and to individual members of the public.

D. Requirements for Releasing Individuals Who Are Likely To Expose Young Children and Pregnant Women

The current NRC patient release program requires the licensee to provide the released individual with instructions if the dose to any individual is likely to exceed 1 mSv (0.1 rem). The NRC does not have specific requirements for releasing patients who are likely to expose young children or pregnant women to doses above the public dose limit.

Question: Should the NRC include a specific requirement for the release of a patient who is likely to expose young children or pregnant women to doses above the public dose limit?

1. If so, explain why and describe what the requirement should include.

2. If not, explain why the requirement is not needed.

3. In either case, describe the resulting health and safety benefits, or lack of benefits, to the individual being released and to a young child or to pregnant woman.

E. Requirement for Timely Discussion With the Patient About Patient Isolation to Provide Time for Licensee and Patient Planning

The current NRC patient release program permits the licensee to authorize the release from its control of any individual who has been administered unsealed byproduct material or implants containing byproduct material if the total effective dose equivalent to any other individual from exposure to the released individual is not likely to exceed 5 mSv (0.5 rem). In some common procedures (*e.g.,* Iodine-131 procedures), the patients must isolate themselves for the licensee to meet this dose release requirement. In other cases, the patient cannot be released and the licensee must make arrangements to isolate the patient. The requirements are silent on when the licensee should discuss patient isolation with the patient. As a result, both patients and licensees may not have time to make appropriate isolation arrangements prior to the planned administration. Some patients reported that they were unaware of a need to isolate themselves from others prior to the administration.

Question: Should the NRC have a specific requirement for the licensee to have a patient isolation discussion with patients in sufficient time prior to the

administration to provide the patient time to make isolation arrangements or the licensee to make plans to hold the patient, if the patient cannot be immediately released?

1. If so, explain why and describe what the requirement should include.

2. If not, explain why the requirement is not needed.

3. In either case, describe the resulting health and safety benefits, or lack of benefits, to individual being released, the licensee, and to the public.

F. Requirement To Ensure Patients Are Given Instructions Prior to the Procedure

The current NRC patient release regulations require the licensee to provide the released individual with instructions if the dose to any individual is likely to exceed 1 mSv (0.1 rem). The requirements are silent on when the required instructions should be given to the patient. Some patients are given instructions along with other medical release paperwork and may not be aware of the instructions.

Question: Should the NRC explicitly include the time frame for providing instructions in the regulations (*e.g.,* the instructions should be given prior to the procedure)?

1. If so, explain why and provide a recommended time period for the instructions to be provided.

2. If not, explain why the requirement is not needed.

3. In either case, describe the resulting health and safety benefits, or lack of benefits, to the individual being released, the licensee, and to the public.

Dated at Rockville, Maryland, this 3rd day of April, 2017.

For the Nuclear Regulatory Commission.

Daniel S. Collins,

Director, Division of Material Safety, State, Tribal and Rulemaking Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2017–07276 Filed 4–10–17; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket No. MT2014–1; Order No. 3849]

Market Test of Experimental Product-Customized Delivery

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request for an exemption from the $10 million annual revenue limitation for the Customized Delivery market test. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* April 26, 2017.

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: On April 4, 2017, the Postal Service filed a request, pursuant to 39 U.S.C. 3641(e)(2), for an exemption from the $10 million annual revenue limitation for the Customized Delivery market test.[1] The Commission authorized the market test to proceed in Order No. 2224 and authorized the extension of the market test in Order No. 3543 until October 31, 2017.[2]

The Postal Service states that ''Customized Delivery is an experimental package delivery service that offers delivery of groceries and other prepackaged goods within a customized delivery window.'' Request at 4. The Postal Service states that the purpose of the market test is to test and develop a long-term, scalable solution to facilitate expansion to additional markets. *Id.*

Total revenues anticipated or received by the Postal Service from the Customized Delivery market test must not exceed $10 million in any year unless the Commission exempts the market test from that limit.[3] If the Commission grants an exemption, total revenues anticipated or received by the Postal Service from Customized Delivery may not exceed $50 million in any year, adjusted for inflation. *Id.* 39 U.S.C. 3641(e)(2), (g). In its initial notice for the Customized Delivery market test, the Postal Service requested an exemption from the $10 million revenue limitation based on then-current projections of expected revenue.[4] The Commission denied the request for exemption as premature, but noted that the Postal Service may resubmit its request ''once it collects sufficient data to calculate the total revenue received and estimate the additional revenue anticipated for each fiscal year of the market test.'' Order No. 2224 at 18.

The Postal Service asserts that it now has the data available to make the calculations requested by the Commission. Request at 3. The Postal Service states that if current demand for Customized Delivery continues, it anticipates reaching the inflation adjusted $10 million revenue limitation for FY 2017 in early June 2017.[5]

The Commission shall approve the request for exemption if it determines that: (1) The product is likely to benefit the public and meet an expected demand; (2) the product is likely to contribute to the financial stability of the Postal Service; and (3) the product is unlikely to result in unfair or otherwise inappropriate competition. 39 U.S.C. 3641(e)(2). In its Request, the Postal Service discusses how the Customized Delivery market test benefits the public and meets an expected demand, contributes to the Postal Service's financial stability, and is unlikely to result in unfair or inappropriate competition. Request at 5–7. The Commission's regulations require the Postal Service to file cost and revenue information with its request for exemption. 39 CFR 3035.16(f). The Postal Service asserts that the financial documentation and workpapers submitted under seal show actual and expected revenue and costs for the market test. Request at 1, 4.

The Commission invites comments on whether the Request complies with applicable statutory and regulatory requirements, including 39 U.S.C. 3641, 39 CFR part 3035, Order No. 2224, and Order No. 3543. Comments are due no later than April 26, 2017. The public portions of these filings can be accessed via the Commission's Web site (*http://www.prc.gov*).

39 U.S.C. 505 requires the Commission to designate an officer of the Commission to represent the interests of the general public in all public proceedings (Public Representative). The Commission previously appointed Lauren A. D'Agostino to serve as the Public Representative in this proceeding. She

[1] Request of the United States Postal Service for Exemption from Revenue Limitation on Market Test of Experimental Product—Customized Delivery, with Portions Filed Under Seal, April 4, 2017 (Request).

[2] *See* Order Authorizing Customized Delivery Market Test, October 23, 2014 (Order No. 2224); *see also* Order Authorizing Extension of Customized Delivery Market Test and Updating Data Collection Plan, September 28, 2016 (Order No. 3543).

[3] *See* 39 U.S.C. 3641(e). The $10 million annual limitation is adjusted by the change in the consumer price index for all urban consumers (CPI–U). *Id.* 39 U.S.C. 3641(g).

[4] Notice of the United States Postal Service of Market Test of Experimental Product—Customized Delivery, September 23, 2014, at 7.

[5] *Id.* The Postal Service calculates an inflation adjusted revenue limitation of $11,170,163. *Id.* at 2.

remains appointed to serve as the Public Representative.

It is ordered:

1. The Commission invites comments on the Request of the United States Postal Service for Exemption from Revenue Limitation on Market Test of Experimental Product—Customized Delivery, with Portions Filed Under Seal, filed April 4, 2017.

2. Pursuant to 39 U.S.C. 505, Lauren A. D'Agostino remains appointed to serve as the Public Representative in this proceeding.

3. Comments by interested persons are due no later than April 26, 2017.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2017–07176 Filed 4–10–17; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80383; File No. SR–FICC–2017–006]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Notice of Filing of Proposed Rule Change To Enhance the Credit Risk Rating Matrix and Make Other Changes

April 5, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 22, 2017, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to FICC's Government Securities Division (''GSD'') Rulebook (''GSD Rules'') and Mortgage-Backed Securities Division (''MBSD'') Clearing Rules (''MBSD Rules,'' and collectively with the GSD Rules, the ''Rules'').[4] The proposed rule change would amend the Rules in order to (i) enhance the matrix (hereinafter referred to as the ''Credit Risk Rating Matrix'' or ''CRRM'')[5] developed by FICC to evaluate the risks posed by certain GSD Netting Members and MBSD Clearing Members (collectively, ''CRRM-Rated Members'') to FICC and its members from providing services to these CRRM-Rated Members and (ii) make other amendments to the Rules to provide more transparency and clarity regarding FICC's current ongoing membership monitoring process.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would, among other things, enhance the CRRM to enable it to rate FICC members that are foreign banks or trust companies and have audited financial data that is publicly available. It would also enhance the CRRM by allowing it to take into account qualitative factors when generating credit ratings for FICC members. In addition, it would enhance the CRRM by shifting it from a relative scoring approach to an absolute scoring approach.

This rule filing also contains proposed rule changes that are not related to the proposed CRRM enhancements but that provide specificity, clarity and additional transparency to the Rules related to FICC's current ongoing membership monitoring process.

(i) Background

FICC occupies an important role in the securities settlement system by interposing itself through each of GSD and MBSD as a central counterparty between members that are counterparties to transactions accepted for clearing by FICC, thereby reducing the risk faced by members. FICC uses the CRRM, the Watch List (as defined below) and the enhanced surveillance to manage and monitor default risks of its members on an ongoing basis, as discussed below. The level and frequency of such monitoring for a member is determined by the member's risk of default as assessed by FICC. Members that are deemed by FICC to pose a heightened risk to FICC and its members are subject to closer and more frequent monitoring.

Existing Credit Risk Rating Matrix

In 2004, the Commission approved a proposed rule change filed by FICC (''Initial Filing'')[6] with respect to GSD and MBSD to establish new criteria for placing certain members of FICC on a list for closer monitoring (''Watch List'').

FICC proposed in the Initial Filing that all U.S. broker-dealers and U.S. banks that were GSD Netting Members and/or MBSD Clearing Members would be assigned a rating generated by entering financial data of those members into an internally generated credit rating scorecard, *i.e.,* the CRRM.[7] In the Initial Filing, FICC stated that all other types of GSD Netting Members and MBSD Clearing Members would be monitored by credit risk staff using financial criteria deemed relevant by FICC but

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On March 22, 2017, FICC filed this proposed rule change as an advance notice (SR–FICC–2017–804) with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010, 12 U.S.C. 5465(e)(1), and Rule 19b–4(n)(1)(i) of the Act, 17 CFR 240.19b–4(n)(1)(i). A copy of the advance notice is *available at http://www.dtcc.com/legal/sec-rule-filings.aspx.*

[4] Capitalized terms not defined herein are defined in the GSD Rules, *available at www.dtcc.com/~/media/Files/Downloads/legal/rules/ficc_gov_rules.pdf,* and the MBSD Rules, *available at www.dtcc.com/~/media/Files/Downloads/legal/rules/ficc_mbsd_rules.pdf.*

[5] The proposed rule changes with respect to the enhancement of the CRRM are reflected in the inclusion of (1) qualitative factors and examples thereof in the definition of ''Credit Risk Rating Matrix'' in GSD Rule 1 and MBSD Rule 1 and (2) certain GSD Foreign Netting Members that are banks or trust companies and MBSD Bank Clearing Members that are Foreign Persons as CRRM-Rated Members in GSD Rule 3 (Section 12(b)(i)(II)) and MBSD Rule 3 (Section 11(b)(i)(II)). The proposed enhancement to CRRM also necessitates a conforming change to the existing Section 12(b) (renumbered to Section 12(c) in this proposed rule filing) of GSD Rule 3 by deleting the reference to Foreign Netting Members and Bank Netting Members participating through their U.S. branches or agencies, as further discussed below.

[6] *See* Securities Exchange Act Release No. 49158 (January 30, 2004), 69 FR 5624 (February 5, 2004) (SR–FICC–2003–03).

[7] Footnote 4 of the Initial Filing explained the new criteria for rating members: ''[FICC's] approach to the analysis of members is based on a thorough quantitative analysis. A broker-dealer member's rating on the [CRRM] will be based on factors including size (*i.e.,* total excess net capital), capital, leverage, liquidity, and profitability. Banks will be reviewed based on size, capital, asset quality, earnings, and liquidity.'' *Id.* These quantitative factors are still being applied today, and FICC currently does not plan to change them.

would not be assigned a rating by the CRRM.[8]

Following the approval of the Initial Filing, the Commission approved a subsequent proposed rule change filed by FICC that provided interpretive guidance to the Initial Filing (''Interpretive Guidance Filing'').[9] In the Interpretive Guidance Filing, FICC reiterated that U.S. broker-dealers and U.S. banks would be assessed against the CRRM and assigned a credit rating based on quantitative factors. Unfavorably-rated members would be placed on the Watch List. In the Interpretive Guidance Filing, FICC explained that credit risk staff could downgrade a particular member's credit rating based on various qualitative factors. An example of such qualitative factors might be that the member in question received a qualified audit opinion on its annual audit. In the Interpretive Guidance Filing, FICC noted that, in order to protect FICC and its other members, it was important that credit risk staff maintain the discretion to downgrade a member's credit rating on the CRRM and thus subject the member to closer monitoring.

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks—and generates credit ratings for the relevant members based on a 7-point rating system, with ''1'' being the strongest credit rating and ''7'' being the weakest credit rating.

Over time, the current CRRM has not kept pace with FICC's evolving membership base and heightened expectations from regulators and stakeholders for robustness of financial models. Specifically, the current CRRM only generates credit ratings for those GSD Netting Members and MBSD Clearing Members that are U.S. banks or U.S. broker-dealers that file standard reports with their regulators, which currently comprise 77% of GSD Netting Members and 85% of MBSD Clearing Members, respectively; foreign banks and trust companies currently account for 21% of GSD Netting Members and 1% of MBSD Clearing Members.[10] The numbers of GSD and MBSD members that are foreign banks or trust companies increased from 16 and zero in 2012 to 22 and one in 2017, respectively, and are expected to continue to grow over the coming years. Foreign banks and trust companies are typically large global financial institutions that have complex businesses and conduct a high volume of activities. Although foreign banks and trust companies are not currently rated by the CRRM, they are monitored by FICC's credit risk staff using financial criteria deemed relevant by FICC and can be placed on the Watch List if they experience a financial change that presents risk to FICC. Given the increase in the number of foreign bank or trust company members in FICC in the recent years, there is a need to formalize FICC's credit risk evaluation process of these members by assigning credit ratings to them in order to better facilitate the comparability of credit risks among members.[11]

In addition, the current CRRM assigns each GSD Netting Member and MBSD Clearing Member that is a U.S. bank or U.S. broker-dealer and that files standard reports with its regulator(s) a credit rating based on inputting certain quantitative data relative to the applicable member into the CRRM. Accordingly, a member's credit rating is currently based solely upon quantitative factors. It is only after the CRRM has generated a credit rating with respect to a particular member that such member's credit rating may be downgraded manually by credit risk staff, after taking into consideration relevant qualitative factors. The inability of the current CRRM to take into account qualitative factors requires frequent and manual overrides by credit risk staff, which may result in inconsistent and/or incomplete credit ratings for members.

Furthermore, the current CRRM uses a relative scoring approach and relies on peer grouping of members to calculate the credit rating of a member. This approach is not ideal because a member's credit rating can be affected by changes in its peer group even if the member's financial condition is unchanged.

Proposed Credit Risk Rating Matrix Enhancements

To improve the coverage and the effectiveness of the current CRRM, FICC is proposing three enhancements. The first proposed enhancement would expand the scope of CRRM coverage by enabling the CRRM to generate credit ratings for GSD Netting Members and MBSD Clearing Members that are foreign banks or trust companies and that have audited financial data that is publicly available. The second proposed enhancement would incorporate qualitative factors into the CRRM and therefore is expected to reduce the need and the frequency of manual overrides of member credit ratings. The third enhancement would replace the relative scoring approach currently used by CRRM with a statistical approach to estimate the absolute probability of default of each member.

A. Enable the CRRM To Generate Credit Ratings for Foreign Bank or Trust Company Members

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks. FICC is proposing to enhance the CRRM by adding an additional credit rating model for the foreign banks and trust companies. The additional model would expand the membership classes to which the CRRM would apply to include foreign banks and trust companies that are GSD Netting Members and/or MBSD Clearing Members and that have audited financial data that is publicly available. The CRRM credit rating of a foreign bank or trust company that is a GSD Netting Member and/or MBSD Clearing Member would be based on quantitative factors, including size, capital, leverage, liquidity, profitability and growth, and qualitative factors, including market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity. By enabling the CRRM to generate credit ratings for these GSD Netting Members and MBSD Clearing Members, the enhanced CRRM would provide more comprehensive credit risk coverage of FICC's membership base.

With the proposed enhancement to the CRRM as described above, applicable foreign bank or trust company GSD Netting Members and MBSD Clearing Members would be included in the CRRM process and be evaluated more effectively and efficiently because financial data with respect to these foreign bank or trust company members could be extracted

[8] In the Initial Filing, FICC noted that these members would be monitored by credit risk staff by reviewing similar criteria as those reviewed for members included on the [CRRM] but such review would occur outside of the [CRRM] process. *Id.*

[9] *See* Securities Exchange Act Release No. 51355 (March 10, 2005), 70 FR 12919 (March 16, 2005) (SR–FICC–2004–08).

[10] As of March 16, 2017, there are 105 GSD Netting Members and 78 MBSD Clearing Members. Of the 105 GSD Netting Members, 13 (or 12%) are U.S. banks, 68 (or 65%) are U.S. broker-dealers and 22 (or 21%) are foreign banks or trust companies. Of the 78 MBSD Clearing Members, 14 (or 18%) are U.S. banks, 52 (or 67%) are U.S. broker-dealers and one (or 1%) is a foreign bank or trust company.

[11] In the Interpretive Guidance Filing, FICC noted that CRRM is applied across FICC and its affiliated clearing agencies, National Securities Clearing Corporation (''NSCC'') and The Depository Trust Company (''DTC''). Specifically, in order to run the CRRM, credit risk staff uses the financial data of the applicable GSD and MBSD members in addition to data of applicable members and participants of NSCC and DTC, respectively. In this way, each applicable GSD and MBSD member is rated against other applicable members and participants of NSCC and DTC, respectively. SR–FICC–2004–08, 70 FR 12919.

from data sources in an automated form.[12]

After the proposed enhancement, CRRM would be able to generate credit ratings on an ongoing basis for all GSD Netting Members and MBSD Clearing Members that are U.S. banks, U.S. brokers-dealers and foreign banks and trust companies, which together represent approximately 99% of the GSD Netting Members and 86% of the MBSD Clearing Members, respectively.[13]

B. Incorporate Qualitative Factors Into the CRRM

In addition, as proposed, the enhanced CRRM would blend qualitative factors with quantitative factors to produce a credit rating for each applicable member in relation to the member's credit risk. For U.S. and foreign banks and trust companies, the enhanced CRRM would use a 70/30 weighted split between quantitative and qualitative factors to generate credit ratings. For U.S. broker-dealers, the weight split between quantitative and qualitative factors would be 60/40. These weight splits are chosen by FICC based on the industry best practice as well as research and sensitivity analysis conducted by FICC. FICC would review and adjust the weight splits as well as the quantitative and qualitative factors, as needed, based on recalibration of the CRRM to be conducted by FICC approximately every three to five years.

Although there are advantages to measuring credit risk quantitatively, quantitative evaluation models alone are incapable of fully capturing all credit risks. Certain qualitative factors may indicate that a member is or will soon be undergoing financial distress, which may in turn signal a higher default exposure to FICC and its other members. As such, a key enhancement being proposed to the CRRM is the incorporation of relevant qualitative factors into each of the three credit rating models mentioned above. By including qualitative factors in the three credit rating models, the enhanced CRRM would capture risks that would otherwise not be accounted for with quantitative factors alone.[14] Adding qualitative factors to the CRRM would not only enable it to generate more consistent and comprehensive credit ratings for applicable members, but it would also help reduce the need and frequency of manual credit rating overrides by the credit risk staff because overrides would likely only be required under more limited circumstances.[15]

C. Shifting From Relative Scoring to Absolute Scoring

As proposed, the enhanced CRRM would use an absolute scoring approach and rank each member based on its individual probability of default rather than the relative scoring approach that is currently in use. This proposed change is designed to have a member's CRRM-generated credit rating reflect an absolute measure of the member's default risk and eliminate any potential distortion of a member's credit rating from the member's peer group that may occur under the relative scoring approach used in the existing CRRM.

D. Watch List and Enhanced Surveillance

In addition to the Watch List, FICC also maintains an enhanced surveillance list (referenced herein and in the proposed rule text as ''enhanced surveillance'') for membership monitoring. The enhanced surveillance list is generally used when members are undergoing drastic and unexpected changes in their financial conditions or operation capabilities and thus are deemed by FICC to be of the highest risk level and/or warrant additional scrutiny due to FICC's ongoing concerns about these members. Accordingly, members that are subject to enhanced surveillance are reported to FICC's management committees and are also regularly reviewed by a cross-functional team comprised of senior management of FICC. More often than not, members that are subject to enhanced surveillance are also on the Watch List. The group of members that is subject to enhanced surveillance is generally much smaller than the group on the Watch List. The enhanced surveillance list is an internal tool for FICC that triggers increased monitoring of a member above the monitoring that occurs when a member is on the Watch List.

A member could be placed on the Watch List either based on its credit rating of 5, 6 or 7, which can either be generated by the CRRM or from a manual downgrade, or when FICC deems such placement as necessary to protect FICC and its members. In contrast, a member would be subject to enhanced surveillance only when close monitoring of the member is deemed necessary to protect FICC and its members.

The Watch List and enhanced surveillance tools are not mutually exclusive; they may complement each other under certain circumstances. A key distinction between the Watch List and enhanced surveillance is that being placed on the Watch List may result in Clearing Fund related consequences under the Rules, whereas enhanced surveillance does not.[16] For example, a member that is in a precarious situation could be placed on the Watch List and be subject to enhanced surveillance; however, because the Watch List status could require additional Clearing Fund deposits, when FICC has preliminary concerns about a member, to avoid potential increase to a member's Clearing Fund deposit, FICC may opt not to place the member on the Watch List until it is certain that such concerns would not be alleviated in the short-term. Instead, in such a situation, FICC might first subject the member to enhanced surveillance in order to closely monitor the member's situation without affecting the member's Clearing Fund deposits. If the member's situation improves, then it will no longer be subject to enhanced surveillance. If the situation of the member worsens, the member may then be placed on the Watch List as deemed necessary by FICC.

(ii) Detailed Description of the Proposed Rule Changes Related to the Proposed CRRM Enhancements

In connection with the proposed enhancements to the CRRM, FICC proposes to amend the GSD Rules and

[12] In the Initial Filing, FICC noted that these members would be monitored by credit risk staff by reviewing similar criteria as those reviewed for members included on the CRRM, but such review would occur outside of the CRRM process. SR–FICC–2003–03, 69 FR 5624.

[13] As of March 16, 2017, there are two GSD Netting Members that are government sponsored entities and therefore would not be rated by the enhanced CRRM, as proposed; there are also 11 MBSD Clearing Members that would not be rated by the enhanced CRRM, as proposed, because they are government sponsored entities, registered investment companies, unregistered investment pools (''UIPs'') or other entities that are eligible for MBSD Clearing Membership pursuant to Section 1(i) of MBSD Rule 2A. MBSD Rules, *supra* note 4.

[14] The initial set of qualitative factors that would be incorporated into the CRRM includes (a) for U.S. broker dealers, market position and sustainability, management quality, capital management, liquidity management, geographic diversification, business/product diversity and access to funding, (b) for U.S. banks, environment, compliance/litigation, management quality, liquidity management and parental demands and (c) for foreign banks and trust companies, market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity.

[15] Once a member is assigned a credit rating, if circumstances warrant, credit risk staff would still have the ability to override the CRRM-issued credit rating by manually downgrading such rating as they do today. To ensure a conservative approach, the CRRM-issued credit ratings cannot be manually upgraded.

[16] FICC expects to provide additional clarity to members regarding the Watch List and its impact on Clearing Fund deposits in a subsequent proposed rule change to be filed with the Commission in 2017.

the MBSD Rules to (1) incorporate qualitative factors into CRRM and (2) add foreign banks and trust companies that are GSD Netting Members and MBSD Clearing Members to the categories of members that would be assigned credit ratings by FICC using the CRRM.

A. Proposed Changes to GSD Rule 1 (Definitions) and MBSD Rule 1 (Definitions)

FICC is proposing to amend the ''Credit Risk Rating Matrix'' definition in GSD Rule 1 and MBSD Rule 1 to include qualitative factors, such as management quality, market position/environment and capital and liquidity risk management, because, as proposed, the enhanced CRRM would blend both qualitative factors and quantitative factors to produce a credit rating for each applicable FICC member.

B. Proposed Changes to Section 12(b)(i)(II) of GSD Rule 3 (Ongoing Membership Requirements) and Section 11(b)(i)(II) of MBSD Rule 3 (Ongoing Membership Requirements)

FICC is proposing to amend Section 12(b)(i)(III) of GSD Rule 3 and Section 11(b)(i)(III) of MBSD Rule 3 to expand the membership types to which the CRRM would apply to include GSD Netting Members and MBSD Clearing Members, as applicable, that are foreign banks or trust companies and that have audited financial data that are publicly available.

The enhanced CRRM would assign credit ratings for each GSD Netting Member and/or MBSD Clearing Member that is a foreign bank or trust company based on its publicly available audited financial data. The credit rating would be based on an 18-point scale, which is then mapped to the 7-point rating system currently in use today, with ''1'' being the strongest credit rating and ''7'' being the weakest credit rating.

(iii) Other Proposed Rule Changes

This rule filing also contains proposed rule changes that are unrelated to the proposed enhancement of the CRRM. These proposed rule changes would provide specificity, clarity and additional transparency to the Rules with respect to FICC's current ongoing membership monitoring process, as described below.

A. Proposed Changes to the Definitions of ''Credit Risk Rating Matrix'' and ''Watch List'' in GSD Rule 1 (Definitions) and MBSD Rule 1 (Definitions)

FICC is proposing to amend the definition of ''Credit Risk Rating Matrix'' in GSD Rule 1 and MBSD Rule 1 to state that, in addition to the proposed qualitative factors described above, the CRRM is also based on quantitative factors, such as capital, assets, earnings and liquidity.

FICC is also proposing to amend the definition of ''Watch List'' in GSD Rule 1 and MBSD Rule 1 to state that the Watch List is comprised of members whose credit ratings derived from the CRRM are 5, 6 or 7 as well as members that are deemed by FICC to pose a heightened risk to FICC and its members based on FICC's consideration of relevant factors, including those set forth in Section 12(d) of GSD Rule 3 and Section 11(d) of MBSD Rule 3, as applicable.

B. Proposed Changes to GSD Rule 3 and MBSD Rule 3

Section 7 of GSD Rule 3 and Section 6 of MBSD Rule 3

FICC is proposing to amend Section 7 of GSD Rule 3 and Section 6 of MBSD Rule 3 to state that review of a GSD Member's or MBSD Member's financial or operational conditions may (1) include FICC requesting information regarding the businesses and operations of the member and its risk management practices with respect to FICC's services utilized by the member for another Person and (2) result in the member being placed on the Watch List and/or being subject to enhanced surveillance as determined by FICC.

FICC members are direct participants of GSD and/or MBSD, as applicable. However, there are firms that rely on the services provided by GSD Members or MBSD Members in order to have their activity cleared and settled through FICC's facilities (the ''indirect participants''). These indirect participants pose certain risks to FICC that need to be identified and monitored as part of FICC's ongoing member due diligence process. In order for FICC to understand (1) the material dependencies between FICC members and the indirect participants that rely on the FICC members for the clearance and settlement of the indirect participants' transactions, (2) significant FICC member-indirect participant relationships and (3) the various risk controls and mitigants that these FICC members employ to manage their risks with respect to such relationships, FICC may request information from GSD Members or MBSD Members regarding the members' businesses and operations as well as their risk management practices with respect to services of FICC utilized by the FICC members for indirect participants. The information provided by FICC members would then be taken into consideration by FICC when determining whether a GSD Member or an MBSD Member, as applicable, may need to be placed on the Watch List, be subject to enhanced surveillance or both.

Section 12(a) of GSD Rule 3 and Section 11(a) of MBSD Rule 3

FICC is proposing to amend Section 12(a) of GSD Rule 3 and Section 11(a) of MBSD Rule 3 in order to specify the membership types that are currently subject to FICC's ongoing monitoring and review. FICC currently monitors and reviews all (a) GSD Netting Members, Sponsoring Members and Funds-Only Settling Bank Members and (b) MBSD Members on an ongoing and periodic basis, which may include monitoring news and market developments relating to these members and conducting reviews of financial reports and other public information of these members.

Section 12(b)(i) of GSD Rule 3 and Section 11(b)(i) of MBSD Rule 3

FICC is proposing to add Section 12(b)(i) of GSD Rule 3 and Section 11(b)(i) of MBSD Rule 3 to (1) clarify that FICC is currently using the CRRM to generate credit ratings for (A) GSD Members that are Bank Netting Members and MBSD Members that are Bank Clearing Members; provided that each such member files the Consolidated Report of Condition and Income (''Call Report'') and (B) GSD Members that are Dealer Netting Members or Inter-Dealer Broker Netting Members and MBSD Members that are Dealer Clearing Members or Inter-Dealer Broker Clearing Members; provided that each such member files the Financial and Operational Combined Uniform Single Report (''FOCUS Report'') or the equivalent with its regulator, (2) clarify that each CRRM-Rated Member's credit rating would be reassessed upon receipt of additional information from the member and (3) delete language that states members may be placed on the Watch List based on their ratings as determined by CRRM or based on their failure to comply with operational standards and requirements.

Currently, Section 11(a) of MBSD Rule 3 states that UIPs are rated by the CRRM. FICC proposes to delete this statement and amend it to state that FICC reviews and monitors UIPs (as with all MBSD Members).[17] This

[17] Amendment No. 1 to SR–FICC–2008–01, approved by the Commission in 2012, eliminated any reference to the CRRM with regards to UIPs; however, due to a clerical error, this change was not

Continued

proposed change corrects an error in the MBSD Rules and does not affect any rights or obligations of the MBSD Members because UIPs are still reviewed by FICC through proposed Section 11(a) of MBSD Rule 3.

Section 12(b)(ii) of GSD Rule 3 and Section 11(b)(ii) of MBSD Rule 3

FICC is proposing to add Section 12(b)(ii) of GSD Rule 3 and Section 11(b)(ii) of MBSD Rule 3 to provide that, because the factors used as part of the CRRM may not identify all risks that a member may pose to FICC, FICC may, in addition to other actions permitted by the Rules, downgrade the member's credit rating derived from the CRRM if FICC believes the CRRM-generated rating is insufficiently conservative or if it deems such downgrade as necessary to protect FICC and its members. Depending on the credit rating of the member, a downgrade may result in the member being placed on the Watch List and/or being subject to enhanced surveillance based on relevant factors.

Section 12(c) of GSD Rule 3 and Section 11(c) of MBSD Rule 3

FICC is proposing to re-number the existing Section 12(b) of GSD Rule 3 and Section 11(b) of MBSD Rule 3 to Section 12(c) and Section 11(c) of the respective Rules as well as to amend these sections to state that, other than those members specified in Section 12(b)(i) of GSD Rule 3 and Section 11(b)(i) of MBSD Rule 3, FICC may place (1) GSD Sponsoring Members, Funds-Only Settling Bank Members and Netting Members and (2) MBSD Members, on the Watch List and/or subject them to enhanced surveillance even though they are not being assigned credit ratings by FICC in accordance with the CRRM.

Section 12(d) of GSD Rule 3 and Section 11(d) of MBSD Rule 3

FICC is proposing to add Section 12(d) to GSD Rule 3 and Section 11(d) to MBSD Rule 3 to describe some of the factors that could be taken into consideration by FICC when downgrading a member's credit rating, placing a member on the Watch List and/or subjecting a member to enhanced surveillance. These factors include but are not limited to (i) news reports and/or regulatory observations that raise reasonable concerns relating to the member, (ii) reasonable concerns around the member's liquidity arrangements, (iii) material changes to the member's organizational structure, (iv) reasonable concerns of FICC about the member's financial stability due to particular facts and circumstances, such as material litigation or other legal and/or regulatory risks, (v) failure of the member to demonstrate satisfactory financial condition or operational capability or if FICC has a reasonable concern regarding the member's ability to maintain applicable membership standards and (vi) failure of the member to provide information required by FICC to assess risk exposures posed by the member's activity.

Section 12(e) of GSD Rule 3 and Section 11(e) of MBSD Rule 3

FICC is proposing to re-number the existing Section 12(c) of GSD Rule 3 and Section 11(c) of MBSD Rule 3 to Section 12(e) and Section 11(e) of the respective Rules and refer to FICC's ability to retain any Excess Clearing Fund Deposits of a GSD Netting Member or an MBSD Clearing Member, as applicable, that has been placed on the Watch List pursuant to Section 9 of GSD Rule 4 or Section 9 of MBSD Rule 4, as applicable. In addition, FICC is proposing technical modifications in these sections to correct grammatical errors and add a section reference.

Section 12(f) of GSD Rule 3 and Section 11(f) of MBSD Rule 3

FICC is proposing to re-number the existing Section 12(d) of GSD Rule 3 and Section 11(d) of MBSD Rule 3 to Section 12(f) and Section 11(f) of the respective Rules and provide that FICC would, in addition to other actions permitted by the Rules, conduct a more thorough monitoring of the financial condition and/or operational capability of, and require more frequent financial disclosures from, not only those members that are placed on the Watch List but also members subject to enhanced surveillance, including examples of how the monitoring could be conducted and the types of disclosures that may be required. In addition, members that are subject to enhanced surveillance would be reported to FICC's management committees and regularly reviewed by a cross-functional team comprised of senior management of FICC.

Other Proposed Changes to GSD Rule 3 and MBSD Rule 3

In addition to the proposed changes described above, FICC is proposing to delete the existing Section 12(e) of GSD Rule 3 and Section 11(e) of MBSD Rule 3 to eliminate FICC's right to place a member with an Excess Capital Ratio of 0.5 or greater on the Watch List because FICC has not used, nor does it plan to use, this threshold.

In addition, FICC is proposing to delete the existing Section 12(f) of GSD Rule 3 and Section 11(f) of MBSD Rule 3 to eliminate language that requires FICC to place a GSD Netting Member or an MBSD Clearing Member, as applicable, on the Watch List if FICC takes any action against the GSD Netting Member or the MBSD Clearing Member under GSD Rule 3, Section 7 (General Continuance Standards) and MBSD Rule 3, Section 6 (General Continuance Standards), respectively. FICC is proposing these deletions because placement of a member on the Watch List would be covered by the proposed changes to Sections 12(b), (c) and (d) of GSD Rule 3 and Sections 11(b), (c) and (d) of MBSD Rule 3. As such, the language being deleted by this proposed change would no longer be needed.

Similarly, FICC is proposing to delete language that requires a GSD Netting Member or an MBSD Clearing Member, as applicable, to remain on the Watch List until the condition(s) that resulted in its placement on the Watch List are no longer present or if close monitoring by FICC is no longer warranted. FICC is proposing this deletion because whether a member remains on the Watch List would be covered by the proposed changes to Sections 12(b), (c) and (d) of GSD Rule 3 and Sections 11(b), (c) and (d) of MBSD Rule 3. As such, the language being deleted by this proposed change would no longer be needed.

C. Proposed Changes to GSD Rules 5, 11 and 18

FICC is also proposing to amend GSD Rules 5 (Comparison System), 11 (Netting System) and 18 (Special Provisions for Repo Transactions) to clarify that FICC may subject (1) a Comparison-Only Member to enhanced surveillance if FICC has determined that the Comparison-Only Member has violated its obligations under Section 1 of GSD Rule 5 and (2) a Netting Member to enhanced surveillance if FICC has determined that the Netting Member has violated its obligations under Section 3 of GSD Rule 11 or Section 2 of GSD Rule 18. In addition, FICC is proposing to amend GSD Rule 11 to correct a typographical error.

Implementation Timeframe

Pending Commission approval, FICC expects to implement this proposal promptly. Members would be advised of the implementation date of this proposal through issuance of a FICC Important Notice.

included in the Exhibit 5 thereto and therefore not reflected in the current MBSD Rules. *See* Securities Exchange Act Release No. 66550 (March 9, 2012), 77 FR 15155 (March 14, 2012) (SR–FICC–2008–01). FICC is proposing to correct this error.

2. Statutory Basis

Section 17A(b)(3)(F) of the Act requires that FICC's Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in the custody or control of FICC or for which it is responsible.[18]

By enhancing the CRRM to enable it to assign credit ratings to members that are foreign banks or trust companies and that have audited financial data that is publicly available, FICC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change expands the CRRM's applicability to a wider group of members, which further improves FICC's membership monitoring process and better enables FICC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Similarly, by enhancing the CRRM to enable it to incorporate qualitative factors when assigning a member's credit rating, FICC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable FICC to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by the GSD Netting Members and MBSD Clearing Members, thus improving FICC's membership monitoring process overall, which would in turn better enable FICC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Likewise, by enhancing the CRRM to shift from a relative scoring approach to an absolute scoring approach when assigning a member's credit rating, FICC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable FICC to generate credit ratings for members that are more reflective of the members' default risk, thus improving FICC's membership monitoring process overall, which would in turn better enable FICC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

By providing specificity, clarity and additional transparency to the Rules related to FICC's current ongoing membership monitoring process, FICC believes that the proposed rule changes to (1) GSD Rule 1 (Definitions of Credit Risk Rating Matrix and Watch List), GSD Rule 3 (Sections 7 and 12), GSD Rule 5 (Comparison System), GSD Rule 11 (Netting System) and GSD Rule 18 (Special Provisions for Repo Transactions) and (2) MBSD Rule 1 (Definitions of Credit Risk Rating Matrix and Watch List) and MBSD Rule 3 (Sections 6 and 11), which are unrelated to the proposed enhancements of the CRRM, are consistent with Section 17A(b)(3)(F) of the Act because the proposed rule changes would help ensure that the Rules remain accurate and clear. Collectively, the proposed changes would help ensure that the Rules are more transparent, accurate and clear, which would help enable all stakeholders to readily understand their respective rights and obligations with GSD's and MBSD's clearance and settlement of securities transactions. Therefore, FICC believes that the proposed rule changes would promote the prompt and accurate clearance and settlement of securities transactions, consistent with Section 17A(b)(3)(F) of the Act.

The proposed enhancements to the CRRM are consistent with Rule 17Ad–22(e)(3)(i) under the Act, which was recently adopted by the Commission.[19] Rule 17Ad–22(e)(3)(i) will require FICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing risks that arise in or are born by FICC, which includes . . . systems designed to identify, measure, monitor and manage the range of risks that arise in or are borne by FICC.[20] The proposed enhancements to the CRRM have been designed to assist FICC in identifying, measuring, monitoring and managing the credit risks to FICC posed by its members. The proposed enhancements to the CRRM accomplish this by (i) expanding the CRRM's applicability to a wider group of members to include members that are foreign banks or trust companies, (ii) enabling the CRRM to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by FICC's members and (iii) enabling the CRRM to generate credit ratings for members that are more reflective of the members' default risk by shifting to an absolute scoring approach, all of which would improve FICC's membership monitoring process overall. Therefore, FICC believes the proposed enhancements to the CRRM would assist FICC in identifying, measuring, monitoring and managing risks that arise in or are born by FICC, consistent with the requirements of Rule 17Ad–22(e)(3)(i).

The proposed rule change to Section 7 of GSD Rule 3 and Section 6 of MBSD Rule 3 with respect to the scope of information that may be requested by FICC from its members has been designed to be consistent with Rule 17Ad–22(e)(19) under the Act, which was recently adopted by the Commission.[21] Rule 17Ad–22(e)(19) will require FICC to establish, implement, maintain and enforce written policies and procedures reasonably designed to identify, monitor, and manage the material risk to FICC arising from arrangements in which firms that are indirect participants in FICC rely on the services provided by GSD Members and MBSD Members to access FICC's payment, clearing, or settlement facilities.[22] By expressly reflecting in the Rules what is already FICC's current practice associated with its request for additional reporting of a GSD Member's or MBSD Member's financial or operational conditions to state that such request may include information regarding the businesses and operations of the member, as well as its risk management practices with respect to services of FICC utilized by the member for another Person, this proposed rule change would help enable FICC to have rule provisions that are reasonably designed to identify, monitor and manage the material risks to FICC arising from tiered participation arrangements consistent with Rule 17Ad–22(e)(19).

(B) Clearing Agency's Statement on Burden on Competition

FICC does not believe that the proposed rule change to (i) enable the CRRM to generate credit ratings for foreign bank or trust company members, (ii) incorporate qualitative factors into the CRRM and (iii) shift to an absolute scoring approach would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.[23] These proposed

[18] 15 U.S.C. 78q–1(b)(3)(F).

[19] 17 CFR 240.17Ad–22(e)(3)(i). The Commission adopted amendments to Rule 17Ad–22, including the addition of new subsection 17Ad–22(e), on September 28, 2016. *See* Securities Exchange Act Release No. 78961 (September 28, 2016), 81 FR 70786 (October 13, 2016) (S7–03–14). FICC is a ''covered clearing agency'' as defined by the new Rule 17Ad–22(a)(5) and must comply with new subsection (e) of Rule 17Ad–22 by April 11, 2017. *Id.*

[20] *Id.*

[21] 17 CFR 240.17Ad–22(e)(19). *Id.*

[22] *Id.*

[23] 15 U.S.C. 78q–1(b)(3)(I).

enhancements to the CRRM would improve FICC's member credit risk evaluation process by (1) expanding the CRRM's credit rating capability and thereby providing more comprehensive credit risk coverage of FICC membership, (2) enabling the CRRM to generate more consistent and comprehensive credit ratings for members and thereby reducing the need and frequency for manual downgrades and (3) enabling the CRRM to generate credit ratings for members that are more reflective of the members' default risk. However, FICC recognizes that any change to its member credit risk evaluation process, such as the proposed rule change, may impose a burden on competition in terms of potential impact on members' credit ratings and their Clearing Fund deposits. Nevertheless, FICC believes that any burden on competition derived from the proposed rule change would be necessary and appropriate in furtherance of the Act because the proposed enhancements to the CRRM would help improve FICC's membership monitoring process and thus better enable FICC to safeguard the securities and funds which are in its custody or control or for which it is responsible. Furthermore, the proposed enhancements to the CRRM would also assist FICC in identifying, measuring, monitoring and managing risks that arise in or are born by FICC. As such, FICC does not believe the proposed enhancements to the CRRM would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.

FICC does not believe that the proposed rule changes to (1) GSD Rule 1 (Definitions of Credit Risk Rating Matrix and Watch List), GSD Rule 3 (Sections 7 and 12), GSD Rules 5, 11 and 18 and (2) MBSD Rule 1 (Definitions of Credit Risk Rating Matrix and Watch List) and MBSD Rule 3 (Sections 6 and 11) that are unrelated to the proposed CRRM enhancements would have any impact on competition because each of such proposed rule changes is designed to provide additional specificity, clarity and transparency in the Rules regarding FICC's current ongoing membership monitoring process by expressly providing in the Rules FICC's current practices with respect to such process. As such, these proposed rule changes would not impact FICC members or impose any burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments relating to this proposed rule change have not been solicited or received. FICC will notify the Commission of any written comments received by FICC.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

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–FICC–2017–006 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

All submissions should refer to File Number SR–FICC–2017–006. 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 FICC and on DTCC's Web site (*http://dtcc.com/legal/sec-rule-filings.aspx*). 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–FICC–2017–006 and should be submitted on or before May 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[24]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07182 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–2736

Extension:

Rule 15c2–11, SEC File No. 270–196, OMB Control No. 3235–0202

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''PRA''), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 15c2–11, (17 CFR 240.15c2–11), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (''Exchange Act''). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 15c2–11 under the Securities Exchange Act regulates the initiation or resumption of quotations in a quotation

[24] 17 CFR 200.30–3(a)(12).

medium by a broker-dealer for over-the-counter (''OTC'') securities. The Rule was designed primarily to prevent certain manipulative and fraudulent trading schemes that had arisen in connection with the distribution and trading of unregistered securities issued by shell companies or other companies having outstanding but infrequently traded securities. Subject to certain exceptions, the Rule prohibits broker-dealers from publishing a quotation for a security, or submitting a quotation for publication, in a quotation medium unless they have reviewed specified information concerning the security and the issuer.

Based on information provided by Financial Industry Regulatory Authority, Inc. (''FINRA''), in the 2016 calendar year, FINRA received approximately 461 applications from broker-dealers to initiate or resume publication of quotations of covered OTC securities on the OTC Bulletin Board and/or OTC Link or other quotation mediums. We estimate that (i) 195 of the covered OTC securities were issued by reporting issuers, while the other 266 were issued by non-reporting issuers, and (ii) it will take a broker-dealer about 4 hours to review, record and retain the information pertaining to a reporting issuer, and about 8 hours to review, record and retain the information pertaining to a non-reporting issuer.

We therefore estimate that broker-dealers who initiate or resume publication of quotations for covered OTC securities of reporting issuers will require 780 hours (195×4) to review, record and retain the information required by the Rule. We estimate that broker-dealers who initiate or resume publication of quotations for covered OTC securities of non-reporting issuers will require 2,128 hours (266×8) to review, record and retain the information required by the Rule. Thus, we estimate the total annual burden hours for broker-dealers to initiate or resume publication of quotations of covered OTC securities to be 2908 hours (780 + 2,128). The Commission believes that compliance costs for these 2,908 hours would be borne by internal staff working at a rate of $57 per hour.[1]

Subject to certain exceptions, the Rule prohibits broker-dealers from publishing a quotation for a security, or submitting a quotation for publication, in a quotation medium unless they have reviewed specified information concerning the security and the issuer. The broker-dealer must also make the information reasonably available upon request to any person expressing an interest in a proposed transaction in the security with such broker or dealer. The collection of information that is submitted to FINRA for review and approval is currently not available to the public from FINRA.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comments to: Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: April 6, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07248 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

[1] $57 per hour figure for a General Clerk is from SIFMA's Office Salaries in the Securities Industry 2013, modified by Commission staff to account for an 1,800-hourwork-year and inflation, and multiplied by 2.93 to account for bonuses, firm size, employee benefits and overhead.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80381; File No. SR–NSCC–2017–002]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing of Proposed Rule Change To Enhance the Credit Risk Rating Matrix and Make Other Changes

April 5, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 22, 2017, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to NSCC's Rules and Procedures (''Rules'').[4] The proposed rule change would amend the Rules in order to (i) enhance the matrix (hereinafter referred to as the ''Credit Risk Rating Matrix'' or ''CRRM'') [5] developed by NSCC to evaluate the risks posed by certain Members (''CRRM-Rated Members'') to NSCC and its Members from providing services to these CRRM-Rated Members and (ii) make other amendments to the Rules to provide more transparency and clarity regarding NSCC's current ongoing membership monitoring process.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[3] On March 22, 2017, NSCC filed this proposed rule change as an advance notice (SR–NSCC–2017–801) with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010, 12 U.S.C. 5465(e)(1), and Rule 19b–4(n)(1)(i) of the Act, 17 CFR 240.19b–4(n)(1)(i). A copy of the advance notice is *available at http://www.dtcc.com/legal/sec-rule-filings.aspx.*

[4] Capitalized terms not defined herein are defined in the Rules, *available at http://www.dtcc.com/~/media/Files/Downloads/legal/rules/nscc_rules.pdf.*

[5] The proposed rule changes with respect to the enhancement of the CRRM are reflected in the inclusion of (i) qualitative factors and examples thereof in the proposed new definition for ''Credit Risk Rating Matrix'' in Rule 1 and (ii) Members that are foreign banks or trust companies that have audited financial data that is publicly available in Section 4(b)(i) of Rule 2B.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would, among other things, enhance the CRRM to enable it to rate Members that are foreign banks or trust companies and have audited financial data that is publicly available. It would also enhance the CRRM by allowing it to take into account qualitative factors when generating credit ratings for Members. In addition, it would enhance the CRRM by shifting it from a relative scoring approach to an absolute scoring approach.

This rule filing also contains proposed rule changes that are not related to the proposed CRRM enhancements but that provide specificity, clarity and additional transparency to the Rules related to NSCC's current ongoing membership monitoring process.

(i) Background

NSCC occupies an important role in the securities settlement system by interposing itself as a central counterparty between Members that are counterparties to transactions accepted for clearing by NSCC, thereby reducing the risk faced by Members. NSCC uses the CRRM, the Watch List (as defined below) and the enhanced surveillance to manage and monitor default risks of Members on an ongoing basis, as discussed below. The level and frequency of such monitoring for a Member is determined by the Member's risk of default as assessed by NSCC. Members that are deemed by NSCC to pose a heightened risk to NSCC and its Members are subject to closer and more frequent monitoring.

Existing Credit Risk Rating Matrix

In 2005, the Commission approved a proposed rule change filed by NSCC (''Initial Filing'') [6] to establish new criteria for placing certain Members on a list for closer monitoring (''Watch List'').

NSCC proposed in the Initial Filing that all U.S. broker-dealers and U.S. banks that were Members would be assigned a rating generated by entering financial data of those Members into an internal risk assessment matrix, *i.e.,* the CRRM. However, the text of the current Rule 2B, Section 4, does not specify which Members are CRRM-Rated Members and whether non-CRRM-Rated Members may be included on the Watch List.

Currently, Members that are U.S. broker-dealers and U.S. banks are assessed against the CRRM and assigned a credit rating based on certain quantitative factors.[7] Unfavorably-rated Members are placed on the Watch List. In addition, NSCC credit risk staff may downgrade a particular Member's credit rating based on various qualitative factors. An example of such qualitative factors might be that the Member in question received a qualified audit opinion on its annual audit. NSCC believes that, in order to protect NSCC and its other Members, it is important that credit risk staff maintain the discretion to downgrade a Member's credit rating on the CRRM and thus subject the Member to closer monitoring.

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks—and generates credit ratings for the relevant Members based on a 7-point rating system, with ''1'' being the strongest credit rating and ''7'' being the weakest credit rating.

Over time, the current CRRM has not kept pace with NSCC's evolving membership base and heightened expectations from regulators and stakeholders for robustness of financial models. Specifically, the current CRRM only generates credit ratings for those Members that are U.S. banks or U.S. broker-dealers that file standard reports with their regulators. Although these types of Members currently represent the vast majority (approximately 95%) of Members at NSCC,[8] foreign banks and trust companies are expected to be a growing category of NSCC's membership base in the future, and the proposed enhancements to the CRRM would enable it to assign credit ratings to these entities. Foreign banks and trust companies are typically large global financial institutions that have complex businesses and conduct a high volume of activities. Although foreign banks and trust companies are not currently rated by the CRRM, they are monitored by NSCC's credit risk staff using financial criteria deemed relevant by NSCC and can be placed on the Watch List if they experience a financial change that presents risk to NSCC. Given the potential increase in the number of Members that are foreign banks or trust companies in the coming years, there is a need to formalize NSCC's credit risk evaluation process of these Members by assigning credit ratings to them in order to better facilitate the comparability of credit risks among Members.[9]

In addition, the current CRRM assigns each Member that is a U.S. bank or U.S. broker-dealer and that files standard reports with its regulator(s) a credit rating based on inputting certain quantitative data relative to the applicable Member into the CRRM. Accordingly, a Member's credit rating is currently based solely upon quantitative factors. It is only after the CRRM has generated a credit rating with respect to a particular Member that such Member's credit rating may be downgraded manually by credit risk staff, after taking into consideration relevant qualitative factors. The inability of the current CRRM to take into account qualitative factors requires frequent and manual overrides by credit risk staff, which may result in inconsistent and/or incomplete credit ratings for Members.

Furthermore, the current CRRM uses a relative scoring approach and relies on peer grouping of Members to calculate the credit rating of a Member. This approach is not ideal because a Member's credit rating can be affected by changes in its peer group even if the Member's financial condition is unchanged.

Proposed Credit Risk Rating Matrix Enhancements

To improve the coverage and the effectiveness of the current CRRM, NSCC is proposing three enhancements. The first proposed enhancement would expand the scope of CRRM coverage by enabling the CRRM to generate credit ratings for Members that are foreign banks or trust companies and that have audited financial data that is publicly available. The second proposed enhancement would incorporate qualitative factors into the CRRM and therefore is expected to reduce the need and the frequency of manual overrides of Member credit ratings. The third enhancement would replace the relative scoring approach currently used by CRRM with a statistical approach to

[6] *See* Securities Exchange Act Release No. 51362 (March 11, 2005), 70 FR 13562 (March 21, 2005) (SR–NSCC–2003–11).

[7] Quantitative factors considered by NSCC include (a) for broker dealers, size (*i.e.,* total excess net capital), capital, leverage, liquidity, and profitability and (b) for banks, size, capital, asset quality, earnings, and liquidity.

[8] As of March 16, 2017, there are 155 Members. Of the 155 Members, 11 (or 7%) are U.S. banks, 136 (or 88%) are U.S. broker-dealers and one (or 1%) is a foreign bank or trust company.

[9] CRRM is applied across NSCC and its affiliated clearing agencies, Fixed Income Clearing Corporation (''FICC'') and The Depository Trust Company (''DTC''). Specifically, in order to run the CRRM, credit risk staff uses the financial data of the applicable NSCC Members in addition to data of applicable members and participants of FICC and DTC, respectively. In this way, each applicable NSCC Member is rated against other applicable members and participants of FICC and DTC, respectively.

estimate the absolute probability of default of each Member.

A. Enable the CRRM To Generate Credit Ratings for Foreign Bank or Trust Company Members

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks. NSCC is proposing to enhance the CRRM by adding an additional credit rating model for the foreign banks and trust companies. The additional model would expand the membership classes to which the CRRM would apply to include Members that are foreign banks or trust companies and that have audited financial data that is publicly available. The CRRM credit rating of a Member that is a foreign bank or trust company would be based on quantitative factors, including size, capital, leverage, liquidity, profitability and growth, and qualitative factors, including market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity. By enabling the CRRM to generate credit ratings for these Members, the enhanced CRRM would provide more comprehensive credit risk coverage of NSCC's membership base.

With the proposed enhancement to the CRRM as described above, applicable foreign bank or trust company Members would be included in the CRRM process and be evaluated more effectively and efficiently because financial data with respect to these foreign bank or trust company Members could be extracted from data sources in an automated form.[10]

After the proposed enhancement, CRRM would be able to generate credit ratings on an ongoing basis for all Members that are U.S. banks, U.S. brokers-dealers and foreign banks and trust companies, which together represent approximately 96% of the NSCC Members.[11]

B. Incorporate Qualitative Factors Into the CRRM

In addition, as proposed, the enhanced CRRM would blend qualitative factors with quantitative factors to produce a credit rating for each applicable Member in relation to the Member's credit risk. For U.S. and foreign banks and trust companies, the enhanced CRRM would use a 70/30 weighted split between quantitative and qualitative factors to generate credit ratings. For U.S. broker-dealers, the weight split between quantitative and qualitative factors would be 60/40. These weight splits are chosen by NSCC based on the industry best practice as well as research and sensitivity analysis conducted by NSCC. NSCC would review and adjust the weight splits as well as the quantitative and qualitative factors, as needed, based on recalibration of the CRRM to be conducted by NSCC approximately every three to five years.

Although there are advantages to measuring credit risk quantitatively, quantitative evaluation models alone are incapable of fully capturing all credit risks. Certain qualitative factors may indicate that a Member is or will soon be undergoing financial distress, which may in turn signal a higher default exposure to NSCC and its other Members. As such, a key enhancement being proposed to the CRRM is the incorporation of relevant qualitative factors into each of the three credit rating models mentioned above. By including qualitative factors in the three credit rating models, the enhanced CRRM would capture risks that would otherwise not be accounted for with quantitative factors alone.[12] Adding qualitative factors to the CRRM would not only enable it to generate more consistent and comprehensive credit ratings for applicable Members, but it would also help reduce the need and frequency of manual credit rating overrides by the credit risk staff because overrides would likely only be required under more limited circumstances.[13]

C. Shifting From Relative Scoring to Absolute Scoring

As proposed, the enhanced CRRM would use an absolute scoring approach and rank each Member based on its individual probability of default rather than the relative scoring approach that is currently in use. This proposed change is designed to have a Member's CRRM-generated credit rating reflect an absolute measure of the Member's default risk and eliminate any potential distortion of a Member's credit rating from the Member's peer group that may occur under the relative scoring approach used in the existing CRRM.

D. Watch List and Enhanced Surveillance

In addition to the Watch List, NSCC also maintains an enhanced surveillance list (referenced herein and in the proposed rule text as ''enhanced surveillance'') for membership monitoring. The enhanced surveillance list is generally used when Members are undergoing drastic and unexpected changes in their financial conditions or operation capabilities and thus are deemed by NSCC to be of the highest risk level and/or warrant additional scrutiny due to NSCC's ongoing concerns about these Members. Accordingly, Members that are subject to enhanced surveillance are reported to NSCC's management committees and are also regularly reviewed by a cross-functional team comprised of senior management of NSCC. More often than not, Members that are subject to enhanced surveillance are also on the Watch List. The group of Members that is subject to enhanced surveillance is generally much smaller than the group on the Watch List. The enhanced surveillance list is an internal tool for NSCC that triggers increased monitoring of a Member above the monitoring that occurs when a Member is on the Watch List.

A Member could be placed on the Watch List either based on its credit rating of 5, 6 or 7, which can either be generated by the CRRM or from a manual downgrade, or when NSCC deems such placement as necessary to protect NSCC and its Members. In contrast, a Member would be subject to enhanced surveillance only when close monitoring of the Member is deemed necessary to protect NSCC and its Members.

The Watch List and enhanced surveillance tools are not mutually exclusive; they may complement each other under certain circumstances. A key distinction between the Watch List and enhanced surveillance is that being placed on the Watch List may result in Required Deposit [14] related

[10] Currently, these Members are monitored by NSCC credit risk staff that review similar criteria as those reviewed for CRRM-Rated Members, but such review occurs outside of the CRRM process.

[11] As of March 16, 2017, there are 7 Members that would not be rated by the enhanced CRRM, as proposed, because they are central securities depositories, securities exchanges and U.S. trust companies that do not file Call Reports (as defined below).

[12] The initial set of qualitative factors that would be incorporated into the CRRM includes (a) for U.S. broker dealers, market position and sustainability, management quality, capital management, liquidity management, geographic diversification, business/product diversity and access to funding, (b) for U.S. banks, environment, compliance/litigation, management quality, liquidity management and parental demands and (c) for foreign banks and trust companies, market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity.

[13] Once a Member is assigned a credit rating, if circumstances warrant, credit risk staff would still have the ability to override the CRRM-issued credit rating by manually downgrading such rating as they do today. To ensure a conservative approach, the CRRM-issued credit ratings cannot be manually upgraded.

[14] *See* Rule 4 (Section 1). The ''Required Deposit'' is the amount that each Member is required to

Continued

consequences under the Rules, whereas enhanced surveillance does not.[15] For example, a Member that is in a precarious situation could be placed on the Watch List and be subject to enhanced surveillance; however, because the Watch List status could increase a Member's Required Deposit, when NSCC has preliminary concerns about a Member, to avoid potential increase to a Member's Required Deposit, NSCC may opt not to place the Member on the Watch List until it is certain that such concerns would not be alleviated in the short-term. Instead, in such a situation, NSCC might first subject the Member to enhanced surveillance in order to closely monitor the Member's situation without affecting the Member's Required Deposit. If the Member's situation improves, then it will no longer be subject to enhanced surveillance. If the situation of the Member worsens, the Member may then be placed on the Watch List as deemed necessary by NSCC.

(ii) Detailed Description of the Proposed Rule Changes Related to the Proposed CRRM Enhancements

In connection with the proposed enhancements to the CRRM, NSCC proposes to amend the Rules to (1) incorporate qualitative factors into CRRM and (2) add Members that are foreign banks or trust companies to the categories of Members that would be assigned credit ratings by NSCC using the CRRM.

A. Proposed Changes to Rule 1 (Definitions and Descriptions)

NSCC is proposing to include qualitative factors, such as management quality, market position/environment, and capital and liquidity risk management in the proposed new definition for ''Credit Risk Rating Matrix'' in Rule 1 because, as proposed, the enhanced CRRM would blend both qualitative factors and quantitative factors to produce a credit rating for each applicable Member.

B. Proposed Changes to Section 4(b)(i) of Rule 2B (Ongoing Membership Requirements and Monitoring)

NSCC is proposing to expand the membership types to which the CRRM would apply to include Members that are foreign banks or trust companies and that have audited financial data that is publicly available by amending Section 4 of Rule 2B.

The enhanced CRRM would assign credit ratings for each Member that is a foreign bank or trust company based on its publicly available audited financial data. The credit rating would be based on an 18-point scale, which is then mapped to the 7-point rating system currently in use today, with ''1'' being the strongest credit rating and ''7'' being the weakest credit rating.

(iii) Other Proposed Rule Changes

This rule filing also contains proposed rule changes that are unrelated to the proposed enhancement of the CRRM. These proposed rule changes would provide specificity, clarity and additional transparency to the Rules with respect to NSCC's current ongoing membership monitoring process, as described below.

A. Proposed Changes to Rule 1 (Definitions and Descriptions)

NSCC is proposing to amend Rule 1 to add definitions for the CRRM and the Watch List.

The proposed definition of the CRRM would provide that the term ''Credit Risk Rating Matrix'' means a matrix of credit ratings of Members as specified in Section 4 of Rule 2B. The definition would state that the CRRM is developed by NSCC to evaluate the credit risk such Members pose to NSCC and its Members and is based on factors determined to be relevant by NSCC from time to time, which factors are designed to collectively reflect the financial and operational condition of a Member. The proposed definition would state that, in addition to the proposed qualitative factors described above, these factors include quantitative factors, such as capital, assets, earnings and liquidity.

The proposed definition of the Watch List would provide that the term ''Watch List'' means, at any time and from time to time, the list of Members whose credit ratings derived from the CRRM are 5, 6 or 7, as well as Members and Limited Members that, based on NSCC's consideration of relevant factors, including those set forth in Section 4(d) of Rule 2B (described below), are deemed by NSCC to pose a heightened risk to NSCC and its Members.

B. Proposed Changes to Rule 2B (Ongoing Membership Requirements and Monitoring)

Section 2B of Rule 2B

NSCC is proposing to amend Section 2B of Rule 2B to state that NSCC may review the financial responsibility and operational capability of each Member and may otherwise require additional reporting from the Member regarding its financial or operational condition that may (1) include information regarding the businesses and operations of the Member and its risk management practices with respect to NSCC's services utilized by the Member for another Person and (2) result in the Member being placed on the Watch List and/or being subject to enhanced surveillance as determined by NSCC.

Members are direct participants of NSCC. However, there are firms that rely on the services provided by Members in order to have their activity cleared and settled through NSCC's facilities (the ''indirect participants''). These indirect participants pose certain risks to NSCC that need to be identified and monitored as part of NSCC's ongoing member due diligence process. In order for NSCC to understand (1) the material dependencies between Members and the indirect participants that rely on the Members for the clearance and settlement of the indirect participants' transactions, (2) significant Member-indirect participant relationships and (3) the various risk controls and mitigants that these Members employ to manage their risks with respect to such relationships, NSCC may request information from Members regarding the Members' businesses and operations as well as their risk management practices with respect to services of NSCC utilized by the Members for indirect participants. The information provided by Members would then be taken into consideration by NSCC when determining whether a Member may need to be placed on the Watch List, be subject to enhanced surveillance or both.

Section 4 of NSCC Rule 2B

NSCC is proposing to amend Section 4 of Rule 2B in order to (1) specify the membership types that are currently subject to NSCC's ongoing monitoring and review, (2) clarify which U.S. broker-dealers and U.S. banks will be assigned a credit rating by NSCC in accordance with the CRRM, (3) provide that NSCC may manually downgrade a CRRM-Rated Member's credit rating in certain instances, (4) provide that NSCC may place non-CRRM-Rated Members and certain Limited Members on the Watch List and/or subject them to enhanced surveillance, if necessary, (5) describe some of the factors that could be taken into consideration by NSCC when downgrading a Member's or Limited Member's credit rating, placing a Member or Limited Member on the Watch List and/or subjecting a Member or Limited Member to enhanced

deposit in NSCC's Clearing Fund. Rules, *supra* note 4.

[15] NSCC expects to provide additional clarity to Members regarding the Watch List and its impact on Required Deposit in a subsequent proposed rule change to be filed with the Commission in 2017.

surveillance, (6) allow NSCC to collect additional deposits to the Clearing Fund and to retain deposits in excess of the Required Deposit from Members or Limited Members that are on the Watch List and (7) provide for enhanced monitoring of Members or Limited Members that are on the Watch List and/or are subject to enhanced surveillance.

In connection with the forgoing, NSCC proposes to delete the current first paragraph in Section 4 of NSCC Rule 2B and add the following:

1. Section 4(a), specifying that NSCC currently monitors and reviews all Members and certain Limited Members on an ongoing and periodic basis, which may include monitoring news and market developments relating to these Members and Limited Members and conducting reviews of financial reports and other public information of these Members and Limited Members.

2. Section 4(b)(i), clarifying that (1) Members that are (A) U.S. banks or trust companies that file the Consolidated Report of Condition and Income (''Call Report'') or (B) U.S. broker-dealers that file the Financial and Operational Combined Uniform Single Report (''FOCUS Report'') or the equivalent with their regulators, would be assigned a credit rating by NSCC in accordance with the CRRM and (2) each CRRM-Rated Member's credit rating would be reassessed upon receipt of additional information from the Member.

3. Section 4(b)(ii), providing that, because the factors used as part of the CRRM may not identify all risks that a Member may pose to NSCC, NSCC may, in addition to other actions permitted by the Rules, downgrade the Member's credit rating derived from the CRRM if NSCC believes the CRRM-generated rating is insufficiently conservative or if it deems such downgrade as necessary to protect NSCC and its Members. Depending on the credit rating of the Member, a downgrade may result in the Member being placed on the Watch List and/or being subject to enhanced surveillance based on relevant factors.

4. Section 4(c), specifying that, other than CRRM-Rated Members, NSCC may place Members and Limited Members that are monitored and reviewed by NSCC on the Watch List and/or subject them to enhanced surveillance even though they are not being assigned credit ratings by NSCC in accordance with the CRRM.

5. Section 4(d), describing some of the factors that could be taken into consideration by NSCC when downgrading a Member's credit rating, placing a Member or Limited Member on the Watch List and/or subjecting a Member or Limited Member to enhanced surveillance. These factors include but are not limited to (i) news reports and/or regulatory observations that raise reasonable concerns relating to the Member or Limited Member, (ii) reasonable concerns around the Member's or Limited Member's liquidity arrangements, (iii) material changes to the Member's or Limited Member's organizational structure, (iv) reasonable concerns of NSCC about the Member's or Limited Member's financial stability due to particular facts and circumstances, such as material litigation or other legal and/or regulatory risks, (v) failure of the Member or Limited Member to demonstrate satisfactory financial condition or operational capability or if NSCC has a reasonable concern regarding the Member's or Limited Member's ability to maintain applicable membership standards and (vi) failure of the Member or Limited Member to provide information required by NSCC to assess risk exposures posed by the Member's or Limited Member's activity.

6. Section 4(e), allowing NSCC to (1) require a Member or Limited Member that has been placed on the Watch List to make and maintain additional deposits to the Clearing Fund and (2) withhold any deposit in excess of the Required Deposit of a Member or Limited Member that has been placed on the Watch List as provided in Section 9 of Rule 4.

7. Section 4(f), providing that NSCC would, in addition to other actions permitted by the Rules, conduct a more thorough monitoring of the financial condition and/or operational capability of, and require more frequent financial disclosures from, not only those Members and Limited Members that are placed on the Watch List but also Members and Limited Members subject to enhanced surveillance, including examples of how the monitoring could be conducted and the types of disclosures that may be required. In addition, Members and Limited Members that are subject to enhanced surveillance would be reported to NSCC's management committees and regularly reviewed by a cross-functional team comprised of senior management of NSCC.

In addition to the proposed changes described above, NSCC is proposing to make technical corrections to the second paragraph of Section 4 of Rule 2B to (1) renumber the paragraph as Section 4(g), (2) update an internal cross reference and (3) clarify that the references in the paragraph to Members under surveillance are referring to Members on the Watch List.

C. Proposed Changes to Rule 4 (Clearing Fund)

NSCC is proposing to amend Section 9 of Rule 4 to clarify that NSCC may, in its discretion, withhold all or part of any excess Clearing Fund deposit of Members that are on the Watch List.

D. Proposed Changes to Procedure XV (Clearing Fund Formula and Other Matters)

NSCC is proposing to amend Section I(B)(1) of Procedure XV to clarify that Members or Limited Members that are placed on the Watch List would be required to make additional Clearing Fund deposits, as determined by NSCC.

In addition, NSCC is proposing to make the following technical corrections to Section I(B)(1) of Procedure XV, (i) renumber the final three paragraphs as Section I(B)(2) and title the new subsection ''Family Issued Securities'' to reflect the different subject matter of the new subsection, (ii) capitalize references to the Credit Risk Rating Matrix to reflect the proposed addition of the defined term to Rule 1 and (iii) make other grammatical corrections to the new Section I(B)(2).

Finally, NSCC is proposing to amend Section II(C) of Procedure XV to clarify that, although NSCC would not request additional Clearing Fund deposits from Members unless they exceed a predetermined threshold, such floor would not apply to Members or Limited Members that are on the Watch List.

E. Additional Proposed Changes to Rule 1 (Definitions and Descriptions) and Procedure XV (Clearing Fund Formula and Other Matters)

NSCC is proposing to amend the definition of ''Illiquid Position'' in Rule 1 as well as Procedure XV Sections I(A)(1) and I(A)(2), each as proposed in connection with a separate proposed rule change filed with the Commission but not yet approved.[16] Specifically, the proposed amendments would replace and conform references to ''credit risk matrix'' with ''Credit Risk Rating Matrix'' in the proposed definition of ''Illiquid Position'' in Rule 1 as well as Procedure XV Sections I(A)(1) and I(A)(2).

Implementation Timeframe

Pending Commission approval, NSCC expects to implement this proposal promptly. Members would be advised of the implementation date of this proposal through issuance of a NSCC Important Notice.

[16] *See* Securities Exchange Act Release No. 80260 (March 16, 2017), 82 FR 14781 (March 22, 2017) (SR–NSCC–2017–001).

2. Statutory Basis

Section 17A(b)(3)(F) of the Act requires that the Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in the custody or control of NSCC or for which it is responsible.[17]

By enhancing the CRRM to enable it to assign credit ratings to Members that are foreign banks or trust companies and that have audited financial data that is publicly available, NSCC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change expands the CRRM's applicability to a wider group of Members, which further improves NSCC's membership monitoring process and better enables NSCC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Similarly, by enhancing the CRRM to enable it to incorporate qualitative factors when assigning a Member's credit rating, NSCC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable NSCC to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by Members, thus improving NSCC's membership monitoring process overall, which would in turn better enable NSCC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Likewise, by enhancing the CRRM to shift from a relative scoring approach to an absolute scoring approach when assigning a Member's credit rating, NSCC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable NSCC to generate credit ratings for Members that are more reflective of the Members' default risk, thus improving NSCC's membership monitoring process overall, which would in turn better enable NSCC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

By providing specificity, clarity and additional transparency to the Rules related to NSCC's current ongoing membership monitoring process, NSCC believes that the proposed rule changes to (1) Rule 1 (Definitions of Credit Risk Rating Matrix, Watch List and Illiquid Position), Rule 2B (Sections 2B and 4), Rule 4 and Procedure XV (Sections I(A), I(B) and II(C)), which are unrelated to the proposed enhancements of the CRRM, are consistent with Section 17A(b)(3)(F) of the Act because the proposed rule changes would help ensure that the Rules remain accurate and clear. Collectively, the proposed changes would help ensure that the Rules are more transparent, accurate and clear, which would help enable all stakeholders to readily understand their respective rights and obligations with NSCC's clearance and settlement of securities transactions. Therefore, NSCC believes that the proposed rule changes would promote the prompt and accurate clearance and settlement of securities transactions, consistent with Section 17A(b)(3)(F) of the Act.

The proposed enhancements to the CRRM are consistent with Rule 17Ad–22(e)(3)(i) under the Act, which was recently adopted by the Commission.[18] Rule 17Ad–22(e)(3)(i) will require NSCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing risks that arise in or are born by NSCC, which includes . . . systems designed to identify, measure, monitor and manage the range of risks that arise in or are borne by NSCC.[19] The proposed enhancements to the CRRM have been designed to assist NSCC in identifying, measuring, monitoring and managing the credit risks to NSCC posed by its Members. The proposed enhancements to the CRRM accomplish this by (i) expanding the CRRM's applicability to a wider group of Members to include Members that are foreign banks or trust companies, (ii) enabling the CRRM to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by Members and (iii) enabling the CRRM to generate credit ratings for Members that are more reflective of the Members' default risk by shifting to an absolute scoring approach, all of which would improve NSCC's membership monitoring process overall. Therefore, NSCC believes the proposed enhancements to the CRRM would assist NSCC in identifying, measuring, monitoring and managing risks that arise in or are born by NSCC, consistent with the requirements of Rule 17Ad–22(e)(3)(i).

The proposed rule change to Section 2B of Rule 2B with respect to the scope of information that may be requested by NSCC from its Members has been designed to be consistent with Rule 17Ad–22(e)(19) under the Act, which was recently adopted by the Commission.[20] Rule 17Ad–22(e)(19) will require NSCC to establish, implement, maintain and enforce written policies and procedures reasonably designed to identify, monitor, and manage the material risk to NSCC arising from arrangements in which firms that are indirect participants in NSCC rely on the services provided by Members to access NSCC's payment, clearing, or settlement facilities.[21] By expressly reflecting in the Rules what is already NSCC's current practice associated with its request for additional reporting of a Member's financial or operational conditions to state that such request may include information regarding the businesses and operations of the Member, as well as its risk management practices with respect to services of NSCC utilized by the Member for another Person, this proposed rule change would help enable NSCC to have rule provisions that are reasonably designed to identify, monitor and manage the material risks to NSCC arising from tiered participation arrangements consistent with Rule 17Ad–22(e)(19).

(B) Clearing Agency's Statement on Burden on Competition

NSCC does not believe that the proposed rule change to (i) enable the CRRM to generate credit ratings for Members that are foreign banks or trust companies Members, (ii) incorporate qualitative factors into the CRRM and (iii) shift to an absolute scoring approach would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.[22] These proposed enhancements to the CRRM would improve NSCC's member credit risk evaluation process by (1) expanding the CRRM's credit rating capability and thereby providing more comprehensive credit risk coverage of NSCC membership, (2) enabling the CRRM to generate more consistent and comprehensive credit ratings for Members and thereby reducing the need

[17] 15 U.S.C. 78q–1(b)(3)(F).

[18] 17 CFR 240.17Ad–22(e)(3)(i). The Commission adopted amendments to Rule 17Ad–22, including the addition of new subsection 17Ad–22(e), on September 28, 2016. *See* Securities Exchange Act Release No. 78961 (September 28, 2016), 81 FR 70786 (October 13, 2016) (S7–03–14). NSCC is a ''covered clearing agency'' as defined by the new Rule 17Ad–22(a)(5) and must comply with new subsection (e) of Rule 17Ad-22 by April 11, 2017. *Id.*

[19] *Id.*

[20] 17 CFR 240.17Ad–22(e)(19). *Id.*

[21] *Id.*

[22] 15 U.S.C. 78q–1(b)(3)(I).

and frequency for manual downgrades and (3) enabling the CRRM to generate credit ratings for Members that are more reflective of the Members' default risk. However, NSCC recognizes that any change to its member credit risk evaluation process, such as the proposed rule change, may impose a burden on competition in terms of potential impact on Members' credit ratings and their Clearing Fund deposits. Nevertheless, NSCC believes that any burden on competition derived from the proposed rule change would be necessary and appropriate in furtherance of the Act because the proposed enhancements to the CRRM would help improve NSCC's membership monitoring process and thus better enable NSCC to safeguard the securities and funds which are in its custody or control or for which it is responsible. Furthermore, the proposed enhancements to the CRRM would also assist NSCC in identifying, measuring, monitoring and managing risks that arise in or are born by NSCC. As such, NSCC does not believe the proposed enhancements to the CRRM would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.

NSCC does not believe that the proposed rule changes to (1) NSCC Rule 1 (Definitions of Credit Risk Rating Matrix, Watch List and Illiquid Position), NSCC Rule 2B (Sections 2B and 4), Rule 4 and Procedure XV (Sections I(A), I(B) and II(C)) that are unrelated to the proposed CRRM enhancements would have any impact on competition because each of such proposed rule changes is designed to provide additional specificity, clarity and transparency in the Rules regarding NSCC's current ongoing membership monitoring process by expressly providing in the Rules NSCC's current practices with respect to such process. As such, these proposed rule changes would not impact Members or impose any burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments relating to this proposed rule change have not been solicited or received. NSCC will notify the Commission of any written comments received by NSCC.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self- regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

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–NSCC–2017–002 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

All submissions should refer to File Number SR–NSCC–2017–002. 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 NSCC and on DTCC's Web site (*http://dtcc.com/legal/sec-rule-filings.aspx*). 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–NSCC–2017–002 and should be submitted on or before May 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[23]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07180 Filed 4–10–17; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 32596; File No. 812–14584]

Precidian ETFs Trust, et al.

April 5, 2017.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice.

Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (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) for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act. The requested order would permit (a) actively-managed series of certain open-end management investment companies (''Funds'') to issue shares redeemable in large aggregations only (''Creation Units''); (b) secondary market transactions in Fund shares to occur at negotiated market prices rather than at net asset value (''NAV''); (c) certain Funds to pay redemption proceeds, under certain circumstances, more than seven days after the tender of shares for redemption; (d) certain affiliated persons of a Fund to deposit securities into, and receive securities from, the Fund in connection with the purchase and redemption of Creation Units; (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the Funds (''Funds of Funds'') to acquire

[23] 17 CFR 200.30–3(a)(12).

shares of the Funds; and (f) certain Funds (''Feeder Funds'') to create and redeem Creation Units in-kind in a master-feeder structure.

Applicants: Precidian ETFs Trust (the ''Trust''), a Delaware statutory trust registered under the Act as an open-end management investment company with multiple series, Precidian Funds LLC (the ''Initial Adviser''), a Delaware limited liability company registered as an investment adviser under the Investment Advisers Act of 1940, and Foreside Fund Services, LLC (the ''Distributor''), a Delaware limited liability company and broker-dealer registered under the Securities Exchange Act of 1934 (''Exchange Act'').

Filing Dates: The application was filed on December 2, 2015, and amended on February 2, 2016.

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 May 1, 2017, 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, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090; Applicants: Precidian ETFs Trust and Precidian Funds LLC, 350 Main St., Suite 9, Bedminster, NJ 07921; Foreside Fund Services, LLC, Three Canal Plaza, Suite 100, Portland, ME 04101.

FOR FURTHER INFORMATION CONTACT: Steven I. Amchan, Senior Counsel, at (202) 551–6826, or Daniele Marchesani, Assistant Chief Counsel, 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.

Summary of the Application

1. Applicants request an order that would allow Funds to operate as actively-managed exchange traded funds (''ETFs'').[1] Fund shares will be purchased and redeemed at their NAV in Creation Units only. All orders to purchase Creation Units and all redemption requests will be placed by or through an ''Authorized Participant'', which will have signed a participant agreement with the Distributor. Shares will be listed and traded individually on a national securities exchange, where share prices will be based on the current bid/offer market. Certain Funds may operate as Feeder Funds in a master-feeder structure. Any order granting the requested relief would be subject to the terms and conditions stated in the application.

2. Each Fund will consist of a portfolio of securities and other assets and investment positions (''Portfolio Instruments''). Each Fund will disclose on its Web site the identities and quantities of the Portfolio Instruments that will form the basis for the Fund's calculation of NAV at the end of the day.

3. 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 in the application, purchasers will be required to purchase Creation Units by depositing specified instruments (''Deposit Instruments''), and shareholders redeeming their shares will receive specified instruments (''Redemption Instruments''). The Deposit Instruments and the Redemption Instruments will each correspond pro rata to the positions in the Fund's portfolio (including cash positions) except as specified in the application.

4. Because shares will not be individually redeemable, applicants request an exemption from section 5(a)(1) and section 2(a)(32) of the Act that would permit the Funds to register as open-end management investment companies and issue shares that are redeemable in Creation Units only.

5. Applicants also request an exemption from section 22(d) of the Act and rule 22c–1 under the Act as secondary market trading in shares will take place at negotiated prices, not at a current offering price described in a Fund's prospectus, and not at a price based on NAV. Applicants state that (a) secondary market trading in shares does not involve a Fund as a party and will not 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. Therefore, applicants assert that secondary market transactions in shares will not lead to discrimination or preferential treatment among purchasers. Finally, applicants represent that share market prices will be disciplined by arbitrage opportunities, which should prevent shares from trading at a material discount or premium from NAV.

6. With respect to Funds that hold non-U.S. Portfolio Instruments and that effect creations and redemptions of Creation Units in kind, applicants request relief from the requirement imposed by section 22(e) in order to allow such Funds to pay redemption proceeds within fifteen calendar days following the tender of Creation Units for redemption. Applicants assert that the requested relief would not be inconsistent with the spirit and intent of section 22(e) to prevent unreasonable, undisclosed or unforeseen delays in the actual payment of redemption proceeds.

7. Applicants request an exemption to permit Funds of Funds to acquire Fund shares beyond the limits of section 12(d)(1)(A) of the Act; and the Funds, and any principal underwriter for the Funds, and/or any broker or dealer registered under the Exchange Act, to sell shares to Funds of Funds beyond the limits of section 12(d)(1)(B) of the Act. The application's terms and conditions are designed to, among other things, help prevent any potential (i) undue influence over a Fund through control or voting power, or in connection with certain services, transactions, and underwritings, (ii) excessive layering of fees, and (iii) overly complex fund structures, which are the concerns underlying the limits in sections 12(d)(1)(A) and (B) of the Act.

8. Applicants request an exemption from sections 17(a)(1) and 17(a)(2) of the Act to permit a person who is an affiliated person, as defined in section 2(a)(3) of the Act (''Affiliated Person''), or an affiliated person of an Affiliated Person (''Second-Tier Affiliate''), of the Funds, solely by virtue of certain ownership interests, to effectuate purchases and redemptions in-kind. The

[1] Applicants request that the order apply to the initial Fund, as well as to future series of the Trust, and any other open-end management investment companies or series thereof (each, included in the term ''Fund''), each of which will operate as an actively-managed ETF. Any Fund will (a) be advised by the Initial Adviser or an entity controlling, controlled by, or under common control with the Initial Adviser (each, an ''Adviser'') and (b) comply with the terms and conditions of the application.

deposit procedures for in-kind purchases of Creation Units and the redemption procedures for in-kind redemptions of Creation Units will be the same for all purchases and redemptions and Deposit Instruments and Redemption Instruments will be valued in the same manner as those Portfolio Instruments currently held by the Funds. Applicants also seek relief from the prohibitions on affiliated transactions in section 17(a) to permit a Fund to sell its shares to and redeem its shares from a Fund of Funds, and to engage in the accompanying in-kind transactions with the Fund of Funds.[2] The purchase of Creation Units by a Fund of Funds directly from a Fund will be accomplished in accordance with the policies of the Fund of Funds and will be based on the NAVs of the Funds.

9. Applicants also request relief to permit a Feeder Fund to acquire shares of another registered investment company managed by the Adviser having substantially the same investment objectives as the Feeder Fund (''Master Fund'') beyond the limitations in section 12(d)(1)(A) and permit the Master Fund, and any principal underwriter for the Master Fund, to sell shares of the Master Fund to the Feeder Fund beyond the limitations in section 12(d)(1)(B).

10. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if 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 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. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07173 Filed 4–10–17; 8:45 am]

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[2] The requested relief would apply to direct sales of shares in Creation Units by a Fund to a Fund of Funds and redemptions of those shares. Applicants, moreover, 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 a Second-Tier Affiliate, of a Fund of Funds because an Adviser or an entity controlling, controlled by or under common control with an Adviser provides investment advisory services to that Fund of Funds.

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80382; File No. SR–DTC–2017–002]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing of Proposed Rule Change To Address and Update Practices and Policies With Respect to the Credit Risk Rating Matrix and Make Other Changes

April 5, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 22, 2017, The Depository Trust Company (''DTC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of amendments to DTC's Rules, By-Laws and Organization Certificate (''Rules'').[4] The proposed rule change would amend Rules 1 and 2 in order to (i) address and update DTC's practices and policies with respect to the existing matrix (hereinafter referred to as the ''Credit Risk Rating Matrix'' or ''CRRM''), which was, as described in an earlier DTC rule filing,[5] developed by DTC to assign a credit rating to certain Participants (''CRRM-Rated Participants'') by evaluating the risks posed by CRRM-Rated Participants to DTC and its Participants from providing services to these CRRM-Rated Participants and (ii) make other amendments to the Rules to provide more transparency and clarity regarding DTC's current ongoing membership monitoring process.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The proposed rule change would amend Rules 1 and 2 in order to (i) address and update DTC's practices and policies with respect to the CRRM and (ii) provide more transparency and clarity regarding DTC's current membership monitoring process. In this regard, the proposed rule change would (i) add proposed definitions for the terms ''Credit Risk Rating Matrix'' and ''Watch List'' to Rule 1 (Definitions), as discussed below and (ii) amend Rule 2 (Participants and Pledgees) to (A) clarify a provision in Section 1 relating to the types of information a Participant must provide to DTC upon DTC's request for the Participant to demonstrate its satisfactory financial condition and operational capability, including its risk management practices with respect to services of DTC utilized by the Participant for another Person and (B) add a new Section 10 to include provisions relating to the monitoring, surveillance and review of Participants, including, but not limited to, the application of the CRRM and proposed

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On March 22, 2017, DTC filed this proposed rule change as an advance notice (SR–DTC–2017–801) with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010, 12 U.S.C. 5465(e)(1), and Rule 19b–4(n)(1)(i) of the Act, 17 CFR 240.19b–4(n)(1)(i). A copy of the advance notice is *available at http://www.dtcc.com/legal/sec-rule-filings.aspx.*

[4] Capitalized terms not defined herein are defined in the Rules, *available at www.dtcc.com/~/media/Files/Downloads/legal/rules/dtc_rules.pdf.*

[5] *See* Securities Exchange Act Release No. 53655 (April 14, 2006), 71 FR 20428 (April 20, 2006) (SR–DTC–2006–03) (order of the Commission) approving a proposed rule change (''2006 Rule Change'') of DTC to amend the criteria used by DTC to place Participants on surveillance status, including, but not limited to DTC's application of the CRRM and the placement of lower rated CRRM-Rated Participants on an internal list in order to be monitored more closely (''Watch List'').

enhancements to the CRRM, as further discussed below.

(i) Background

DTC occupies an important role in the securities settlement system by, among other things, providing services for the settlement of book-entry transfer and pledge of interests in eligible deposited securities and net funds settlement, in connection with which Participants may incur net funds settlement obligations to DTC. DTC uses the CRRM, the Watch List and the enhanced surveillance to manage and monitor default risks of Participants on an ongoing basis, as discussed below. The level and frequency of such monitoring for a Participant is determined by the Participant's risk of default as assessed by DTC. Participants that are deemed by DTC to pose a heightened risk to DTC and its Participants are subject to closer and more frequent monitoring.

Existing Credit Risk Rating Matrix

Pursuant to the 2006 Rule Change, all Participants that are either U.S. broker-dealers or U.S. banks are assigned a rating generated solely based on quantitative factors by entering financial data of those Participants into an internally generated credit rating matrix, *i.e.,* the CRRM.[6] All other types of Participants are monitored by credit risk staff using financial criteria deemed relevant by DTC but would not be assigned a rating by the CRRM.[7]

The 2006 Rule Change explained that credit risk staff could downgrade a particular Participant's credit rating based on various qualitative factors. An example of such qualitative factors might be that the Participant in question received a qualified audit opinion on its annual audit. DTC noted in the 2006 Rule Change that in order to protect DTC and its other Participants, it was important that credit risk staff maintain the discretion to downgrade a Participant's credit rating on the CRRM and thus subject the Participant to closer monitoring.

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks—and generates credit ratings for the relevant Participants based on a 7-point rating system, with ''1'' being the strongest credit rating and ''7'' being the weakest credit rating.

Over time, the current CRRM has not kept pace with DTC's evolving Participant membership base and heightened expectations from regulators and stakeholders for robustness of financial models. Specifically, the current CRRM only generates credit ratings for those Participants that are U.S. banks or U.S. broker-dealers that file standard reports with their regulators, which currently comprise 80% of Participants; foreign banks and trust companies currently account for 5% of Participants.[8] The number of Participants that are foreign banks or trust companies increased from 12 in 2012 to 13 in 2017, and is expected to continue to grow over the coming years. Foreign banks and trust companies are typically large global financial institutions that have complex businesses and conduct a high volume of activities. Although foreign banks and trust companies are not currently rated by the CRRM, they are monitored by DTC's credit risk staff using financial criteria deemed relevant by DTC and can be placed on the Watch List if they experience a financial change that presents risk to DTC. Given the increase in the number of foreign bank Participants in recent years, there is a need to formalize DTC's credit risk evaluation process of the foreign bank or trust company Participants by assigning credit ratings to them in order to better facilitate the comparability of credit risks among Participants.[9]

As mentioned above, a Participant's credit rating is currently based solely upon quantitative factors. It is only after the CRRM has generated a credit rating with respect to a Participant that such Participant's credit rating may be downgraded manually by credit risk staff, after taking into consideration relevant qualitative factors. The inability of the current CRRM to take into account qualitative factors requires frequent and manual overrides by credit risk staff, which may result in inconsistent and/or incomplete credit ratings for Participants.

Furthermore, the current CRRM uses a relative scoring approach and relies on peer grouping of Participants to calculate the credit rating of a Participant. This approach is not ideal because a Participant's credit rating can be affected by changes in its peer group even if the Participant's financial condition is unchanged.

Proposed Credit Risk Rating Matrix Enhancements

To improve the coverage and the effectiveness of the current CRRM, DTC is proposing three enhancements to the CRRM. The first proposed enhancement would expand the scope of CRRM coverage by enabling the CRRM to generate credit ratings for Participants that are foreign banks or trust companies and that have audited financial data that is publicly available. The second proposed enhancement would incorporate qualitative factors into the CRRM and therefore is expected to reduce the need and the frequency of manual overrides of Participant credit ratings. The third enhancement would replace the relative scoring approach currently used by CRRM with a statistical approach to estimate the absolute probability of default of each Participant.

A. Enable the CRRM to Generate Credit Ratings for Foreign Bank or Trust Company Participants

The current CRRM is comprised of two credit rating models—one for the U.S. broker-dealers and one for the U.S. banks. DTC is proposing to enhance the CRRM by adding an additional credit rating model for the foreign banks and trust companies. The additional model would expand the scope of Participants to which the CRRM would apply to include foreign banks and trust companies that have audited financial data that is publicly available. The CRRM credit rating of a foreign bank or trust company that is a Participant

[6] *See* 2006 Rule Change, SR–DTC–2006–03, 71 FR 20428, which explained that the ratings assigned by the CRRM were generated using financial data extracted from standard regulatory reports of U.S. broker-dealers and banks. A small number of U.S. banks which submitted standard regulatory reports were not assigned a rating because they did not take deposits or make loans, and therefore the regulatory reports of these banks did not contain information on asset quality and/or liquidity, which was a data component used in the CRRM. *Id.* However, the 2006 Rule Change provided DTC with discretion to continue to ''evaluate the matrix methodology and its effectiveness and make such changes as it deems prudent and practicable within such time frames as it determines to be appropriate.'' *Id.* DTC has continued to evaluate the CRRM and has determined that the CRRM is the most effective method available to it to evaluate the default risk presented by any U.S. bank that submits regulatory reports, including a bank whose reports exclude certain data components as mentioned above. Accordingly, DTC applies the CRRM to assign ratings to any U.S. bank that submits regulatory reports, including those that were not covered by the CRRM in 2006, as reflected in the proposed rule change.

[7] In the 2006 Rule Change, DTC noted that these Participants would be monitored by credit risk staff by reviewing similar criteria as those reviewed for Participants included on the matrix but such review would occur outside of the matrix process. *Id.*

[8] As of March 16, 2017, there are 251 Participants, of which 50 (or 20%) are U.S. banks, 151 (or 60%) are U.S. broker-dealers and 13 (or 5%) are foreign banks or trust companies.

[9] DTC noted in the 2006 Rule Change that the CRRM is applied across DTC and its affiliated clearing agencies, NSCC and FICC. Specifically, in order to run the CRRM, credit risk staff uses the financial data of the applicable DTC Participants in addition to data of applicable members of NSCC and FICC. In this way, each applicable DTC Participant is rated against other applicable members of NSCC and FICC. *See* 2006 Rule Change, SR–DTC–2006–03, 71 FR 20428.

would be based on quantitative factors, including size, capital, leverage, liquidity, profitability and growth, and qualitative factors, including market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity. By enabling the CRRM to generate credit ratings for these Participants, the enhanced CRRM would provide more comprehensive credit risk coverage of DTC's membership base.

With the proposed enhancement to the CRRM as described above, applicable foreign bank or trust company Participants would be included in the CRRM process and be evaluated more effectively and efficiently because financial data with respect to these foreign bank or trust company Participants could be extracted from data sources in an automated form.[10]

After the proposed enhancement, CRRM would be able to generate credit ratings on an ongoing basis for all Participants that are U.S. banks, U.S. brokers-dealers and foreign banks and trust companies, which together represent approximately 85% of Participants.[11]

B. Incorporate Qualitative Factors Into the CRRM

In addition, as proposed, the enhanced CRRM would blend both qualitative factors and quantitative factors to produce a credit rating for each applicable Participant in relation to the Participant's credit risk. For U.S. and foreign banks and trust companies, the enhanced CRRM would use a 70/30 weighted split between quantitative and qualitative factors to generate credit ratings. For U.S. broker-dealers, the weight split between quantitative and qualitative factors would be 60/40. These weight splits have been chosen by DTC based on the industry best practice as well as research and sensitivity analysis conducted by DTC. DTC would review and adjust the weight splits as well as the quantitative and qualitative factors, as needed, based on recalibration of the CRRM to be conducted by DTC approximately every three to five years.

Although there are advantages to measuring credit risk quantitatively, quantitative evaluation models alone are incapable of fully capturing all credit risks. Certain qualitative factors may indicate that a Participant is or will soon be undergoing financial distress, which may in turn signal a higher default exposure to DTC and its other Participants. As such, a key enhancement being proposed to the CRRM is the incorporation of relevant qualitative factors into each of the three credit rating models mentioned above. By including qualitative factors in the three credit rating models, the enhanced CRRM would capture risks that would otherwise not be accounted for with quantitative factors alone.[12] Adding qualitative factors to the CRRM would not only enable it to generate more consistent and comprehensive credit ratings for applicable Participants, but it would also help reduce the need and frequency of manual credit rating overrides by the credit risk staff because overrides would likely only be required under more limited circumstances.[13]

C. Shifting From Relative Scoring to Absolute Scoring

As proposed, the enhanced CRRM would use an absolute scoring approach and rank each Participant based on its individual probability of default rather than the relative scoring approach that is currently in use. This proposed change is designed to have a Participant's CRRM-generated credit rating reflect an absolute measure of the Participant's default risk and eliminate any potential distortion of a Participant's credit rating from the Participant's peer group that may occur under the relative scoring approach used in the existing CRRM.

D. Watch List and Enhanced Surveillance

In addition to the Watch List, DTC also maintains an enhanced surveillance list (referenced herein and in the proposed rule text as ''enhanced surveillance'') for membership monitoring. The enhanced surveillance list is generally used when Participants are undergoing drastic and unexpected changes in their financial conditions or operation capabilities and thus are deemed by DTC to be of the highest risk level and/or warrant additional scrutiny due to DTC's ongoing concerns about these Participants. Accordingly, Participants that are subject to enhanced surveillance are reported to DTC's management committees and are also regularly reviewed by a cross-functional team comprised of senior management of DTC. More often than not, Participants that are subject to enhanced surveillance are also on the Watch List. The group of Participants that is subject to enhanced surveillance is generally much smaller than the group on the Watch List. The enhanced surveillance list is an internal tool for DTC that triggers increased monitoring of a Participant above the monitoring that occurs when a Participant is on the Watch List.

A Participant could be placed on the Watch List either based on its credit rating of 5, 6 or 7, which can either be generated by the CRRM or from a manual downgrade, or when DTC deems such placement as necessary to protect DTC and its Participants. In contrast, a Participant would be subject to enhanced surveillance only when close monitoring of the Participant is deemed necessary to protect DTC and its Participants.

(ii) Detailed Description of the Proposed Rule Changes

The 2006 Rule Change, while setting forth the procedures DTC follows with regard to the CRRM and the Watch List, did not incorporate these procedures into the text of the Rules. Pursuant to the proposed rule change, DTC would amend the Rules to incorporate the CRRM with the enhancements proposed above, including (1) the use of both quantitative and qualitative factors in generating credit ratings for CRRM-Rated Participants, (2) the expansion of the scope of CRRM coverage to enable the CRRM to generate credit ratings for Participants that are (a) U.S. banks that file the Consolidated Report of Condition and Income (''Call Report''), (b) U.S. broker-dealers that file the Financial and Operational Combined Uniform Single Report (''FOCUS

[10] In the 2006 Rule Change, DTC noted that these Participants would be monitored by credit risk staff by reviewing similar criteria as those reviewed for Participants included on the CRRM, but such review would occur outside of the CRRM process. *Id.*

[11] As of March 16, 2017, there are 37 Participants that would not be rated by the enhanced CRRM, as proposed, because they are central securities depositories, securities exchanges, government sponsored entities, central counterparties, central banks and U.S. trust companies that do not file Call Reports (as defined below).

[12] The initial set of qualitative factors that would be incorporated into the CRRM includes (a) for U.S. broker dealers, market position and sustainability, management quality, capital management, liquidity management, geographic diversification, business/product diversity and access to funding, (b) for U.S. banks, environment, compliance/litigation, management quality, liquidity management and parental demands and (c) for foreign banks and trust companies, market position and sustainability, information reporting and compliance, management quality, capital management and business/product diversity.

[13] Once a Participant is assigned a credit rating, if circumstances warrant, credit risk staff would still have the ability to override the CRRM-issued credit rating by manually downgrading such rating as they do today. To ensure a conservative approach, the CRRM-issued credit ratings cannot be manually upgraded.

Report'') or the equivalent with their regulators, or (c) foreign banks or trust companies that have audited financial data that is publicly available and (3) that the CRRM would use an absolute scoring approach and rank each Participant based on its individual probability of default (rather than the relative scoring approach that is currently in use). Also, the proposed rule change would define the CRRM and the Watch List and add rule text to provide more transparency and clarity regarding DTC's current ongoing membership monitoring process.

In this regard, the proposed rule change would (i) add proposed definitions for CRRM and Watch List to Rule 1 (Definitions) and (ii) amend Rule 2 (Participants and Pledgees) (A) Section 1 to clarify a provision relating to the types of information a Participant must provide to DTC upon DTC's request for the Participant to demonstrate its satisfactory financial condition and operational capability, including its risk management practices with respect to services of DTC utilized by the Participant for another Person or Persons and (B) to add a new Section 10 to include provisions relating to the monitoring, surveillance and review of Participants, including, but not limited to, the application of the CRRM and proposed enhancements to the CRRM, as further discussed below.

A. Proposed Changes to Rule 1 (Definitions)

The proposed rule change would amend Rule 1 to add definitions for the CRRM and the Watch List.

The proposed definition of the CRRM would provide that the term ''Credit Risk Rating Matrix'' means a matrix of credit ratings of Participants as specified in the proposed new Section 10(a) of Rule 2. As proposed, the definition would state that the CRRM is developed by DTC to evaluate the credit risk such Participants pose to DTC and its Participants and is based on factors determined to be relevant by DTC from time to time, which factors are designed to collectively reflect the financial and operational condition of a Participant. The proposed definition would also state that these factors include (i) quantitative factors, such as capital, assets, earnings and liquidity and (ii) qualitative factors, such as management quality, market position/environment and capital and liquidity risk management.

The proposed definition of the Watch List would provide that the term ''Watch List'' means, at any time and from time to time, the list of Participants whose credit ratings derived from the CRRM are 5, 6 or 7, as well as Participants that, based on DTC's consideration of relevant factors, including those that would be set forth in the proposed new Section 10 of Rule 2 (described below), are deemed by DTC to pose a heightened risk to DTC and its Participants.

B. Proposed Changes to Section 1 of Rule 2 (Participants and Pledgees)

Section 1 of Rule 2 provides, among other things, that upon the request of DTC, a Participant shall furnish to DTC information sufficient to demonstrate its satisfactory financial condition and operational capability. The proposed rule change would, by way of example, clarify that the types of information that DTC may require in this regard include, but are not limited to, such information as DTC may request regarding the businesses and operations of the Participant and its risk management practices with respect to services of DTC utilized by the Participant for another Person.

C. Proposed New Section 10 of Rule 2

The proposed rule change would add a new Section 10 of Rule 2 to include provisions relating to the monitoring, surveillance and review of Participants, including, but not limited to, the application of, and the proposed enhancements to, the CRRM. In this regard, the proposed new Section 10 of Rule 2 would provide that:

(1) All Participants would be monitored and reviewed by DTC on an ongoing and periodic basis, which may include monitoring of news and market developments and review of financial reports and other public information.

(2)(i) A Participant that is (A) qualified to be a Participant pursuant to (x) Rule 3, Section 1(d) and files the Call Report (*i.e.,* a U.S. Bank) or (y) Rule 3, Section 1(h)(ii) and files the FOCUS Report or the equivalent with its regulator (*i.e.,* a U.S. broker-dealer) or (B) a foreign bank or trust company qualified to be a Participant pursuant to Section 2 of the Policy Statement on the Admission of Participants and that has audited financial data that is publicly available, would be assigned a credit rating by DTC in accordance with the CRRM. The proposed rule change would also provide that a Participant's credit rating will be reassessed each time the Participant provides DTC with requested information pursuant to Section 1 of Rule 2, or as may be otherwise required under the Rules and Procedures [14] (including proposed new Section 10 of Rule 2).

(ii) Because the factors used as part of the CRRM may not identify all risks that a CRRM-Rated Participant may present to DTC, DTC may, in its discretion, override the CRRM-Rated Participant's credit rating derived from the CRRM to downgrade that Participant. In this regard, the proposed rule change would provide that (A) such a downgrading may result in the Participant being placed on the Watch List, and/or it may subject the Participant to enhanced surveillance based on relevant factors, including those described in paragraph (4) below and (B) DTC may also take such additional actions with regard to the Participant as are permitted by the Rules and Procedures.

(3) Participants other than CRRM-Rated Participants would not be assigned a credit rating by the CRRM but may be placed on the Watch List and/or may be subject to enhanced surveillance based on relevant factors, including those described in paragraph (4) below, as DTC deems necessary to protect it and its Participants.

(4) The factors to be considered by DTC as proposed in paragraphs (2)(ii) and (3) above would include, but would not be not limited to, (i) news reports and/or regulatory observations that raise reasonable concerns relating to the Participant, (ii) reasonable concerns around the Participant's liquidity arrangements, (iii) material changes to the Participant's organizational structure, (iv) reasonable concerns of DTC about the Participant's financial stability due to particular facts and circumstances, such as material litigation or other legal and/or regulatory risks, (v) failure of the Participant to demonstrate satisfactory financial condition or operational capability or if DTC has a reasonable concern regarding the Participant's ability to maintain applicable participation standards and (vi) failure of the Participant to provide information required by DTC to assess risk exposure posed by the Participant's activity (including information requested by DTC pursuant to Section 1 of Rule 2).

(5) A Participant being subject to enhanced surveillance or being placed on the Watch List would result in more thorough monitoring of the Participant's financial condition and/or operational capability, which could include, for example, on-site visits or additional due diligence information requests from

[14] Pursuant to Section 1 of Rule 1, the term ''Procedures'' means the Procedures, service guides, and regulations of DTC adopted pursuant to Rule 27, as amended from time to time. Rules, *supra* note 4.

DTC. In this regard, the proposed rule change would provide that DTC may require a Participant placed on the Watch List and/or subject to enhanced surveillance to make more frequent financial disclosures, including, without limitation, interim and/or pro forma reports. The proposed rule change would also provide that Participants that are subject to enhanced surveillance would also be reported to DTC's management committees and regularly reviewed by a cross-functional team comprised of senior management of DTC. The proposed rule change would further provide that DTC may also take such additional actions with regard to any Participant (including a Participant placed on the Watch List and/or subject to enhanced surveillance) as are permitted by the Rules and Procedures.

Implementation Timeframe

Pending Commission approval, DTC expects to implement this proposal promptly. Participants would be advised of the implementation date of this proposal through issuance of a DTC Important Notice.

2. Statutory Basis

Section 17A(b)(3)(F) of the Act requires that the Rules be designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in the custody or control of DTC or for which it is responsible.[15]

By enhancing the CRRM to enable it to assign credit ratings to Participants that are foreign banks or trust companies and that have audited financial data that is publicly available, DTC believes that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change expands the CRRM's applicability to a wider group of Participants, which further improves DTC's membership monitoring process and better enables DTC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Similarly, by enhancing the CRRM to enable it to incorporate qualitative factors when assigning a Participant's credit rating, DTC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable DTC to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by Participants, thus improving DTC's membership monitoring process overall, which would in turn better enable DTC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

Likewise, by enhancing the CRRM to shift from a relative scoring approach to an absolute scoring approach when assigning a Participant's credit rating, DTC believes that this proposed rule change is consistent with Section 17A(b)(3)(F) of the Act. This is because the proposed rule change would enable DTC to generate credit ratings for Participants that are more reflective of the Participants' default risk, thus improving DTC's membership monitoring process overall, which would in turn better enable DTC to safeguard the securities and funds which are in its custody or control or for which it is responsible in furtherance of the Act.

By providing specificity, clarity and additional transparency to the Rules related to DTC's current ongoing membership monitoring process, DTC believes that the proposed rule changes to (1) Rule 1 to add the definitions of CRRM and Watch List, (2) Section 1 of Rule 2 to clarify a provision relating to the types of information a Participant must provide to DTC upon DTC's request for the Participant to demonstrate its satisfactory financial condition and operational capability and (3) add Section 10 of Rule 2 to include provisions relating to the monitoring, surveillance and review of Participants, including, but not limited to, the application of the CRRM and proposed enhancements thereto, are consistent with Section 17A(b)(3)(F) of the Act because the proposed rule changes would help ensure that the Rules remain accurate and clear. Collectively, the proposed changes would help ensure that the Rules are more transparent, accurate and clear, which would help enable all stakeholders to readily understand their respective rights and obligations with DTC's clearance and settlement of securities transactions. Therefore, DTC believes that the proposed rule changes would promote the prompt and accurate clearance and settlement of securities transactions, consistent with Section 17A(b)(3)(F) of the Act.

The proposed enhancements to the CRRM are consistent with Rule 17Ad–22(e)(3)(i) under the Act, which was recently adopted by the Commission.[16] Rule 17Ad–22(e)(3)(i) will require DTC to establish, implement, maintain and enforce written policies and procedures reasonably designed to maintain a sound risk management framework for comprehensively managing risks that arise in or are born by DTC, which includes . . . systems designed to identify, measure, monitor and manage the range of risks that arise in or are borne by DTC.[17] The proposed enhancements to the CRRM have been designed to assist DTC in identifying, measuring, monitoring and managing the credit risks to DTC posed by its Participants. The proposed enhancements to the CRRM accomplish this by (i) expanding the CRRM's applicability to a wider group of Participants to include Participants that are foreign banks or trust companies, (ii) enabling the CRRM to take into account relevant qualitative factors in an automated and more effective manner when monitoring the credit risks presented by Participants and (iii) enabling the CRRM to generate credit ratings for Participants that are more reflective of the Participants' default risk by shifting to an absolute scoring approach, all of which would improve DTC's membership monitoring process overall. Therefore, DTC believes the proposed enhancements to the CRRM would assist DTC in identifying, measuring, monitoring and managing risks that arise in or are born by DTC, consistent with the requirements of Rule 17Ad–22(e)(3)(i).

The proposed rule change to Section 1 of Rule 2 with respect to the scope of information that may be requested by DTC from its Participants has been designed to be consistent with Rule 17Ad–22(e)(19) under the Act, which was recently adopted by the Commission.[18] Rule 17Ad–22(e)(19) will require DTC to establish, implement, maintain and enforce written policies and procedures reasonably designed to identify, monitor, and manage the material risk to DTC arising from arrangements in which firms that are indirect participants in DTC rely on the services provided by Participants to access DTC's payment, clearing, or settlement facilities.[19] By expressly reflecting in

[15] 15 U.S.C. 78q–1(b)(3)(F).

[16] 17 CFR 240.17Ad–22(e)(3)(i). The Commission adopted amendments to Rule 17Ad–22, including the addition of new subsection 17Ad–22(e), on September 28, 2016. *See* Securities Exchange Act Release No. 78961 (September 28, 2016), 81 FR 70786 (October 13, 2016) (S7–03–14). DTC is a ''covered clearing agency'' as defined by the new Rule 17Ad–22(a)(5) and must comply with new subsection (e) of Rule 17Ad–22 by April 11, 2017. *Id.*

[17] *Id.*

[18] 17 CFR 240.17Ad–22(e)(19). *Id.*

[19] *Id.*

the Rules what is already DTC's current practice associated with its request for information sufficient to demonstrate a Participant's satisfactory financial condition and operational capability to state that such request may include information regarding the businesses and operations of the Participant, as well as its risk management practices with respect to services of DTC utilized by the Participant for another Person, this proposed rule change would help enable DTC to have rule provisions that are reasonably designed to identify, monitor and manage the material risks to DTC arising from tiered participation arrangements consistent with Rule 17Ad–22(e)(19).

(B) Clearing Agency's Statement on Burden on Competition

DTC does not believe that the proposed rule change to (i) enable the CRRM to generate credit ratings for Participants that are foreign banks or trust companies, (ii) incorporate qualitative factors into the CRRM and (iii) shift to an absolute scoring approach would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.[20] These proposed enhancements to the CRRM would improve DTC's Participant credit risk evaluation process by (1) expanding the CRRM's credit rating capability and thereby providing more comprehensive credit risk coverage of Participants, (2) enabling the CRRM to generate more consistent and comprehensive credit ratings for Participants and thereby reducing the need and frequency for manual downgrades and (3) enabling the CRRM to generate credit ratings for Participants that are more reflective of the Participants' default risk. However, DTC recognizes that any change to its Participant credit risk evaluation process, such as the proposed rule change, may impose a burden on competition in terms of potential impact on Participants' credit ratings. Nevertheless, DTC believes that any burden on competition derived from the proposed rule change would be necessary and appropriate in furtherance of the Act because the proposed enhancements to the CRRM would help improve DTC's membership monitoring process and thus better enable DTC to safeguard the securities and funds which are in its custody or control or for which it is responsible. Furthermore, the proposed enhancements to the CRRM would also assist DTC in identifying, measuring, monitoring and managing risks that arise in or are born by DTC. As such, DTC does not believe the proposed enhancements to the CRRM would impose any burden on competition that is not necessary or appropriate in furtherance of the Act.

DTC does not believe that the proposed rule changes to (i) add proposed definitions for CRRM and Watch List to Rule 1 and (ii) amend Rule 2 to (A) clarify a provision relating to the types of information a Participant must provide to DTC upon DTC's request for the Participant to demonstrate its satisfactory financial condition and operational capability and (B) add provisions relating to the monitoring, surveillance and review of Participants that may operate separately or in conjunction with DTC's application of the CRRM, would have any impact on competition because each of such proposed rule changes is designed to provide additional specificity, clarity and transparency in the Rules regarding DTC's current ongoing membership monitoring process by expressly providing in the Rules DTC's current practices with respect to such process. As such, these proposed rule changes would not impact Participants or impose any burden on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments relating to this proposed rule change have not been solicited or received. DTC will notify the Commission of any written comments received by DTC.

III. Date of Effectiveness of the Proposed Rule Change, and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self- regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.

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–DTC–2017–002 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

All submissions should refer to File Number SR–DTC–2017–002. 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 DTC and on DTCC's Web site (*http://dtcc.com/legal/sec-rule-filings.aspx*). 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–DTC–2017–002 and should be submitted on or before May 2, 2017.

[20] 15 U.S.C. 78q–1(b)(3)(I).

[21] 17 CFR 200.30–3(a)(12).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07181 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review: Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Revision:

Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies, SEC File No. 270–664, OMB Control No. 3235–0740.

ACTION: Notice.

SUMMARY: The Securities and Exchange Commission (the SEC) has submitted a revision to a currently approved information collection to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The SEC previously received OMB approval for a collection of information associated with the Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies (Joint Standards). The revision adds a form entitled ''Diversity Assessment Report Assessment Report for Entities Regulated by the SEC'' (Diversity Assessment Report) to facilitate the collection of information contemplated under the Joint Standards.

DATES: Comments must be submitted on or before May 11, 2017.

ADDRESSES: The public may review the background documentation for this information collection at the following Web site: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Shagufta_Ahmed@omb.eop.gov;* and (ii) Pamela C. Dyson, Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov,* and include ''SEC File No. 270–664—OMWI Diversity Assessment Report'' in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Pamela A. Gibbs, Director, Office of Minority and Women Inclusion, (202) 551–6046, or Audrey B. Little, Senior Counsel, Office of Minority and Women Inclusion, (202) 551–6086, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), certain Federal agencies must obtain approval from OMB for each collection of information that they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) (and 5 CFR 1320.3(c) of the PRA implementing regulations) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The PRA (44 U.S.C. 3506(c)(2)(A)) directs these Federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, the SEC is publishing this notice to invite public comment on the proposed revision to the currently approved information collection discussed below.

Title of Collection: Joint Standards for Assessing Diversity Policies and Practices of Entities Regulated by the Agencies.

OMB Control Number: 3235–0740.

Description: The SEC previously received OMB approval for a voluntary information collection associated with the Joint Standards, pursuant to which entities regulated by the SEC may conduct voluntarily self-assessments of their diversity policies and practices and provide information to pertaining to the self-assessments to the SEC.[1] This proposed revision to the currently approved collection adds a form entitled ''Diversity Assessment Report for Entities Regulated by the SEC'' (Diversity Assessment Report) to assist with collection of information regarding regulated entities' policies and practices relating to diversity and inclusion. The Diversity Assessment Report (1) asks for general information about a respondent; (2) includes questions relating to the standards set forth in the Joint Standards; (3) seeks data related to workforce diversity and supplier diversity; and (4) provides an opportunity for comments. A draft of this Diversity Assessment Report can be viewed at *https://www.sec.gov/omwi/sec-entity-diversity-assessment-report-draft.pdf.* The SEC estimates that use of the Diversity Assessment Report would reduce the average response time for this collection per respondent from 12 hours to 10 hours.

The SEC may use the information submitted by the entities it regulates to monitor progress and trends in the financial services industry with regard to diversity and inclusion in employment and contracting activities and to identify and highlight those policies and practices that have been successful. The SEC will continue to reach out to the regulated entities and other interested parties to discuss diversity and inclusion in the financial services industry and share leading practices. The SEC may also publish information disclosed by the entity, such as any identified leading practices, in any form that does not identify a particular institution or disclose confidential business information. The SEC will *not* publish diversity and inclusion information that identifies any particular regulated entity unless the regulated entity consents in writing to such use.

Type of Review: Revision.

Frequency of Response: Annually.

Burden Estimates:

Revised Number of Respondents: 1,300.[2]

Revised Average Response Time Per Respondent: 10 hours.

Revised Total Annual Burden Hours: 13,000.

Obligation to Respond: Voluntary.

Comments: On January 24, 2017, the SEC published a notice of its proposed revision to the currently approved information collection associated with the Joint Standards, and allowed the public 60 days to submit comments.[3] *See* 82 FR 8248. The comment period closed March 27, 2017, and the SEC received no comments that addressed the proposed revision to the information collection.

Written comments continue to be invited on: (a) whether the collection of information is necessary for the proper performance of the functions of the SEC, including whether the information has practical utility; (b) the accuracy of the SEC's estimate of the information collection burden, including the validity of the methods and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information proposed to be collected; (d) ways to minimize the burden of the collection

[1] 80 FR 33016 (June 10, 2015).

[2] This number has been modified to account for the ever changing number of entities regulated by the SEC. It still, however, represents about 5% of regulated entities, as set forth in the original PRA notice for the Joint Standards.

[3] 82 FR 8248.

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.

Dated: April 5, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07249 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80380; File No. SR–NASDAQ–2017–030]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Reduce Fees for Certain Connectivity Under Rule 7015(g)(1) and Rule 7034(b)

April 5, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 28, 2017, The NASDAQ Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to assess reduced monthly fees for microwave or millimeter wave ports under Rule 7015(g)(1) and wireless market data connectivity under Rule 7034(b), based on the total number of subscriptions to such wireless connectivity under those rules. While these amendments are effective upon filing, the Exchange has designated the proposed amendments to be operative on April 3, 2017.

The text of the proposed rule change is available on the Exchange's Web site at *http://nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to assess reduced monthly fees for microwave or millimeter wave ports under Rules 7015(g)(1) and 7034(b), based on the total number of subscriptions to ports under Rule 7015(g)(1) and colocation connectivity to market data feeds under Rule 7034(b).

Under Rule 7015(g)(1), the Exchange provides Multi-cast ITCH (''MITCH'') Wave Ports to clients co-located at other third-party data centers, including the New York Stock Exchange's (''NYSE'') data center located in Mahwah, NJ, through which the Exchange's TotalView ITCH market data is distributed after delivery to those data centers via a wireless network. Rule 7034(b) provides the various connectivity options for co-location services. The Exchange offers multicast Market Data feeds that are delivered to the Exchange's data center located in Carteret, NJ via a wireless network.[3] The Exchange offers connectivity to data feeds provided by NYSE, BATS (including Direct Edge), and CME, which are delivered wirelessly by third party vendors from those market's data centers to the Exchange's Carteret, NJ data center. Specifically, the NYSE Equities data feeds under Rule 7034(b) are wirelessly delivered to Carteret, NJ from NYSE's Mahwah, NJ data center, the BATS and Direct Edge data feeds are wirelessly delivered to Carteret, NJ from BATS's Secaucus, NJ data center, and the CME data feeds are wirelessly delivered to Carteret, NJ from CME's Aurora, IL data center.

The Exchange is proposing to provide discounts to the current monthly fees for microwave or millimeter wave connectivity under Rules 7015(g)(1) and 7034(b) based on the total number of billable subscriptions under those rules.[4] The fees under Rules 7015(g)(1) and 7034(b) differ based on the costs incurred by the Exchange in providing the connectivity, including vendor costs that generally increase with the distance between the origin and destination of the wireless signal. To keep the discounts in line with the different fees assessed for the connectivity under Rules 7015(g)(1) and 7034(b), the Exchange is proposing to apply a percentage-based reduction on the fees assessed in lieu of a fixed amount. Specifically, the Exchange is proposing to provide subscribers with three to five microwave or millimeter wave wireless subscriptions under Rule 7015(g)(1) and/or Rule 7034(b) a 5% discount on all such subscriptions; subscribers with six to ten microwave or millimeter wave wireless subscriptions under Rule 7015(g)(1) and/or Rule 7034(b) would receive a 10% discount on all such subscriptions; subscribers with eleven to fourteen microwave or millimeter wave wireless subscriptions under Rule 7015(g)(1) and/or Rule 7034(b) would receive a 15% discount on all such subscriptions; and subscribers with fifteen or more microwave or millimeter wave wireless subscriptions under Rule 7015(g)(1) and/or Rule 7034(b) would receive a 20% discount on all such subscriptions.

The Exchange notes that the proposed reduction in fees will reward the greatest users of its wireless connectivity under Rule 7015(g)(1) and/or Rule 7034(b), although the Exchange does not believe that the proposed change will result in a fee assessed that is less than the cost of offering the connectivity.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5)

[3] Subscription to the connectivity options under Rule 7034(b) is entirely optional. To receive a particular data feed, a participant must subscribe to the connectivity under Rule 7034(b) and also have a subscription to the data feed with the applicable exchange.

[4] The Exchange is proposing to add footnotes to Rules 7015(g)(1) and 7034(b) describing the proposed discounts. As described above, Rule 7015(g)(1) provides wireless connectivity to clients co-located at other third-party data centers and Rule 7034(b) provides wireless colocation connectivity options to clients at the Exchange's colocation facility. Any of the options under these rules may be subscribed to by a client of the Exchange, and the Exchange is using the term ''subscriber'' to refer to any such client subscribing to one or more of the options under Rules 7015(g)(1) and/or 7034(b).

[5] 15 U.S.C. 78f(b).

of the Act,[6] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange believes that the proposed fee reductions are reasonable because they are less than the fees currently assessed for the connectivity under Rule 7015(g)(1) and Rule 7034(b), while continuing to allow the Exchange to cover the costs associated with offering the connectivity. The Exchange believes that the proposed fee reductions are an equitable allocation and are not unfairly discriminatory because the reduction to each fee is based on applying a percentage, which will account for the varying expense of each connectivity option under Rule 7015(g)(1) and Rule 7034(b). For example, a subscriber that has three subscriptions total under Rule 7015(g)(1) and/or Rule 7034(b) in a given month, with one MITCH Wave Port at Mahwah, NJ at $10,000 per month, one MITCH Wave Port at Weehawken, NJ at $7,500 per month and one Wireless Connectivity to NYSE Equities (Arca Integrated) at $10,000 per month, would realize a reduction of $500 ($10,000 − ($10,000 × .05)) to its MITCH Wave Port at Mahwah, NJ subscription and a reduction of $375 ($7,500 − ($7,500 × .05)) to its MITCH Wave Port at Weehawken, NJ subscription, and a reduction of 500 ($10,000 − ($10,000 × .05) to its Wireless Connectivity to NYSE Equities (Arca Integrated). Thus, the levels of the proposed fee reductions are related to the fee assessed for the connectivity offered, which ensures that subscribers receive a fee reduction consistent with the amount of its fee burden. In contrast, offering a flat rebate would benefit some subscribers (*i.e.,* those with a greater number of lower cost subscriptions) over other subscribers (*i.e.,* those with higher cost subscriptions) for whom the flat fee would be less meaningful. The Exchange believes that the proposed tiers are an equitable allocation and are not unfairly discriminatory because the number of subscriptions required to qualify for each tier generally increases linearly between each tier. The Exchange chose the number of subscriptions required, and the percentage of the fee discounts, based on its analysis of the level of subscribership under Rule 7015(g)(1) and Rule 7034(b) and its desire to provide meaningful discounts to its fees to promote greater connectivity thereunder, balanced against the Exchange's need to cover costs for such connectivity.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. In terms of inter-market competition, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because most competitors are not required to file their fees with regulators, they are free to quickly and easily modify their fees and discount policies for each subscriber. Subscribers also have a good amount of wireless connectivity vendors to choose from for these services and can switch between providers quite easily.

In this instance, the proposed changes to the charges assessed for microwave or millimeter wave ports under Rule 7015(g)(1) and wireless market data connectivity under Rule 7034(b) do not impose a burden on competition because the Exchange's connectivity services are completely voluntary and subject to extensive competition from other exchanges and from connectivity vendors. The proposed reduction to the monthly fees assessed for microwave or millimeter wave wireless connectivity under Rules 7015(g)(1) and 7034(b) does not place a burden on competition, but rather may promote competition as it will reduce costs for subscribers to the connectivity provided under those rules. As a consequence, competitor exchanges and other market venues may choose to offer similar reductions in fees, to the benefit of all market participants. Ultimately, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose wireless subscriptions, and the revenue derived therefrom, as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act.[7]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include File No. SR–NASDAQ–2017–030 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File No. SR–NASDAQ–2017–030. 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

[6] 15 U.S.C. 78f(b)(4) and (5).

[7] 15 U.S.C. 78s(b)(3)(A)(ii).

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 No. SR–NASDAQ–2017–030, and should be submitted on or before May 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07179 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–80379; File No. SR–LCH SA–2017–002]

Self-Regulatory Organizations; LCH SA; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Retroactively Apply Recently-Revised Fee Schedule

April 5, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on March 30, 2017, Banque Centrale de Compensation, which conducts business under the name LCH SA (''LCH SA''), filed with the Securities and Exchange Commission (''Commission'') the proposed rule change described in Items I and II below, which Items have been primarily prepared by LCH SA. LCH SA filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act,[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[8] 17 CFR 200.30–3(a)(12).

[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).

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change, Security-Based Swap Submission, or Advance Notice

The proposed rule change will retroactively apply LCH SA's recently-revised fee schedule [5] from January 1, 2017 through February 17, 2017, the date that the revised schedule became effective.

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change, Security-Based Swap Submission, or Advance Notice

In its filing with the Commission, LCH SA 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. LCH SA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change, Security-Based Swap Submission, or Advance Notice

1. Purpose

The purpose of the proposed rule change is to retroactively apply LCH SA's recently-revised fee schedule beginning January 1, 2017.

The purpose of the CDSClear fee grid revisions was to: (1) Modify the annual fixed fee that covers all self-clearing activity for a Clearing Member and its affiliates under the Unlimited Tariff, (2) establish an annual fixed fee for all General Members that participate in the CDS Clearing Services under the Introductory Tariff, and (3) remove the volume-based discounts previously in effect for the client clearing activities of the CDS Clearing Service.

LCH SA was registered on December 29, 2016 but had long-standing plans to revise the fee schedule with an intended effective date of January 1, 2017.

The need to apply the fees retroactively results from being granted registration on December 29, 2016, only one (1) full business day prior to the expected effective date on January 1, which, when coupled with technological difficulties (including purchase of a digital certificate) associated with the filing process, resulted in LCH SA not being able to submit the filing on December 30, 2016, as LCH SA initially anticipated.

Because LCH SA had also intended the fee change to become effective by January 1, 2017 it had already gone through the member consultation process, meaning that members were aware of the pending change in fee structure, including the proposed effective date of January 1, 2017.

Additionally, LCH SA's national competent authorities had been advised of the proposed fee change that had already gone through the regulatory review process with the Commodity Futures Trading Commission (''CFTC'') in a manner that would have permitted the fee change to take effect on January 1, 2017.[6]

In that way, the proposed fee change was published on LCH SA's Web site no later than December 14, 2016, when it was self-certified to the CFTC pursuant to CFTC Rule 40.6.

2. Statutory Basis

LCH SA believes that the proposal is consistent with the provisions of Section 17A of the Act, in general and in particular with Section 17A(b)(3)(D) of the Act requiring the equitable allocation of reasonable dues, fees and other charges.[7]

LCH believes that applying the fees retroactively is reasonable. The fees would have been applicable absent the year end Commission registration as well as the technological difficulties LCH SA encountered with the submission of the filing. The members of LCH SA were consulted in advance and were fully aware that such fees were intended to be applicable by January 1, 2017.

Section 17A(b)(3)(D) of the Act requires that the rules of a clearing agency provide for the equitable allocation of reasonable dues, fees, and other charges.[8] With respect to the Unlimited Tariff, LCH SA has determined that the reduction in the Unlimited Tariff fixed fee for General Members with respect to self-clearing activity on behalf of the Clearing Member and its affiliates is reasonable and appropriate given the costs and expenses to LCH SA. With CDSClear now reaching a maturity stage in its development and the introduction of mandatory clearing of OTC derivatives

[5] Changes to the fee schedule included (1) a modification of the annual fixed fee that covers all self-clearing activity for a Clearing Member and its affiliates under the Unlimited Tariff, (2) addition of an annual fixed fee for all General Members that participate in the CDS Clearing Services under the Introductory Tariff, and (3) removal of the volume-based discounts previously in effect for the client clearing activities of the CDS Clearing Service. *See* Securities Exchange Act Release No. 34–80114 (February 27, 2017), 82 FR 12481 (March 3, 2017).

[6] *See http://www.cftc.gov/filings/orgrules/rule121516lchsadco001.pdf.*

[7] 15 U.S.C. 78q–1(b)(3)(D).

[8] 15 U.S.C. 78q–1(b)(3)(D).

in 2017, which will result in an increase in CDS client clearing activities, it is appropriate that the costs and expenses that LCH SA will incur in providing the CDS Clearing Service are shared more broadly among General Members and their clients that participate in the service. For the same reasons, LCH SA has determined that the cap on self-clearing fees, inclusive of the annual fixed fee, applicable to General Members electing the Introductory Tariff, should be lowered to the same amount as the revised Unlimited Tariff.

With respect to the annual fixed fee for General Members under the Introductory Tariff, LCH SA has determined that implementing an annual fixed fee for all General Members that participate in the CDS Clearing Service under the Introductory Tariff (which fee is separate from and in addition to the self-clearing and client clearing variable fees currently assessed), is reasonable and appropriate given the costs and expenses to LCH SA in providing the services to General Members. The fee assures that all General Members that benefit from the CDS Clearing Service pay an appropriate fee for such services, such as being consulted on potential rules, product and service changes, as well as benefiting from unlimited support for product and system training and testing, without regard to whether such General Members engage in CDS clearing activities. The proposed rule changes, therefore, are consistent with the requirements of Section 17A of the Act[9] and regulations thereunder applicable to it, because they provide for the equitable allocation of reasonable fees, dues, and other charges among clearing members and market participants by ensuring that General Members and their clients pay reasonable fees and dues for the services that LCH SA provides.

With respect to the removal of volume-based discounts, LCH SA has determined that removing the volume-based discounts for CDS client clearing activities is reasonable and appropriate given the costs and expenses to LCH SA in providing such services. The elimination of volume-based discounts will assure that clients pay an appropriate proportionate share of the costs and expenses that LCH SA will incur in providing the CDS Clearing Service.

B. Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act requires that the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[10]

LCH SA does not believe that the proposed retroactive application of the fee changes from January 1, 2017 would impose any burden on competition. LCH SA believes that the reduction in the annual Tariffs assessed on General Members with respect to self-clearing activity are reasonable and appropriate, as the Tariffs will apply equally to all General Members that self-clear CDS under the Unlimited Tariff. Additionally, LCH SA believes that an annual fixed fee for all General Members that participate in the CDS Clearing Service under the Introductory Tariff, which fee is separate from and in addition to the self-clearing and client clearing variable fees currently assessed, is appropriate in light of the expenses incurred by LCH SA in providing its services. Further, LCH SA believes that removing the volume-based discounts for CDS client clearing activities is reasonable and appropriate, as the clearing fees will apply equally to all clients that participate in the CDS Clearing Service.

The retroactive application of the fee changes will apply to all CDSClear members and will not adversely affect their ability to engage in cleared transactions or to access clearing services.

C. Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not been solicited or received. LCH SA will notify the Commission of any written comments received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A)[11] of the Act and Rule 19b–4(f)(6) thereunder.[12]

LCH SA has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. According to LCH SA, the proposed retroactive application of the recently-revised fee schedule does not significantly affect the protection of investors or the public interest because LCH SA, its members, and its other regulators all expected that the revised fee schedule would apply starting on January 1, 2017.

After careful consideration, the Commission agrees that a waiver of the 30-day operative delay is appropriate under the particular facts and circumstances concerning this proposed rule change. The only reason LCH SA could not implement its revised fee schedule as planned was the Commission's approval of its registration on December 29, 2016, which did not leave LCH SA sufficient time to satisfy all of the technical requirements to file proposed rule changes with the Commission. Moreover, the Commission notes that the retroactive fee change will have no impact on U.S. customers or members, further lessening any investor protection or public interest concerns associated with the retroactive application of a fee schedule to the date all parties expected it would become effective. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[13]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

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–LCH SA–2017–002 on the subject line.

[9] 15 U.S.C. 78q–1.

[10] 15 U.S.C. 78q–1(b)(3)(I).

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6).

[13] 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).

Paper Comments

• Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–LCH SA–2017–002. 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 filings will also be available for inspection and copying at the principal office of LCH SA and on LCH SA's Web site at *http://www.lch.com/asset-classes/cdsclear.* 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–LCH SA–2017–002 and should be submitted on or before May 2, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07178 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE., Washington, DC 20549–27363

Extension:

Rule 17a–2, SEC File No. 270–189, OMB Control No. 3235–0201

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17a–2 (17 CFR 240.17a–2), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17a–2—Recordkeeping Requirements Relating to Stabilizing Activities—requires underwriters to maintain information regarding stabilizing activities conducted in accordance with Rule 104 of Regulation M. The collections of information under Regulation M and Rule 17a–2 are necessary for covered persons to obtain certain benefits or to comply with certain requirements. The collections of information are necessary to provide the Commission with information regarding syndicate covering transactions and penalty bids. The Commission may review this information during periodic examinations or with respect to investigations. Except for the information required to be kept under Rule 104(i) (17 CFR 242.104(i)) and Rule 17a–2(c), none of the information required to be collected or disclosed for PRA purposes will be kept confidential. The recordkeeping requirement of Rule 17a–2 requires the information be maintained in a separate file, or in a separately retrievable format, for a period of three years, the first two years in an easily accessible place, consistent with the requirements of Exchange Act Rule 17a–4(f) (17 CFR 240.17a–4(f)).

There are approximately 716 respondents per year that require an aggregate total of 3,580 hours to comply with this rule. Each respondent makes an estimated 1 annual response. Each response takes approximately 5 hours to complete. Thus, the total compliance burden per year is 3,580 burden hours. The total estimated internal compliance cost for the respondents is approximately $232,700, resulting in an internal cost of compliance for each respondent per response of approximately $325.00 (*i.e.,* $232,700.00/716 responses).

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (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. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comments to: Pamela Dyson, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.*

Dated: April 6, 2017.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2017–07250 Filed 4–10–17; 8:45 am]

BILLING CODE 8011–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No: SSA–2017–0017]

Agency Information Collection Activities: Proposed Request

The Social Security Administration (SSA) publishes a list of information collection packages requiring clearance by the Office of Management and Budget (OMB) in compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, effective October 1, 1995. This notice includes revisions of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Mail, email, or fax your comments and recommendations on the information collection(s) to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses or fax numbers.

[14] 17 CFR 200.30–3(a)(12).

(OMB)

Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202–395–6974, Email address: *OIRA_Submission@omb.eop.gov.*

(SSA)

Social Security Administration, OLCA, Attn: Reports Clearance Director, 3100 West High Rise, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410–966–2830, Email address: *OR.Reports.Clearance@ssa.gov.*

Or you may submit your comments online through *www.regulations.gov,* referencing Docket ID Number [SSA–2017–0017].

The information collections below are pending at SSA. SSA will submit them to OMB within 60 days from the date of this notice. To be sure we consider your comments, we must receive them no later than June 12, 2017. Individuals can obtain copies of the collection instruments by writing to the above email address.

1. Disability Case Development Information Collections By State Disability Determination Services On Behalf of SSA—20 CFR, subpart P, 404.1503a, 404.1512, 404.1513, 404.1514, 404.1517, 404.1519; 20 CFR subpart Q, 404.1613, 404.1614, 404.1624; 20 CFR subpart I, 416.903a, 416.912, 416.913, 416.914, 416.917, 416.919 and 20 CFR subpart J, 416.1013, 416.1014, 416.1024—0960–0555. State Disability Determination Services (DDS) collect the information necessary to administer the Social Security Disability Insurance and Supplemental Security Income (SSI) programs. They collect medical evidence from consultative examination (CE) sources; credential information from CE source applicants; and medical evidence of record (MER) from claimants' medical sources. The DDSs collect information from claimants regarding medical appointments, pain, symptoms, and impairments. The respondents are medical providers, other sources of MER, and disability claimants.

Type of Request: Revision of an OMB-approved information collection.

CE Collections

There are three CE information collections: (a) Medical evidence about claimants' medical condition(s) the DDSs use to make disability determinations when the claimant's own medical sources cannot, or will not, provide the required information, and proof of credentials from CE providers; (b) CE appointment letters; and (c) CE claimant reports sent to claimants' doctors.

MEDICAL EVIDENCE AND CREDENTIALS FROM CE PROVIDERS

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Total estimated annual burden (hours)
CE Paper Submissions	1,400,000	1	30	700,000
CE Electronic Submissions	296,000	1	10	49,333
CE Credentials	4,000	1	15	1,000
Totals	1,700,000			750,333

CE APPOINTMENT LETTERS AND CE CLAIMANTS' REPORT TO MEDICAL PROVIDERS

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated annual burden (hours)
(b) CE Appointment Letters	880,000	1	5	73,333
(c) CE Claimants' Report to Medical Providers	450,000	1	5	37,500
Totals	1,330,000			110,833

MER Collections

The DDSs collect MER information from the claimant's medical sources to determine a claimant's physical or mental status prior to making a disability determination.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Total estimated annual burden (hours)
Paper Submissions	3,150,000	1	20	1,050,000
Electronic Submissions	9,450,000	1	12	1,890,000
Totals	12,600,000			2,940,000

Pain/Other Symptoms/Impairment Information From Claimants

The DDSs use information about pain/symptoms to determine how pain and symptoms affect the claimant's ability to do work-related activities prior to making a disability determination.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Total estimated annual burden (hours)
Pain/Other Symptoms/Impairment Information	2,100,000	1	20	700,000

The total estimated annual burden for all categories described in this information collection is 4,501,166 hours.

2. Teacher Questionnaire and Request for Administrative Information—20 CFR 404.1513, 416.913, and 416.924a(a)—0960–0646. When determining the effects of a child's impairment(s), SSA obtains information about the child's functioning from teachers; parents; and others who observe the child on a daily basis. SSA obtains results of formal testing, teacher reports, therapy progress notes, individualized education programs, and other records of a child's educational aptitude and achievement using Forms SSA–5665–BK and SSA–5666. The respondents are parents, teachers, and other education personnel.

Type of Request: Revision of an OMB-approved information collection.

Modality of completion	Number of respondents	Frequency of response	Average burden per response (minutes)	Estimated total annual burden (hours)
SSA–5665–BK (electronic)	293,375	1	40	195,583
SSA–5665 (paper form)	0	1	40	0
SSA–5666 (electronic)	111,189	1	30	55,595
Totals	404,564			251,178

3. Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery—0960–0788. As part of our continuing effort to reduce paperwork and respondent burden, SSA invites the general public to take this opportunity to comment on the ''Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery'' for approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*). We developed this collection as part of a Federal Government-wide effort to streamline the process for seeking feedback from the public on service delivery. Under the auspices of Executive Order 12862, Setting Customer Service Standards, SSA conducts multiple satisfaction surveys each year. This proposed information collection activity provides a means to garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with SSA's commitment to improving service delivery. By qualitative feedback, we mean information that provides useful insights on perceptions and opinions, but are not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions; experiences and expectations; provide an early warning of issues with service; or focus attention on areas where communication; training; or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative, and actionable communications between SSA and our customers and stakeholders. The solicitation of feedback will target areas such as: Timeliness; appropriateness; accuracy of information; courtesy; efficiency of service delivery; and resolution of issues with service delivery. We will assess responses to plan and inform efforts to improve or maintain the quality of service offered to the public. If we do not collect this information, we would not have access to vital feedback from customers and stakeholders on SSA's services.

We will only submit a collection for approval under this generic clearance if it meets the following conditions: (1) The collections are voluntary; (2) the collections are low-burden for respondents (based on considerations of total burden hours, total number of respondents, or burden-hours per respondent) and are low-cost for both the respondents and the Federal Government; (3) the collections are non-controversial and do not raise issues of concern to other Federal agencies; (4) any collection targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the near future; (5) we collect personally identifiable information (PII) only to the extent necessary and we do not retain it; (6) we will use information gathered only internally for general service improvement and program management purposes and we will not release it outside of the agency; (7) we will not use information we gather for the purpose of substantially informing influential policy decisions; and (8) information we gather will yield qualitative information; the collections will not be designed or expected to yield statistically reliable results or used as though the results are generalizable to the population of study.

Feedback collected under this generic clearance provides useful information, but it does not yield data that can be generalized to the overall population. We will not use this type of generic clearance for qualitative information collections designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address the target population to which generalizations will be made; the sampling frame, the sample design (including stratification and clustering); the precision requirements or power calculations that justify the proposed sample size; the expected response rate, methods for assessing potential non-response bias; the protocols for data collection; and any testing procedures that were or will be undertaken prior to fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms designed to yield quantitative results. As a general matter, information collections will not result in any new system of records containing privacy information and will not ask questions of a sensitive nature, such as

sexual behavior and attitudes, religious beliefs, and other matters commonly considered private.

The respondents are recipients of SSA services (including most members of the public), professionals, and individuals who work on behalf of SSA beneficiaries.

Type of Request: Revision of an OMB-approved information collection.

Affected Public: Individuals and households, businesses and organizations, State, Local or Tribal government.

Total Estimated Number of Respondents: 205,485.

Below we provide projected average estimates for the next three years:

Annual Respondents: 68,495.

Annual Responses: 68,495.

Frequency of Response: Once per request.

Average minutes per response: 18 minutes.

Estimated Annual Burden: 205,549 hours.

Dated: April 5, 2017.

Naomi R. Sipple,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 2017–07174 Filed 4–10–17; 8:45 am]

BILLING CODE 4191–02–P

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on May 11, 2017, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on a request for waiver by EOG Resources, Inc., as well as proposals to amend its Regulatory Program Fee Schedule and the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin.* Such projects, request and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 16, 2017, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects, request and proposals. The deadline for the submission of written comments is May 22, 2017.

DATES: The public hearing will convene on May 11, 2017, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is May 22, 2017.

ADDRESSES: The public hearing will be conducted at the Pennsylvania State Capitol, Room 8E–B, East Wing, Commonwealth Avenue, Harrisburg, Pa.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, General Counsel, telephone: (717) 238–0423, ext. 1312; fax: (717) 238–2436.

Information concerning the applications for these projects is available at the SRBC Water Resource Portal at *www.srbc.net/wrp.* Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at *www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf.*

SUPPLEMENTARY INFORMATION: The public hearing will cover a request for waiver of 18 CFR 806.3 AND 806.4 by EOG Resources, Inc., as well as proposed amendments to the Commission's Regulatory Program Fee Schedule and the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin,* as posted on the SRBC Public Participation Center Web page at *www.srbc.net/pubinfo/publicparticipation.htm.* The public hearing will also cover the following projects:

Projects Scheduled for Action:

1. *Project Sponsor and Facility:* Town of Big Flats, Chemung County, N.Y. Application for groundwater withdrawal of up to 0.792 mgd (30-day average) from Well 1–1.

2. *Project Sponsor and Facility:* Michael and Sandra Buhler (Bennett Branch Sinnemahoning Creek), Huston Township, Clearfield County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130603).

3. *Project Sponsor and Facility:* Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130303).

4. *Project Sponsor and Facility:* Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130304).

5. *Project Sponsor and Facility:* Chesapeake Appalachia, LLC (Wyalusing Creek), Rush Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 0.715 mgd (peak day).

6. *Project Sponsor and Facility:* DS Services of America, Inc., Clay Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.028 mgd (30-day average) from existing Well 4.

7. *Project Sponsor and Facility:* DS Services of America, Inc., Clay Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.042 mgd (30-day average) from existing Well 5.

8. *Project Sponsor and Facility:* Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, Pa. Application for modification to request a combined withdrawal limit for Well 1, Cocalico Creek, and Mountain Home Springs of 2.310 mgd (30-day average) (Docket No. 20110902).

9. *Project Sponsor and Facility:* Equipment Transport, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20130613).

10. *Project Sponsor and Facility:* Kraft Heinz Foods Company, Town of Campbell, Steuben County, N.Y. Application for renewal of groundwater withdrawal of up to 0.432 mgd (30-day average) from Well 3 (Docket No. 19860203).

11. *Project Sponsor and Facility:* Mount Joy Borough Authority, Mount Joy Borough, Lancaster County, Pa. Application for modification to request a reduction of the maximum instantaneous rate for Well 3 from the previously approved rate of 1,403 gpm to 778 gpm and revise the passby to be consistent with current Commission policy (Docket No. 20070607). The previously approved withdrawal rate of 1.020 mgd (30-day average) will remain unchanged.

12. *Project Sponsor:* P.H. Glatfelter Company. Project Facility: Paper/Pulp Mill and Cogen Operations (Codorus Creek), Spring Grove Borough, York County, Pa. Application for renewal of surface water withdrawal of up to 16.000 mgd (peak day) (Docket No. 19860602).

13. *Project Sponsor:* P.H. Glatfelter Company. Project Facility: Paper/Pulp Mill and Cogen Operations, Spring Grove Borough, York County, Pa. Application for renewal of consumptive water use of up to 0.900 mgd (peak day) (Docket No. 19860602).

14. *Project Sponsor and Facility:* Rausch Creek Land, L.P., Porter Township, Schuylkill County, Pa.

Application for renewal of groundwater withdrawal of up to 0.100 mgd (30-day average) from Pit #21 (Docket No. 20120612).

15. *Project Sponsor and Facility:* Repsol Oil & Gas USA, LLC (Towanda Creek), Franklin Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20130311).

16. *Project Sponsor and Facility:* Spring Township Water Authority, Spring Township, Centre County, Pa. Application for groundwater withdrawal of up to 0.499 mgd (30-day average) from Cerro Well.

17. *Project Sponsor:* Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, Pa. Minor modification to add new sources (Wells PW–1 and PW–6) to existing consumptive use approval (Docket No. 20060604). The previously approved consumptive use quantity of 0.360 mgd (peak day) will remain unchanged.

18. *Project Sponsor:* Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, Pa. Application for groundwater withdrawal of up to 0.145 mgd (30-day average) from Well PW–1.

19. *Project Sponsor:* Talen Energy Corporation. Project Facility: Royal Manchester Golf Links, East Manchester Township, York County, Pa. Application for groundwater withdrawal of up to 0.298 mgd (30-day average) from Well PW–6.

20. *Project Sponsor and Facility:* Warren Marcellus LLC (Susquehanna River), Washington Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20130305).

21. *Project Sponsor and Facility:* Village of Waverly, Tioga County, N.Y. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

22. *Project Sponsor and Facility:* Village of Waverly, Tioga County, N.Y. Application for groundwater withdrawal of up to 0.480 mgd (30-day average) from Well 2.

23. *Project Sponsor and Facility:* Village of Waverly, Tioga County, N.Y. Application for groundwater withdrawal of up to 0.470 mgd (30-day average) from Well 3.

Projects Scheduled for Action Involving a Diversion:

1. *Project Sponsor and Facility:* City of DuBois, Union Township, Clearfield County, Pa. Application for modification to the diversion from Anderson Creek Reservoir by expansion of the existing service area as a result of interconnection and bulk water supply to Falls Creek Borough Municipal Authority (Docket No. 20060304).

2. *Project Sponsor:* Seneca Resources Corporation. Project Facility: Impoundment 1, receiving groundwater from Seneca Resources Corporation Wells 5H and 6H and Clermont Wells 1, 2, North 2, 3, and 4, Norwich and Sergeant Townships, McKean County, Pa. Application for modification to add four additional sources (Clermont North Well 1, Clermont North Well 3, Clermont South Well 7, and Clermont South Well 10) and increase the into-basin diversion from the Ohio River Basin by an additional 1.044 mgd (peak day), for a total of up to 3.021 mgd (peak day) (Docket No. 20141216).

Opportunity to Appear and Comment: Interested parties may appear at the hearing to offer comments to the Commission on any project, request or proposal listed above. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Guidelines for the public hearing will be posted on the Commission's Web site, *www.srbc.net,* prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any project, request or proposal listed above may also be mailed to Mr. Jason Oyler, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110–1788, or submitted electronically through *www.srbc.net/pubinfo/publicparticipation.htm.* Comments mailed or electronically submitted must be received by the Commission on or before May 22, 2017, to be considered.

Authority: Pub. L. 91–575, 84 Stat. 1509 *et seq.,* 18 CFR parts 806, 807, and 808.

Dated: April 6, 2017.

Stephanie L. Richardson,

Secretary to the Commission.

[FR Doc. 2017–07274 Filed 4–10–17; 8:45 am]

BILLING CODE 7040–01–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2017–0002–N–14]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the information collection activity listed below. Before submitting this information collection request (ICR) to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activity identified in this notice.

DATES: Comments must be received no later than June 12, 2017.

ADDRESSES: Submit written comments on any or all of the following proposed activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 25, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 35, Washington, DC 20590. Commenters requesting FRA acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB Control Number 2130–0617,'' and should also include the title of the collection of information. Alternatively, comments may be faxed to (202) 493–6216 or (202) 493–6497, or emailed to Mr. Brogan at *Robert.Brogan@dot.gov,* or Ms. Toone at *Kim.Toone@dot.gov*. Please refer to the assigned OMB control number in any correspondence submitted. FRA will summarize comments received in response to this notice in a subsequent notice and include them in its information collection submission to OMB for approval.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, RRS–21, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 25, Washington, DC 20590 (telephone: (202) 493–6292) or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, RAD–20, Federal Railroad Administration, 1200 New Jersey Avenue SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493–6132). (These telephone numbers are not toll free.)

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its implementing regulations, 5 CFR part

1320, require Federal agencies to provide 60-days' notice to the public to allow comment on information collection activities before seeking OMB approval to implement them. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1), 1320.10(e)(1), 1320.12(a). Specifically, FRA invites interested respondents to comment on the following summary of renewed information collection activity regarding: (1) Whether the information collection activity is necessary for FRA to properly execute its functions, including whether the activities will have practical utility; (2) the accuracy of FRA's estimates of the burden of the information collection activity, including the validity of the methodology and assumptions used to determine the estimates; (3) ways for FRA to enhance the quality, utility, and clarity of the information being collected; and (4) ways for FRA to minimize the burden of information collection activity on the public by automated, electronic, mechanical, or other technological collection techniques and other forms of information technology (*e.g.,* permitting electronic submission of responses). *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes soliciting public comment will promote its efforts to reduce the administrative and paperwork burdens associated with the collection of information. In summary, FRA reasons that comments received will advance three objectives: (1) Reduce reporting burdens; (2) ensure it organizes information collection requirements in a ''user-friendly'' format to improve the use of such information; and (3) accurately assess the resources expended to retrieve and produce information requested. *See* 44 U.S.C. 3501.

Below is a brief summary of the currently approved information collection activity that FRA will submit for renewed clearance by OMB as required under the PRA:

Title: Survey of Plant and Insular Tourist Railroads Subject to FRA Bridge Safety Standards (49 CFR part 237).

OMB Control Number: 2130–0617.

Abstract: Bridge Safety Standards regulations (49 CFR part 237) require all owners of railroad track with a gage of 2 feet or more supported by a bridge to comply with this part. This includes track owners with bridges located within an industrial installation (plant) that is not part of the general railroad system of transportation (general system) but over which a general system railroad operates. Currently, FRA relies on the railroad accident/incident reports (49 CFR part 225), to identify track owners subject to the requirements of part 237, Bridge Safety Standards. However, plant and insular tourist railroads are exempt from part 225 (Railroad Accidents/Incidents: Reports Classification, and Investigations). This information collection request will close this data gap.

FRA is requesting any railroad serving a plant and moving railroad equipment over bridges within the plant, or the plant itself, to advise FRA by email if there are railroad bridges within the plant potentially subject to FRA Bridge Safety Standards. FRA is also requesting insular tourist railroads whose tracks are supported by one or more bridges, to advise FRA of the existence of their bridges by email.[1]

The email notification should include the name of the plant, installation, or insular tourist railroad, and address (including city and State, contact name, telephone number, and email address). This survey is ongoing with approval requested for 3 years.

FRA wants to identify plant and insular tourist railroads that may be subject to part 237 requirements, but are exempt from the part 225 reporting requirement, to determine risks to railroad safety bridges on these railroads pose and aid in planning oversight activities.

Form Number(s): N/A.

Affected Public: Businesses.

Respondent Universe: 689 railroads.

Frequency of Submission: On occasion.

Affected Public: Businesses.

Reporting Burden:

Form	Total number respondents (railroads)	Time per response (minutes)	Total number responses	Total burden (hours)
Email	689	15	210	53

Total Estimated Annual Responses: 210.

Total Estimated Annual Burden: 53 hours.

Type of Request: Extension of a Currently Approved Collection.

Under 44 U.S.C. 3507(a) and 5 CFR 1320.5(b) and 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Authority: 44 U.S.C. 3501–3520.

Sarah L. Inderbitzin,

Acting Chief Counsel.

[FR Doc. 2017–07219 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0060]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel LADY DORIS; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-

[1] As explained in FRA's jurisdiction policy published at 49 CFR part 209, appendix A, FRA considers a tourist operation to be insular if its operations are limited to a separate enclave in such a way that there is no reasonable expectation that the safety of any member of the public—except a business guest, a licensee of the tourist operation or an affiliated entity, or a trespasser—would be affected by the operation. FRA does not consider a tourist operation to be insular if it has a bridge over a public road or waters used for commercial navigation or if it shares a common corridor with another railroad (*i.e.,* its operations are within 30 feet of those of another railroad).

build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0060. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov*. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov*.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel LADY DORIS is:

—*Intended Commercial Use of Vessel:* ''TIME CHARTERS''

—*Geographic Region:* ''Florida, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine''

The complete application is given in DOT docket MARAD–2017–0060 at *http://www.regulations.gov*. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy*. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07225 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0053]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel STRAYCAT; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0053. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel STRAYCAT is:

—*Intended Commercial Use of Vessel:* sailboat charters in Key West, FL

—*Geographic Region:* ''Florida''

The complete application is given in DOT docket MARAD–2017–0053 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 27, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07229 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0058]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel GYPSY WIND; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0058. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel GYPSY WIND is:

—*Intended Commercial Use of Vessel:* ''Charter''

—*Geographic Region:* ''Florida, Georgia, South Carolina, North Carolina, Maryland, Virginia, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire and Maine''

The complete application is given in DOT docket MARAD–2017–0058 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07222 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0059]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel HARMONY; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0059. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel HARMONY is:

—*Intended Commercial Use of Vessel:* ''Chartering Great Lakes''

—*Geographic Region:* ''Illinois, Wisconsin, Indiana, Michigan''

The complete application is given in DOT docket MARAD–2017–0059 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver

criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07223 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. DOT–MARAD–2017–0062]

Request for Comments of a Previously Approved Information Collection

AGENCY: Maritime Administration (MARAD), Department of Transportation.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on December 28, 2016 (**Federal Register** 95729, Vol. 81, No. 249).

DATES: Comments must be submitted on or before May 11, 2017.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW., Washington, DC 20503.

Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Michael Pucci, Telephone: 202–366–5167; FAX: 202–366–7485, Office of Maritime Programs, Maritime Administration, Department of Transportation, 1200 New Jersey Avenue SE., W26–494, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Title: Requirements for Establishing U.S. Citizenship—46 CFR 355.

OMB Control Number: 2133–0012.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: In accordance with 46 CFR part 355, shipowners, charterers, equity owners, ship managers, etc., seeking benefits provided by statute are required to provide on an annual basis, an Affidavit of U.S. Citizenship to the Maritime Administration (MARAD) for analysis. The Affidavits of U.S. Citizenship filed with MARAD will be reviewed to determine if the Applicants are eligible to participate in the programs offered by the agency.

Affected Public: Shipowners, charterers, equity owners, ship managers.

Estimated Number of Respondents: 500.

Estimated Number of Responses: 500.

Annual Estimated Total Annual Burden Hours: 2,500.

Frequency of Response: Annually.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.93.

By Order of the Maritime Administrator.

Dated: April 6, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07234 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0055]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel RHINO DEL MAR; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0055. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel RHINO DEL MAR is:

—*Intended Commercial Use of Vessel:* ''charter fishing and general recreational cruising''

—*Geographic Region:* ''California, Oregon, Washington State''

The complete application is given in DOT docket MARAD–2017–0055 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in

accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 27, 2017.

T. Mitchell Hudson, Jr.

Secretary, Maritime Administration.

[FR Doc. 2017–07226 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0050]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel WATER MUSIC; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0050. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel WATER MUSIC is:

—*Intended Commercial Use of Vessel:* Sightseeing tours

—*Geographic Region:* ''New Jersey, New York''

The complete application is given in DOT docket MARAD–2017–0050 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 31, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07231 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0054]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel WHOLE LIFE; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0054. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents

entered into this docket is available at *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel WHOLE LIFE is:

— *Intended Commercial Use of Vessel:* Wedding cruises in and around our local harbor and burials at sea

—*Geographic Region:* ''California''

The complete application is given in DOT docket MARAD–2017–0054 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 27, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07232 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0057]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel INTREPID II; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0057. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel INTREPID II is:

—*Intended Commercial Use of Vessel:* Charter fishing out of Sheboygan WI on Lake Michigan (fish caught not sold)

—*Geographic Region:* ''Wisconsin''

The complete application is given in DOT docket MARAD–2017–0057 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07224 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0051]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel TORTUGA; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0051. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel TORTUGA is:

—*Intended Commercial Use of Vessel:* ''Carry passengers on sailboat/ sightseeing excursions''

—*Geographic Region:* ''Florida''

The complete application is given in DOT docket MARAD–2017–0051 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 27, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07230 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0061]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SCHEDAR; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0061. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SCHEDAR is:

—*Intended Commercial Use of Vessel:* ''Daysailing''

—*Geographic Region:* ''Hawaii''

The complete application is given in DOT docket MARAD–2017–0061 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07228 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0052]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SAUDADE; Invitation for Public Comments

AGENCY: Maritime Administration; DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0052. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SAUDADE is:

—*Intended Commercial Use of Vessel:* ''Antique classic yacht charters.''

—*Geographic Region:* ''Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Puerto Rico''

The complete application is given in DOT docket MARAD–2017–0052 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to *www.regulations.gov,* as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: March 27, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07227 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2017–0056]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel GAIL FORCE; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2017.

ADDRESSES: Comments should refer to docket number MARAD–2017–0056. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at *http://www.regulations.gov.* All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An electronic version of this document and all documents entered into this docket is available at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email *Bianca.carr@dot.gov.*

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel GAIL FORCE is:

—*Intended Commercial Use of Vessel:* Charter Fishing

—*Geographic Region:* ''Wisconsin''

The complete application is given in DOT docket MARAD–2017–0056 at *http://www.regulations.gov.* Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to

www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through *www.dot.gov/privacy.* In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

By Order of the Maritime Administrator.

Dated: April 4, 2017.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2017–07221 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2017–0023; Notice 1]

Porsche Cars North America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Porsche Cars North America, Inc. (PCNA), on behalf of Dr. Ing. h.c.F. Porsche AG (PAG), has determined that certain model year (MY) 2017 Porsche 911 Turbo and Porsche 911 Turbo Cabriolet motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 101, *Controls and Displays,* and FMVSS No. 135, *Light Vehicle Brake Systems.* PCNA filed a noncompliance report dated March 16, 2017. PCNA also petitioned NHTSA on March 17, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. Overview: Porsche Cars North America, Inc. (PCNA), on behalf of Dr. Ing. h.c.F. Porsche AG (PAG), has determined that certain model year (MY) 2017 Porsche 911 Turbo and Porsche 911 Turbo Cabriolet motor vehicles do not fully comply with paragraph S5.2.1 of FMVSS No. 101, *Controls and Displays,* and paragraph S5.5.5 of FMVSS No. 135, *Light Vehicle Brake Systems.* PCNA filed a noncompliance report dated March 16, 2017, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* PCNA also petitioned NHTSA on March 17, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of PCNA's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 17 MY 2017 Porsche 911 Turbo and Porsche 911 Turbo Cabriolet motor vehicles, manufactured between May 31, 2016, and January 11, 2017, are potentially involved.

III. Noncompliance: PCNA explains that the noncompliance is that the telltales used for Brake Warning, Park Brake Warning and Antilock Braking System (ABS) failure warnings are displayed using International Organization for Standardization (ISO) symbols instead of the words ''Brake'' and ''ABS'' as required by paragraph S5.2.1 of FMVSS No. 101 and paragraph S5.5.5 of FMVSS No. 135.

IV. Rule Text: Paragraph S5.2.1 of FMVSS No. 101 requires in pertinent part:

> S5.2.1 Except for the Low Tire Pressure Telltale, each control, telltale and indicator that is listed in column 1 of Table 1 or Table 2 must be identified by the symbol specified for it in column 2 or the word or abbreviation specified for it in column 3 of Table 1 or Table 2. If a symbol is used, each symbol provided pursuant to this paragraph must be substantially similar in form to the symbol as it appears in Table 1 or Table 2. If a symbol is used, each symbol provided pursuant to this paragraph must have the proportional dimensional characteristics of the symbol as it appears in Table 1 or Table 2 . . .

Paragraphs S5.5.5 of FMVSS No. 135 requires in pertinent part:

> S5.5.5. Labeling. (a) Each visual indicator shall display a word or words in accordance with the requirements of Standard No. 101 (49 CFR 571.101) and this section, which shall be legible to the driver under all daytime and nighttime conditions when activated. Unless otherwise specified, the words shall have letters not less than 3.2 mm (1/8 inch) high and the letters and

background shall be of contrasting colors, one of which is red. Words or symbols in addition to those required by Standard No. 101 and this section may be provided for purposes of clarity.

(b) Vehicles manufactured with a split service brake system may use a common brake warning indicator to indicate two or more of the functions described in S5.5.1(a) through S5.5.1(g). If a common indicator is used, it shall display the word ''Brake .''. . .

(d) If separate indicators are used for one or more of the conditions described in S5.5.1(a) through S5.5.1(g), the indicators shall display the following wording: . . .

(3) If a separate indicator is provided for the condition specified in S5.5.1(b), the letters and background shall be of contrasting colors, one of which is yellow. The indicator shall be labeled with the words ''Antilock'' or ''Anti-lock'' or ''ABS''; or ''Brake Proportioning,'' in accordance with Table 2 of Standard No. 101 . . .

V. Summary of PCNA's Petition: PCNA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, PCNA submitted the following reasoning:

(a) The Owner's Manual for the subject vehicles is written for multiple markets and depicts both the ''BRAKE'' and ISO symbols telltales for brake warning, as well as the ''ABS'' and ISO symbol telltales for ABS lamp.

(b) The ISO symbol for ABS lamp also contains the word ''ABS'', which is additionally embedded in a circle with two vertical lines. In case of an illumination of the ISO symbol, the malfunction display, located in the instrument cluster, will display an additional warning message that states ''ABS/PSM failure. Drive with caution'' and an initial warning chime will sound. Porsche believes that in the event the ISO ABS telltale is displayed, the driver would recognize a possible ABS malfunction.

(c) In the event the brake fluid level in the master cylinder reservoir is less than the recommended safe level, the ISO symbol will illuminate, and the multifunction display will display a warning message that states ''Brake fluid level. Park vehicle safely'' and an initial warning chime will sound. The message will stay continuously displayed, provided there are no other serious message(s), which would result in the messages being displayed in an alternating manner. If the brake fluid is still low on subsequent ignition key cycles the message will be redisplayed in the message center.

(d) The parking brake in the subject vehicles are set by pushing a button labelled ''P'', which is located on the left hand side of the steering wheel. Once the parking brake is set, a red light indicator located in the button will illuminate. Thus the application of the parking brake is in full view of the operator. When the parking brake is engaged it illuminates the ISO symbol and should the operator proceed with the parking brake engaged, the parking brake releases automatically if the following prerequisites are fulfilled:

1. Engine is running;
2. Driver's door is closed;
3. Driver's seat belt is fastened.

If one of these prerequisites is not fulfilled, the electric parking brake is not automatically released when the operator attempts to drive off. A message appears on the multifunction display, and the red light indicator in the button as well as the ISO symbol for the brake will flash.

(e) In all cases the ISO symbols for the brake and ABS telltale illuminate and remain illuminated in accordance with the requirements of FMVSS No. 135.

(f) Porsche is unaware of any field or owner complaints regarding the issue of non-compliant telltales.

PCNA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that PCNA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after PCNA notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07165 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2015–0023; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2010 Chevrolet Camaro Passenger Cars (PC) Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2010 Chevrolet Camaro Passenger Cars (PC) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2010 Chevrolet Camaro PC) and they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/*. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Wallace Environmental Testing Laboratories, Inc. (WETL), Inc. of Houston, Texas (Registered Importer R–90–005) has petitioned NHTSA to decide whether nonconforming 2010 Chevrolet Camaro PC's are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are MY 2010 Chevrolet Camaro PC's sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2010 Chevrolet Camaro PC's to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified MY 2010 Chevrolet Camaro PC's, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that the non U.S.-certified MY 2010 Chevrolet Camaro PC's, as originally manufactured, conform to: Standard Nos. 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect,* 103 *Windshield Defrosting and Defogging Systems,* 104 *Windshield Wiping and Washing Systems,* 106 *Brake Hoses,* 108 *Lamps, Reflective Devices and Associated Equipment,* 111 *Rear Visibility,* 113 *Hood Latch System,* 114 *Theft Protection and Rollaway Prevention,* 116 *Motor Vehicle Brake Fluids,* 118 *Power-Operated Window, Partition, and Roof Panel System,* 124 *Accelerator Control Systems,* 126 *Electronic Stability Control Systems,* 135 *Light Vehicle Brake Systems,* 201 *Occupant Protection in Interior Impact,* 202a *Head Restraints,*203 *Impact Protection from Steering Control System,* 204 *Steering Control Rearward Displacement,* 205 *Glazing Materials,* 206 *Door Locks and Door Retention Components,* 207 *Seating Systems,* 209 *Seat Belt Assemblies,* 210 *Seat Belt Assembly Anchorages,* 212 *Windshield Mounting,* 214 *Side Impact Protection,* 216 *Roof Crush Resistance,* 219 *Windshield Zone Intrusion,* 225 *Child Restraint Anchorage Systems,* 301 *Fuel System Integrity,* 302 *Flammability of Interior Materials.*

The petitioner also contends that the subject non-U.S certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 *Controls and Displays:* Replacement of the original instrument cluster with the U.S. model component and reprogramming the associated software as described in the petition.

Standard No. 110 *Tire Selection and Rims:* installation of the required tire information placard.

Standard No. 138 *Tire Pressure Monitoring Systems:* Installation of a tire pressure monitoring system identical to, and with the same part number as the system installed in the U.S. Certified vehicle.

Standard No. 208 *Occupant Crash Protection:* All programs in this system are based on the USA SA program codes and all hardware parts bear the USA part numbers. In addition, documentation required as part of an Owner's manual or supplemental documentation must be provided by the Registered Importer.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565.

Because the subject petition covers nonconforming vehicles that have been manufactured on or after September 1, 2006, compliance with the advanced air bag requirements of FMVSS No. 208 is of significant concern to the agency. NHTSA is therefore particularly interested in comments regarding the ability of a Registered Importer to readily alter the subject vehicles to fully meet the driver and front outboard passenger frontal crash protection and child passenger protection requirements of FMVSS No. 208. The following is a partial listing of the components that may be affected:

a. Driver's frontal air bag module
b. Passenger frontal air bag module
c. Passenger frontal air bag cover
d. Knee air bags
e. Knee bolsters
f. Passenger outboard frontal seat belt system
g. Driver and front outboard seat assemblies including seat tracks and internal seat components

h. Steering wheel components, including the clock spring assembly, the steering column, and all connecting components
i. Instrument panel
j. Instrument panel support structure (*i.e.* cross beam)
k. Occupant sensing and classification systems, including sensors and processors
l. Restraint control modules
m. Passenger air bag status indicator light system, including related display components and wiring
n. Wiring harnesses between the restraint control module, occupant classification system and restraint system components
o. Control system computer software and firmware.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07162 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0071; Notice 2]

Cooper Tire & Rubber Company, Grant of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: Cooper Tire & Rubber Company (Cooper), has determined that certain MULTI–MILE Grand Tour LS passenger vehicle tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Tires Radial Tires for Light Vehicles.* Cooper filed a defect report dated May 24, 2016. Cooper also petitioned NHTSA on June 8, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

ADDRESSES: For further information on this decision contact Abraham Diaz, Office of Vehicle Safety Compliance, the National Highway Traffic Safety Administration (NHTSA), telephone (202) 366–5310, facsimile (202) 366–5930.

SUPPLEMENTARY INFORMATION:

I. Overview: Cooper Tire & Rubber Company (Cooper), has determined that certain MULTI–MILE Grand Tour LS passenger vehicle tires do not fully comply with paragraph S5.5.1(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Tires Radial Tires for Light Vehicles.* Cooper filed a defect report dated May 24, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.*

Cooper petitioned NHTSA on June 8, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

Notice of receipt of the petition was published, with a 30-day public comment period, on August 3, 2016 in the **Federal Register** (81 FR 51269). No comments were received. To view the petition and all supporting documents log onto the Federal Docket Management System (FDMS) Web site at: *http://www.regulations.gov/.* Then follow the online search instructions to locate docket number ''NHTSA–2016–0071.''

II. Tires Involved: Affected are approximately 37 Cooper Tire MULTI–MILE Grand Tour LS Size 205/70R15 Tubeless Radial Tires manufactured between March 24, 2016 and March 29, 2016.

III. Noncompliance: Cooper explains that the noncompliance is that the outboard sidewalls of the subject tires are labeled with an incorrect manufacturer's identification mark and therefore do not fully meet all applicable requirements of paragraph S5.5.1(b) of FMVSS No. 139. Specifically, the tires are labeled with the manufacturer's identification mark ''Y9,'' assigned to a manufacturing facility in P.T. Gadjah Tunggual, Kabupaten Tangerang, Jawa Barat, Indonesia, instead of ''U9,'' assigned to Cooper's manufacturing facility in Tupelo, Mississippi, where the tires were actually produced.

IV. Rule Text: Paragraph S5.5.1 of FMVSS No. 139 requires in pertinent part:

S5.5.1 *Tire Identification Number.*

* * * * *

(b) *Tires manufactured on or after September 1, 2009.* Each tire must be labeled with the tire identification number required by 49 CFR part 574 on the intended outboard sidewall of the tire. Except for retreaded tires, either the tire identification number or a partial tire identification number, containing all characters in the tire identification number, except for the date code and, at the discretion of the manufacturer, any optional code, must be labeled on the other sidewall of the tire. Except for retreaded tires, if a tire does not have an intended outboard sidewall, the tire must be labeled with the tire identification number required by 49 CFR part 574 on one sidewall and with either the tire identification number or a partial tire identification number, containing all characters in the tire identification number except for the date code and, at the discretion of the manufacturer, any optional code, on the other side wall.

V. Summary of Cooper's Petition: Cooper states its belief that the subject noncompliance is inconsequential to motor vehicle safety on account of the fact that while the subject tires contain an incorrect manufacturer's identification mark on the outboard sidewall, the full and correct tire code (including the correct manufacturer's identification mark) is available on the intended inboard sidewall.

Cooper also indicated that it has taken the following steps to ensure proper registration of the subject tires:

(a) Cooper has informed all internal personnel responsible for manual processing of tire registration cards about the incorrect manufacturer identification issue so that cards containing the ''Y9'' designation will be accepted and properly processed when all other information accurately identifies the subject tires. Additionally, consistent with its usual practices, whenever a tire registration card is submitted with inaccurate or incomplete information, Cooper sends a mailing to the consumer seeking additional information by providing a prepaid response card.

(b) Cooper has also modified its database to accept ''Y9'' when other information (brand, serial weeks affected etc.) is accurate.

(c) Cooper has contacted Computerized Information and Management Services, Inc. (CIMS), a third-party vendor that collects and provides tire registration cards to Cooper, so that tire registration cards will not be rejected solely due to improper plant code information.

Cooper also noted that while the subject tires are mislabeled only with the plant code on the outboard side, they meet all other performance requirements of the applicable standard. The company observed that plant code

information has no bearing on the performance or operation of a tire and does not create a safety concern to either the operator of the vehicle on which the tires are mounted or the safety of personnel in the tire repair, retread and recycle industry. Cooper also stated that on March 29, 2016 the incorrect mold was taken out of service and has not been used since.

Please refer to Cooper's petition for its complete reasoning and any associated illustrations. The petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) Web site at: *http://www.regulations.gov/* and following the online search instructions to locate the docket number listed in the title of this notice.

In summation, Cooper believes that the described noncompliance of the subject tires is inconsequential as it relates to motor vehicle safety, and that its petition, to exempt Cooper from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and remedying the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA'S DECISION:

NHTSA'S Analysis:

In this case, the agency believes that one measure of inconsequentiality to motor vehicle safety is that there is no effect of the noncompliance on the operational safety of the vehicles on which these tires are mounted. Cooper certified and stated that the subject tires meet and/or exceed all performance requirements and all other labeling markings required by FMVSS No. 139, and therefore NHTSA has no reason to believe that there are any operational safety issues for these tires.

Second, the agency believes it is necessary that consumers be able to readily identify the tire manufacturer for safety reasons. Cooper explained that while the tire identification number (TIN) on the outboard sidewall of the subject tires is marked with the incorrect manufacturer's identification mark (known in the industry as ''plant code'') ''Y9,'' instead of the correct code ''U9'', the information which identifies the correct manufacturer's identification mark, is properly marked on the inboard sidewall. These tires can also be identified by the Cooper brand name and by the tire size marked on the sidewall of the subject tires.

Third, NHTSA recognizes that Cooper took steps to prevent the possibility that customers would not be able to register their tires because those tires have the incorrect manufacturer's identification mark on them. Cooper worked with CIMS (Computerized Information and Management Services), Inc., to ensure that the registration database could accept the registration regardless of the incorrect code.

Finally, Cooper informed the agency that in an effort to prevent reoccurrence of this noncompliance, they have implemented a change to their support software. Specifically, the selection of the plant code is no longer manual, but rather selected from a drop down menu with only one choice ''U9.'' NHTSA feels that this is important to ensure this noncompliance is corrected on all of Cooper's future production tires since the cumulative effect of recurring noncompliances could result in a safety problem.

NHTSA's Decision: In consideration of the foregoing, NHTSA finds that Cooper has met its burden of persuasion that the subject FMVSS No. 139 noncompliance in the affected tires is inconsequential to motor vehicle safety. Accordingly, Cooper's petition is hereby granted and Cooper is consequently exempted from the obligation of providing notification of, and a free remedy for, the subject noncompliance under 49 U.S.C. 30118 and 30120.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, this decision on this petition only applies to the subject tires that Cooper no longer controlled at the time it determined that the noncompliance existed. However, the granting of this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after Cooper notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07169 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2017–0012; Notice 1]

BMW of North America, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: BMW of North America, LLC (BMW), has determined that certain model year (MY) 2017 BMW 330i and 330i xDrive motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire Selection and Rims and Motor Home/Recreation vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less.* BMW filed a noncompliance report dated January 26, 2017. BMW also petitioned NHTSA on February 17, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If

comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. *Overview:* BMW of North America, LLC (BMW), has determined that certain model year (MY) 2017 BMW 330i and 330i xDrive motor vehicles do not fully comply with paragraphs S4.3(c) and S4.3(d) of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire Selection and Rims and Motor Home/Recreation vehicle Trailer Load Carrying Capacity Information for Motor Vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less.* BMW filed a noncompliance information report dated January 26, 2017, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* BMW also petitioned NHTSA on February 17, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of BMW's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. *Vehicles Involved:* Approximately 3,300 MY 2017 BMW 330i and 330i xDrive motor vehicles, manufactured between August 1, 2016, and December 1, 2016, are potentially involved.

III. *Noncompliance:* BMW explains that the noncompliance is that the tire information placard on the subject vehicles states that the vehicles were equipped with 18-inch tires when in fact the subject vehicles were actually equipped with 17-inch tires. The tire information placard also states that the cold tire inflation pressure for the rear tires is 240kPa/35psi when it should read 220kPa/32psi. Thus, the subject vehicles do not fully comply with paragraphs S4.3(c) and (d) of FMVSS No. 110.

IV. *Rule Text:* Paragraphs S4.3(c) and (d) of FMVSS No. 110 States in pertinent:

> S4.3 *Placard.* Each vehicle, except for a trailer or incomplete vehicle, shall show the information specified in S4.3 (a) through (g), and may show, at the manufacturer's option, the information specified in S4.3 (h) and (i), on a placard permanently affixed to the driver's side B-pillar. In each vehicle without a driver's side B-pillar and with two doors on the driver's side of the vehicle opening in opposite directions, the placard shall be affixed on the forward edge of the rear side door . . .
>
> (c) Vehicle manufacturer's recommended cold tire inflation pressure for front, rear and spare tires subject to the limitations of S4.3.4. For full size spare tires, the statement ''see above'' may, at the manufacturer's option replace manufacturer's recommended cold tire inflation pressure. If no spare tire is provided, the word ''none'' must replace the manufacturer's recommended cold tire inflation pressure . . .
>
> (d) Tire size designation, indicated by the headings ''size'' or ''original tire size,'' and ''spare tire'' or ''spare,'' for the tires installed at the time of first purchase for purposes other than resale. For full size spare tires, the statement ''see above'' may, at the manufacturer's option replace the tire size designation. If no spare tire is provided, the word ''none'' must replace the tire size designation; . . .

V. *Summary of BMW's Petition:* BMW described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, BMW submitted the following reasoning:

(a) *Overview of Tire Information Placards for 17-inch Tires and 18-inch Tires:* Although affected vehicles were properly equipped with 17-inch tires, the FMVSS No. 110 tire information placard states that the vehicles were equipped with 18-inch tires. The placard includes the manufacturer's recommended cold tire inflation pressure and tire size designation for the 18-inch tires.

Additionally, affected vehicles were equipped with a tire information placard intended for the BMW 320i model, although affected vehicles are the BMW 330i and 330i xDrive models.

Notably, the tire information placard for the 18-inch rear tires denotes a cold tire inflation pressure value of 35psi, whereas the placard for the 17-inch rear tire denotes a cold tire inflation pressure value of 32psi. This will not result in a vehicle overload condition as explained in further detail below.

(b) *Using Tire Information Placard to Set Tire Pressure:* If a vehicle operator uses the tire information placard to set the tire pressures, the tire pressures will be set at 32psi and 35psi for the front and for the rear tires, respectively. This will not lead to a vehicle overload condition as explained below:

For the front tires, the tire information placard displays the manufacturer's recommended cold tire inflation pressure value which is identical to that which is required for the tires equipped on the vehicles.

For the rear tires, the tire information placard displays the manufacturer's recommended cold tire inflation pressure value, which is larger than that which is required for the tires equipped on the vehicle.

Therefore, a vehicle operator would not inflate the front and rear tires to a tire pressure which is lower than that which is required. In other petitions in which there exists the possibility to inflate tires to a tire pressure value which is lower than the required value, calculations can be performed to show that even in those cases, the equipped tires at the lower tire pressure value still have sufficient load carrying capacity, and therefore will not lead to a vehicle overload condition. Such calculations can be performed using either axle load limits, or using individual tire load limits.

However, for the vehicles that are the subject of this petition, that possibility does not exist. The vehicle operator would not underinflate the front tires or the rear tires; therefore, such calculations are not necessary in this petition.

(c) *Using Other Information Sources to Set Tire Pressure:* If a vehicle operator notices that the tires depicted on the tire information placard do not correspond to the tires equipped on the vehicle, there are a number of information sources and services available, which can be used to identify the correct tire pressure and, therefore, achieve the

proper inflation level for the tires equipped on the vehicle.

• *Sources That Point to the Vehicle Owner's Manual*

—FMVSS No. 110 Section 4.3(f) requires that the tire information placard contain the following statement: ''See Owner's Manual for Additional Information''. Therefore, the tire information placard will help point the vehicle operator to the Owner's Manual in order to identify the correct tire inflation pressures for use on the vehicle.

—FMVSS No. 138 Section 4.5(a) requires that the Owner's Manual contain the following text:

''Each tire, including the spare (if provided), should be checked monthly when cold and inflated to the inflation pressure recommended by the vehicle manufacturer on the vehicle placard or tire inflation pressure label. (*If your vehicle has tires of a different size than the size indicated on the vehicle placard or tire inflation pressure label, you should determine the proper tire inflation pressure for those tires.*)'' (Emphasis added.)

Vehicle Operators who attempt to check the vehicle's tire pressure on a routine schedule (*e.g.,* monthly, as noted above), or when necessary, would be pointed to the Owner's Manual for additional clarifying information. Therefore, after reviewing this information, it is likely that they would inflate the tires to the recommended cold tire inflation pressure. This is explained in further detail below.

A vehicle operator could check the specific tires installed on the vehicle which, in this case, are 17-inch tires. The information that is stamped onto the sidewall of the tires identifies the tire size. Subsequent to checking and identifying the installed tires, the vehicle operator could consult the vehicle Owner's Manual, or contact BMW Roadside Assistance™, BMW Assist™, or BMW Customer Relations, for further information in order to set the correct tire pressure. This is explained in further detail below.

• *Owner's Manual*

The vehicle Owner's Manual contains information pertaining to the various tire sizes and tire pressures available for use on the affected vehicles.

Affected vehicles contain a tire information placard denoting 18-inch tires having a front, and rear, tire pressure of 32psi and 35psi. However, affected vehicles (BMW 330i, 330i xDrive) were equipped with 17-inch tires in which a front, and a rear, tire pressure should be 32psi. Therefore, a vehicle operator would be able to check the Owner's manual, identify the correct tires equipped on the vehicle, and then set the tire inflation pressures to the correct levels.

Additionally, affected vehicles are also equipped with and in-vehicle electronic Owner's Manual accessed through the iDrive™ controller containing the same information as in the hardcopy Owner's Manual.

Furthermore, the electronic Owner's Manual also contains contact information for BMW Roadside Assistance™, and if equipped also BMW Assist™, and BMW Customer Relations. Vehicle operators can use these additional information sources and services to identify the correct tires equipped on the vehicle, and then set the tire inflation pressures to the correct levels.

• *BMW Roadside Assistance*™

BMW Roadside Assistance™ (available 24 hours/day) representatives have information available indicating by vehicle model and model year, all of the available tire sizes and specifications for the affected vehicles. All affected vehicles contain a reference to, and instructions for contacting, BMW Roadside Assistance™ in the vehicle Owner's Manual. Therefore, if contacted, BMW Roadside Assistance™ would be able to help the vehicle operator determine the correct tire pressure for use on the vehicle.

Vehicle operators are able to contact BMW Roadside Assistance™ using the toll-free telephone number located:

—on the BMW Roadside Assistance™ Card located in the vehicle's portfolio
—on one, or more, BMW Roadside Assistance™ specific Labels in the vehicle
—within the vehicle's Quick Reference Guide
—within the vehicle's Service and Warranty Book.

Vehicle Operators are also able to contact BMW Roadside Assistance™ using the:

— in-vehicle iDrive™ controller and menu option for BMW Roadside Assistance™
—in-vehicle emergency call button on the overhead console

• *BMW Assist*™

BMW Assist™ (available 24 hours/day) representatives have information available indicating by vehicle model and model year, all of the available tire sizes and specifications for the affected vehicles. All affected vehicles contain a reference to, and instructions for contacting, BMW Assist™ in the vehicle Owner's Manual. Therefore, if contacted, BMW Assist™ would be able to help the vehicle operator determine the correct tire pressures for use on the vehicle.

Vehicle Operators are able to contact BMW Assist™ by using the:

—in-vehicle iDrive™ controller and menu option for BMW Assist™
—in-vehicle emergency call button on the overhead console

Vehicles with BMW Assist™ contain a BMW Assist™ Book located in the vehicle's portfolio with contact information for BMW Assist™, BMW Roadside Assistance™, and BMW Customer Relations.

• *BMW Customer Relations*

If a vehicle operator contacts BMW Customer Relations, and provides the Vehicle Identification Number, a Customer Relations Representative will be able to inform the vehicle operator of the specific vehicle configuration. Therefore, if contacted, BMW Customer Relations would be able to help the vehicle operator determine the correct tire pressures for use on the vehicle.

Vehicle Operators are able to contact BMW Customer Relations by:

—Using the toll free telephone number located in the vehicle Owner's Manual and the Service and Warranty Book
—using the in-vehicle iDrive™ controller and menu option for BMW Customer Relations
—contacting BMW Assist™ who can, if necessary, transfer the vehicle operator to BMW Customer Relations

(d) *Field Experience:*

Owner Contacts to BMW Customer Relations

BMW Customer Relations has not received any contacts from vehicle owners regarding this issue. Therefore, BMW is unaware that any vehicle owner has encountered this issue.

Accidents/Injuries

BMW is unaware of any accidents or injuries that have occurred as a result of this issue.

(e) *Prior NHTSA Grants to Manufacturer Petitions:* NHTSA has previously granted petitions for inconsequential noncompliance regarding FMVSS No. 110 involving vehicles whereby the tire information placard contained tire size and tire pressure information which did not match the tires equipped on the vehicle. In particular, it was shown that although the tire information placard displayed the manufacturer's recommended cold tire inflation pressure which was a smaller value than that which was required for the tires equipped on the vehicle, the load carrying capacity of the equipped tires, at this smaller tire pressure, was still sufficient and would not lead to a vehicle overload condition.

For the affected vehicles that are the subject of this petition, the FMVSS No. 110 tire information placard displays the manufacturer's recommended cold tire inflation pressure value for the *front* tires which is identical to that which is required for the tires equipped on the vehicle and, displays the manufacturer's recommended cold tire inflation pressure value for the *rear* tires which is larger than the value which is required for the tires equipped on the vehicle. Consequently, there is no risk of an underinflated tire, the load carrying capacity of the equipped tires is still sufficient and, therefore, there is no risk of a vehicle overload condition.

Nevertheless, as a reference, and for comparison to this petition, NHTSA has granted petitions from manufacturers in cases where the tire information placard displayed a tire inflation pressure value which was smaller than that which was required for the tires equipped on the vehicle. (See BMW, 81 FR 62970, September 13, 2016; BMW, 78 FR 76408, December 17, 2013; and Volkswagen, 78 FR 28287, May 14, 2013)

(f) *Vehicle Production:* Vehicle production has been corrected to conform to FMVSS No. 110 Section 4.3(c) and S4.3(d).

BMW concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that BMW no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after BMW notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07164 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0061; Notice 1]

Notice of Receipt of Petition for Decision That Nonconforming Model Year 2010 Jeep Wrangler Multipurpose Passenger Vehicles (MPV) Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2010 Jeep Wrangler Multipurpose Passenger Vehicles (MPV) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2010 Jeep Wrangler MPV) and they are capable of being readily altered to conform to the standards.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the

United States, certified under 49 U.S.C. 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

Skytop Rover Co. (Skytop), Inc. of Philadelphia, Pennsylvania (Registered Importer R–06–343) has petitioned NHTSA to decide whether nonconforming 2010 Jeep Wrangler MPV's are eligible for importation into the United States. The vehicles which Skytop believes are substantially similar are MY 2010 Jeep Wrangler MPV's sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2010 Jeep Wrangler MPV's to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

Skytop submitted information with its petition intended to demonstrate that non-U.S. certified MY 2010 Jeep Wrangler MPV's, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards. Specifically, the petitioner claims that the non U.S.-certified MY 2010 Jeep Wrangler MPV's, as originally manufactured, conform to: Standard Nos. 101 *Controls and Displays* 102 *Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect,* 103 *Windshield Defrosting and Defogging Systems,* 104 *Windshield Wiping and Washing Systems,* 106 *Brake Hoses,* 108 *Lamps, Reflective Devices and Associated Equipment,* 111 *Rear Visibility,* 113 *Hood Latch System,* 114 *Theft Protection and Rollaway Prevention,* 116 *Motor Vehicle Brake Fluids,* 118 *Power-Operated Window, Partition, and Roof Panel System,* 124 *Accelerator Control Systems,* 126 *Electronic Stability Control Systems,* 135 *Light Vehicle Brake Systems,* 138 *Tire Pressure Monitoring Systems,* 201 *Occupant Protection in Interior Impact,* 202a *Head Restraints,* 203 *Impact Protection from Steering Control System,* 204 *Steering Control Rearward Displacement,* 205 *Glazing Materials,* 206 *Door Locks and Door Retention Components,* 207 *Seating Systems,* 208 *Occupant Crash Protection,* 209 *Seat Belt Assemblies,* 210 *Seat Belt Assembly Anchorages,* 212 *Windshield Mounting,* 214 *Side Impact Protection,* 216 *Roof Crush Resistance,* 219 *Windshield Zone Intrusion,* 225 *Child Restraint Anchorage Systems,* 301 *Fuel System Integrity,* 302 *Flammability of Interior Materials.*

The petitioner also contends that the subject non-U.S certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 110 *Tire Selection and Rims:* installation of the required tire information placard.

The petitioner additionally states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565.

Because the subject petition covers nonconforming vehicles that have been manufactured on or after September 1, 2006, compliance with the advanced air bag requirements of FMVSS No. 208 is of significant concern to the agency. NHTSA is therefore particularly interested in comments regarding the ability of a Registered Importer to readily alter the subject vehicles to fully meet the driver and front outboard passenger frontal crash protection and child passenger protection requirements of FMVSS No. 208. The following is a partial listing of the components that may be affected:

a. Driver's frontal air bag module
b. Passenger frontal air bag module
c. Passenger frontal air bag cover
d. Knee air bags
e. Knee bolsters
f. Passenger outboard frontal seat belt system
g. Driver and front outboard seat assemblies including seat tracks and internal seat components
h. Steering wheel components, including the clock spring assembly, the steering column, and all connecting components
i. Instrument panel
j. Instrument panel support structure (*i.e.,* cross beam)
k. Occupant sensing and classification systems, including sensors and processors
l. Restraint control modules
m. Passenger air bag status indicator light system, including related display components and wiring
n. Wiring harnesses between the restraint control module, occupant classification system and restraint system components
o. Control system computer software and firmware

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07163 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0143; Notice 1]

Mercedes-Benz USA, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Mercedes-Benz USA, LLC (MBUSA) on behalf of itself and its parent company Daimler AG (DAG), has determined that certain model year (MY) 2016 and 2017 Mercedes-Benz GLE and GLS-Class motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or Less.* MBUSA filed a noncompliance information report dated December 12, 2016. MBUSA also petitioned NHTSA on December 22, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. Overview: Mercedes-Benz USA, LLC (MBUSA), has determined that certain model year (MY) 2016 and 2017 Mercedes-Benz GLE and GLS-Class motor vehicles do not fully comply with paragraph S4.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or Less.* MBUSA filed a noncompliance information report dated December 12, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* MBUSA also petitioned NHTSA on December 22, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of MBUSA's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 142 of the following Mercedes-Benz GLE and GLS-Class motor vehicles manufactured on June 14 and June 15, 2016, are potentially involved:

- 2016 Mercedes-Benz GLE300d 4Matic
- 2016 Mercedes-Benz GLE350
- 2016 Mercedes-Benz GLE350 4Matic
- 2016 Mercedes-Benz GLE400 4Matic
- 2016 Mercedes-Benz GLE550e 4Matic
- 2016 Mercedes-Benz GLE63S AMG 4Matic
- 2017 Mercedes-Benz GL450 4Matic
- 2017 Mercedes-Benz GL550 4Matic

III. Noncompliance: MBUSA explains that the noncompliance is that the tire information placard affixed to the driver's side B-pillar on the subject vehicles was improperly printed and therefore does not meet the requirements of paragraph S4.3 of FMVSS No. 110. Specifically, the column identifying whether the tire is front, rear, or spare might not be completely legible.

IV. Rule Text: paragraph S4.3 of FMVSS No. 110 states:

S4.3 *Placard.* Each vehicle, except for a trailer or incomplete vehicle shall show the information specified in S4.3 (a) through (g), and may show, at the manufacturer's option, the information specified in S4.3 (h) and (i), on a placard permanently affixed to the driver's side B-pillar. . . . This information shall be in the English language and conform in color and format, not including the border surrounding the entire placard, as shown in the example set forth in Figure 1 in this standard . . .

(c) Vehicle manufacturer's recommended cold tire inflation pressure for front, rear and spare tires . . .

(d) Tire size designation, indicated by the headings ''size'' or ''original tire size'' or ''original size'' and ''spare tire'' or ''spare,'' for the tires installed at the time of first purchase for purposes other than resale . . .

V. Summary of MBUSA's Petition: MBUSA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, MBUSA submitted the following reasoning:

1. The row names ''front/rear/spare'' might not be completely legible, but the tire dimensions and pressure values are legible and correct.

2. The data, including the ''front/rear/spare'' designations, is also available on the tank flap to the gas tank (also referred to as the ''filler flap'').

3. After identifying the potentially noncompliant B-pillar tire information placards, DAG analyzed potential technical implications, specifically with respect to the requirements of FMVSS No. 110, and did not identify any technical implications since the label remains substantially legible and the same information is provided elsewhere on the vehicle.

4. MBUSA has received neither customer complaints nor information about any accidents or injuries alleged to have occurred as a result of this noncompliance.

5. DAG has correct labels in production as of June 15, 2016.

MBUSA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

To view MBUSA's petition analyses in its entirety you can visit *https://www.regulations.gov* by following the online instructions for accessing the dockets and by using the docket ID number for this petition shown in the heading of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to

exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that MBUSA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after MBUSA notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: Delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07167 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2015–0094, Notice 2]

Decision That Certain Nonconforming Model Year 1996 and 1997 Ferrari F50 Passenger Cars Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition.

SUMMARY: This document announces a decision by the National Highway Traffic Safety Administration that certain model year (MY) 1996 and 1997 Ferrari F50 passenger cars (PC) manufactured prior to September 1, 1997 that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS) are eligible for importation into the United States because those vehicles have safety features that comply with, or are capable of being altered to comply with, all applicable FMVSS.

DATES: This decision became effective on March 21, 2017.

ADDRESSES: For further information, contact George Stevens, Office of Vehicle Safety Compliance, NHTSA (202–366–5308).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C 30141(a)(1)(B), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided its safety features comply with, or are capable of being altered to comply with, all applicable FMVSS based on destructive test data or such other evidence that NHTSA decides to be adequate.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the **Federal Register** of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the **Federal Register**.

J. K. Technologies, LLC (J.K.), Inc. of Baltimore, Maryland (Registered Importer R–90–006) petitioned NHTSA to decide whether nonconforming 1996 and 1997 Ferrari F50 PC's are eligible for importation into the United States. NHTSA published a notice of the petition on October 16, 2016 (81 FR 72852) to afford an opportunity for public comment. No comments were received in response to this notice. The reader is referred to the notice for a thorough description of the petition.

NHTSA Conclusions

In its petition, J.K. noted that the original manufacturer, Ferrari, S.p.A., certified the MY 1995 F50 PCs to all applicable FMVSS and offered those vehicles for sale in the United States. J.K. also contends that the non-U.S certified MY 1996 and 1997 Ferrari F50 PCs share the same platform with the U.S.-certified MY 1995 Ferrari F50 PC, and on that basis compares the non-U.S. certified model to those vehicles to establish its conformity with many applicable FMVSS. Because there is no U.S.-certified counterpart for the MY 1997 Ferrari F50 PC, the petitioner acknowledged that it could not base its petition solely on the substantial similarity of those vehicles to the U.S.-certified MY 1995 Ferrari F50 PC. Instead, the petitioner chose to establish import eligibility on the basis that the vehicles have safety features that comply with, or are capable of being modified to comply with, the FMVSS based on destructive test data or such other evidence that NHTSA decides to be adequate as set forth in 49 U.S.C. 30141(a)(1)(B). Nevertheless, the petitioner contends that the non-U.S. certified MY 1997 Ferrari F50 PCs use the same components as the U.S.-certified MY 1995 Ferrari F50 PCs in virtually all of the systems subject to applicable FMVSS.

NHTSA has reviewed the petition and has concluded that the nonconforming versions of the MY 1996 and 1997 Ferrari F50 PCs are similar to the U.S.-certified versions of the MY 1995 Ferrari F50 PCs and are capable of being readily altered to comply with all applicable FMVSS with respect to all FMVSS applicable prior to September 1, 1997.

NHTSA has limited this decision to vehicles manufactured prior to September 1, 1997, because the U.S.-certified MY 1995 Ferrari F50 PCs that are the basis for this decision were not required to conform to the air bag system requirements of FMVSS No. 208 *Occupant Crash Protection* and the petitioner made no representation as to compliance with air bag system requirements of FMVSS No. 208 for the subject vehicles.

NHTSA has long taken the position that RIs are not subject to the requirements of standards that are being phased in, but must comply with those requirements once they apply to 100 percent of a manufacturer's production. The requirement for air bags to be installed at the driver's and front outboard passenger's seating position applies to 100 percent of passenger cars manufactured on or after September 1, 1997. As a consequence, an RI can meet the automatic protection requirements of the standard by installing conforming automatic seat belts in passenger cars manufactured prior to that date. Therefore, J.K. or another RI could meet the standard by installing automatic seat belts in 1996 and 1997 Ferrari F50 passenger cars manufactured prior to September 1, 1997. Vehicles manufactured on or after that date would require the installation of U.S.-model air bag systems to meet the standard. The agency further notes that conformity packages submitted for vehicles imported under this decision must demonstrate that the vehicle is equipped with components that allow it to achieve compliance with the standard. Any modification or replacement of components necessary to meet the requirements of the standard must be shown to bring the vehicle into compliance. Such proof must be submitted by an RI as part of any conformity package submitted for nonconforming 1996 and 1997 Ferrari F50 passenger cars.

Decision

Accordingly, on the basis of the foregoing, NHTSA hereby decides that MY 1996 and 1997 Ferrari F50 passenger cars manufactured prior to September 1, 1997 that were not originally manufactured to comply with all applicable FMVSS, are capable of being altered to conform to all applicable FMVSS.

Vehicle Eligibility Number for Subject Vehicles

The importer of a vehicle admissible under any final decision must indicate on the form HS–7 accompanying entry the appropriate vehicle eligibility number indicating that the vehicle is eligible for entry. VCP–62 is assigned to MY 1996 and 1997 Ferrari F50 passenger cars manufactured prior to September 1, 1997 are admissible under this notice of final decision.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8).

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07161 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0117; Notice 1]

General Motors, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: General Motors, LLC (GM), has determined that certain model year (MY) 2016–2017 Cadillac CT6 motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment.* GM filed a noncompliance report dated October 26, 2016. GM also petitioned NHTSA on November 18, 2016, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. Overview: General Motors, LLC (GM), has determined that certain model year (MY) 2016–2017 Cadillac CT6 vehicles do not fully comply with paragraph S7.8.13 of Federal Motor Vehicle Safety Standard (FMVSS) No. 108, *Lamps, Reflective Devices, and Associated Equipment.* GM filed a defect report dated October 26, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* GM also petitioned NHTSA on November 18, 2016, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of GM's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 12,475 MY 2016–2017 Cadillac CT6 vehicles manufactured between September 4, 2015, and October 18, 2016, are potentially involved.

III. Noncompliance: GM explains that the noncompliance is that the software in the subject vehicles' Park/Position lamp's electronic control unit (ECU) was programmed incorrectly, causing the ECU to misinterpret the signals from the vehicle's body control module (BCM). This results in higher than expected light output that may exceed the maximum values permitted in paragraph S7.8.13 of FMVSS No. 108. Specifically, the nine failed test points exceeded the maximum allowed value by 2.3% to 74.8%. Eight of the nine failed test points exceeded the maximum allowed value by 25%.

IV. Rule Text: Paragraph S7.8.13 of FMVSS No. 108 states:

> S7.8.13 *Photometry.* Each parking lamp must be designed to conform to the photometry requirements of Table XIV, when tested according to the procedure of S14.2.1, as specified by this section. . .

Table XIV specifies various minimum and maximum photometric intensity requirements for parking lamps at specified test points.

V. Summary of GM's Petition: GM described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, GM submitted the following reasoning:

> (a) The subject vehicles' parking lamp-headlamp combination does not exceed the maximum permitted glare values for headlamps specified in FMVSS No. 108:

In its August 2014 denial of Mercedes-Benz USA's petition for too bright parking lamps, NHTSA indicated a concern that the parking lamps could cause glare to oncoming drivers. (79 FR 50733, at 50734)

Oncoming drivers to the subject vehicles will be exposed to the combined photometric output of the parking lamps and headlamps. This means, when considering glare in real world application, the critical issue is not the photometric output value of the parking lamp alone but the performance of the parking lamp in conjunction with the headlamps. The most appropriate way to assess this combined effect is to measure the parking lamp-headlamp combination at the traditional headlamp glare points (points above the horizon in the photometric beam pattern that limit light output in the path of oncoming drivers) recognized by NHTSA in FMVSS No. 108 and SAE J1383.

When two samples of the subject vehicles' parking lamp-headlamp combinations were evaluated in the laboratory against recognized glare points, the output fell below, or within, the acceptable value of headlamp glare points specified in FMVSS No. 108.

It should be noted, that it is possible for a vehicle to incorporate parking lamps and headlamps whose outputs are near, or at the maximum allowed values while remaining compliant. For head lamps, that output would be at or near the maximum specified photometric values, and for parking lamps that output would be at or near 125 candela at all test points above the horizon. A parking lamp with this output value in close proximity to the headlamp at or near maximum output could create combined output with a glare value exceeding the maximum allowable headlamp photometric glare values by 125 cd. And yet the combination would still be compliant, because the headlamp's glare measurement falls within the permitted values for the headlamp alone, and the parking lamp values correspond to the permitted values for parking lamps.

However, the parking lamp-headlamp combination in the subject vehicles are below the prescribed glare values for a compliant headlamp and well below the value of the theoretical combined parking lamp-headlamp output.

Consequently, GM believes the photometric output of the subject vehicles' parking lamps will not cause a glare that presents an unreasonable risk to the safety of oncoming drivers.

(b) *The noncompliance has no impact on turn signal performance:* NHTSA has also expressed concern that a parking lamp that exceeds maximum permitted photometric values could mask the turn signal and thereby impair the turn signal performance. (*See* 79 FR 50733, at 50735) However, the parking lamps in the subject vehicles are optically combined with the turn signals—when the turn signal is activated, the parking lamp is extinguished on the side of the active turn signal. Consequently, the parking lamp does not bear on and cannot impair the performance of an activated turn signal.

(c) *The noncompliance will be addressed in the subject vehicles with a service update bulletin:* GM will issue Service Update Bulletin 16078 to address the noncompliance condition in each of the subject vehicles at their next dealership visit or service appointment. Cadillac CT6 owners are provided, free of charge, Cadillac Premium Care Service for three years or 36,000 miles covering routine maintenance including: Oil changes, tire rotation, air filter replacement and multi-point vehicle inspection. The subject vehicles will also invariably enter dealerships for other reasons. Therefore, GM expects that most of the subject vehicles will be corrected during their regular warranty period. The Service Update Bulletin will be issued to dealers once sufficient service parts become available.

GM concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

In a letter dated February 13, 2017, subsequent to receipt of GM's petition, GM provided the following additional information pertaining to photometric testing of the subject parking lamps:

The photometric testing of the subject park function was conducted by HELLA KGaA Hueck & Co., the supplier of the lamp, at the Hella lab. The parking lamp and headlamp were mounted in design position relative to each other on a goniometer. The park function and the lower beam were energized simultaneously.[1] (In GM's letter, they provided a table evaluating the headlamp glare values in CT6 headlamp-parking lamp combinations.)

To verify that the results of the Hella testing correlate to on-vehicle performance, GM tested the CT6 parking lamps in GM's full vehicle dark room. In this test, GM mounted a photometer 10 meters from each headlamp on approximately the optical axis (the optical center of beam pattern, where the horizontal and vertical axes of the beam pattern cross). All other lamps were covered except the parking lamp on one side of the vehicle. The vehicle was started, and the parking lamps were energized. The lux output of the lamp was measured and then converted into candela. This process was repeated for the parking lamp on the other side of the vehicle. The values were similar and verified a correlation with the Hella lab data on the goniometer.

To view GM's petition and test data and analyses in its entirety you can visit *https://www.regulations.gov* by following the online instructions for accessing the dockets and by using the docket ID number for this petition shown in the heading of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that GM no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after GM notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8)

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07168 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

[1] To energize the park function on the Cadillac CT6, power and ground are required along with an input signal that duplicates the signal from the vehicle instructing the lamp to illuminate at the Park lamp intensity. This is a Pulse Width Modulation (PWM) signal with a certain frequency and duty cycle. In the Hella lab, that PWM signal was duplicated using a specially built signal generator consisting of a standard PWM Signal Generator and a 47 nF capacitor. The park lamp was energized, using the PWM simulator, to duplicate the subject condition photometry. To energize the lower beam function on the Cadillac CT6, only power and ground is required at its design voltage.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2016–0141; Notice 1]

Spartan Motors USA, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Spartan Motors USA, Inc. (Spartan), has determined that certain model year (MY) 2017 Spartan Emergency Response Metro Star motor vehicles do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 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).* Spartan filed a noncompliance information report dated December 6, 2016. Spartan also petitioned NHTSA on January 4, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2017.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at *https://www.regulations.gov/.* Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493–2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at *https://www.regulations.gov* by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. Overview: Spartan Motors USA, Inc. (Spartan), has determined that certain model year (MY) 2017 Spartan Emergency Response Metro Star motor vehicles do not fully comply with paragraph S5.2(b) of Federal Motor Vehicle Safety Standard (FMVSS) No. 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).* Spartan filed a noncompliance report dated December 6, 2016, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports.* Spartan also petitioned NHTSA on January 4, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of Spartan's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Vehicles Involved: Approximately 19 MY 2017 Spartan Emergency Response Metro Star motor vehicles manufactured between September 6, 2016, and October 24, 2016, are potentially involved.

III. Noncompliance: Spartan explains that the noncompliance is that the wheels on the subject vehicles incorrectly identify the rim size as 24.5″ x 8.25″ instead of 22.5″ x 8.25″, and therefore do not meet the requirements of paragraph S5.2(b) of FMVSS No. 120.

IV. Rule Text: paragraph S5.2 of FMVSS No. 120 states:

> S5.2 *Rim marking.* Each rim or, at the option of the manufacturer in the case of a single-piece wheel, wheel disc shall be marked with the information listed in paragraphs (a) through (e) of this paragraph, in lettering not less than 3 millimeters high, impressed to a depth or, at the option of the manufacturer, embossed to a height of not less than 0.125 millimeters. . .
>
> (b) The rim size designation, and in case of multipiece rims, the rim type designation. For example: 20 x 5.50, or 20 x 5.5.

V. Summary of Spartan's Petition: Spartan described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, Spartan provided the following: Chassis cabs affected by this condition are manufactured in two or more stages. While in general, Spartan is the incomplete vehicle manufacturer, in this case, Spartan provides a label that contains the requirements identified in 49 CFR 567.5(a)(2)(iv), which states that a label must be affixed to an incomplete vehicle that contains the ''GROSS AXLE WEIGHT RATING'' or ''GVWR'', followed by the appropriate value in kilograms and (pounds) for each axle, identified in order from front to rear (*e.g.,* front, first intermediate, second intermediate, rear). The ratings for any consecutive axles having identical gross axle weight ratings when equipped with tires having the same tire size designation may be stated as a single value, with the label indicating to which axles the ratings apply. Similar information must be included in the incomplete vehicle document or IVD that must be furnished by the incomplete vehicle manufacturer, as required by 49 CFR 568.4(a)(5).

While the actual wheel stamping may be 24.5, the physical size (outside diameter) is 22.5. If a service provider were to reference the rim size of the incorrectly stamped rim, and attempt to

install a tire with an inside diameter of 24.5, it would be too large for the 22.5 size rim and thus not fit. Given the label being provided and the construction details sheet provided in accordance with NFPA® 1901 Standard for Automotive Fire Apparatus 2016 edition, Spartan believes the noncompliance is inconsequential as it relates to motor vehicle safety, and requests that their petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

To view Spartan's petition analyses in its entirety you can visit *https://www.regulations.gov* by following the online instructions for accessing the dockets and by using the docket ID number for this petition shown in the heading of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject vehicles that Spartan no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Spartan notified them that the subject noncompliance existed.

Authority: (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8).

Jeffrey M. Giuseppe,

Director, Office of Vehicle Safety Compliance.

[FR Doc. 2017–07166 Filed 4–10–17; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open meeting of the Taxpayer Advocacy Panel Joint Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Joint Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Wednesday, May 31, 2017.

FOR FURTHER INFORMATION CONTACT: Gretchen Swayzer at 1–888–912–1227 or 469–801–0769.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Joint Committee will be held Wednesday, May 31, 2017, at 1:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. For more information please contact: Gretchen Swayzer at 1–888–912–1227 or 469–801–0769, TAP Office, 4050 Alpha Rd, Farmers Branch, TX 75244, or contact us at the Web site: *http://www.improveirs.org.*

The agenda will include various committee issues for submission to the IRS and other TAP related topics. Public input is welcomed.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07201 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: The Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee will conduct an open meeting and will solicit public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, May 16, 2017.

FOR FURTHER INFORMATION CONTACT: Lisa Billups at 1–888–912–1227 or (214) 413–6523.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee will be held Tuesday, May 16, 2017, at 3:00 p.m. Eastern Time. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Lisa Billups. For more information please contact Lisa Billups at 1–888–912–1227 or 214–413–6523, or write TAP Office 1114 Commerce Street, Dallas, TX 75242–1021, or post comments to the Web site: *http://www.improveirs.org.*

The committee will be discussing various issues related to the Taxpayer Assistance Centers and public input is welcomed.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07198 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Publication of Nonconventional Source Production Credit Reference Price for Calendar Year 2016

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice.

SUMMARY: Publication of the reference price for the nonconventional source production credit for calendar year 2016.

FOR FURTHER INFORMATION CONTACT: Martha Garcia, CC:PSI:6, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224, Telephone Number (202) 317–6853 (not a toll-free number).

SUPPLEMENTARY INFORMATION: The credit period for nonconventional source production credit ended on December 31, 2013 for facilities producing coke or coke gas (other than from petroleum based products). However, the reference price continues to apply in determining the amount of the enhanced oil recovery credit under section 43 of title 26 of the U.S.C. the marginal well production credit under section 45I of title 26 of the U.S.C., and the percentage depletion in case of oil and natural gas produced from marginal properties under section 613A of title 26 of the U.S.C.

The reference price under section 45K(d)(2)(C) of title 26 of the U.S.C. for calendar year 2016 applies for purposes of sections 43, 45I, and 613A for taxable year 2017.

Reference Price: The reference price under section 45K(d)(2)(C) for calendar year 2016 is $38.29.

Christopher T. Kelley,

Acting Deputy Associate Chief Counsel (Passthroughs and Special Industries).

[FR Doc. 2017–07262 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Notice 2017–09

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. Currently, the IRS is soliciting comments concerning Notice 2017–09, De Minimis Error Safe Harbor to the I.R.C. §§ 6721 and 6722 Penalties.

DATES: Written comments should be received on or before June 12, 2017 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224.

Requests for copies of the form and instructions should be directed to Martha Brinson, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet at *Martha.R.Brinson@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: De Minimis Error Safe Harbor to the I.R.C. §§ 6721 and 6722 Penalties.

OMB Number: 1545–2270.

Notice Number: 2017–09.

Abstract: Under 6722(c)(3)(B) payees may elect that an exception to penalties not apply so that penalties may apply if payors don't provide corrected returns and statements. The collection of information will be this election, a retraction of the election, or specified retention of records of elections or retractions. The collection is necessary for the effective operation of the exception and election framework. Respondents are payees or payors.

Current Actions: There are no changes being made to the collection at this time.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or Households.

Estimated Number of Annual Responses: 8,984,600.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 760,569.

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: March 29, 2017.

Laurie Brimmer,

IRS Senior Tax Analyst.

[FR Doc. 2017–07196 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Notices and Correspondence Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Notices and Correspondence Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, May 11, 2017.

FOR FURTHER INFORMATION CONTACT: Otis Simpson at 1–888–912–1227 or 202–317–3332.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to the Federal Advisory Committee Act, that a meeting of the Taxpayer Advocacy Panel Notices and Correspondence Project Committee will be held Thursday, May 11, 2017, at 12:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Otis Simpson. For more information please contact Otis Simpson at 1–888–912–1227 or 202–317–3332, or write TAP Office, 1111 Constitution Ave. NW., Room 1509, Washington, DC 20224 or contact us at the Web site: *http://www.improveirs.org.* The agenda will include various IRS issues.

The agenda will include a discussion on various letters, and other issues related to written communications from the IRS.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07204 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Statistical Sampling for Purposes of Section 199

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. Currently, the IRS is soliciting comments concerning Revenue

Procedure Revenue Procedure 2007–35, Statistical Sampling for purposes of Section 199.

DATES: Written comments should be received on or before June 12, 2017 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224.

Requests for copies of the revenue procedure should be directed to Sara Covington, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW., Washington, DC 20224, or through the internet, at *Sara.L.Covington@irs.gov*.

SUPPLEMENTARY INFORMATION:

Title: Statistical Sampling for purposes of Section 199.

OMB Number: 1545–2072.

Revenue Procedure Number: RP–2007–35.

Abstract: This revenue procedure provides for determining when statistical sampling may be used in purposes of section 199, which provides a deduction for income attributable to domestic production activities, and establishes acceptable statistical sampling methodologies.

Current Actions: Extension of a previously approved collection.

Affected Public: Business or other for-profit institutions, and individuals or households or farms.

Estimated Number of Respondents: 300.

Estimated Time per Respondent: 8 hours.

Estimated Total Annual Burden Hours: 2,400.

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: March 30, 2017.

Laurie Brimmer,

IRS Senior Tax Analyst.

[FR Doc. 2017–07195 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Special Projects Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of Meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Special Projects Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, May 9, 2017.

FOR FURTHER INFORMATION CONTACT: Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Taxpayer Advocacy Panel Special Projects Committee will be held Tuesday, May 9, 2017, at 1:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Matthew O'Sullivan. For more information please contact Matthew O'Sullivan at 1–888–912–1227 or (510) 907–5274, or write TAP Office, 1301 Clay Street, Oakland, CA 94612–5217 or contact us at the Web site: *http://www.improveirs.org*. The agenda will include various IRS issues.

The agenda will include a discussion on various special topics with IRS processes.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07199 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, May 4, 2017.

FOR FURTHER INFORMATION CONTACT: Antoinette Ross at 1–888–912–1227 or (202) 317–4110.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Taxpayer Communications Project Committee will be held Thursday, May 4, 2017, at 1:00 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Antoinette Ross. For more information please contact: Antoinette Ross at 1–888–912–1227 or (202) 317–4110, or write TAP Office, 1111 Constitution Avenue NW., Room 1509, National Office, Washington, DC 20224, or contact us at the Web site: *http://www.improveirs.org*.

The committee will be discussing various issues related to Taxpayer Communications and public input is welcome.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07202 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Wednesday, May 17, 2017.

FOR FURTHER INFORMATION CONTACT: Fred Smith at 1–888–912–1227 or 202–317–3087.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Toll-Free Phone Line Project Committee will be held Wednesday, May 17, 2017, at 2:30 p.m. Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Fred Smith. For more information please contact Fred Smith at 1–888–912–1227 or 202–317–3087, or write TAP Office, 1111 Constitution Avenue NW., Room 1509—National Office, Washington, DC 20224, or contact us at the Web site: *http://www.improveirs.org.*

The committee will be discussing Toll-free issues and public input is welcomed.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07197 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Tax Forms and Publications Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Tax Forms and Publications Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, May 9, 2017.

FOR FURTHER INFORMATION CONTACT: Robert Rosalia at 1–888–912–1227 or (718) 834–2203.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Tax Forms and Publications Project Committee will be held Tuesday, May 9, 2017, at 12:00 p.m., Eastern Time via teleconference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Robert Rosalia. For more information please contact Robert Rosalia at 1–888–912–1227 or (718) 834–2203, or write TAP Office, 2 Metrotech Center, 100 Myrtle Avenue, Brooklyn, NY 11201 or contact us at the Web site: *http://www.improveirs.org.* The agenda will include various IRS issues.

Dated: April 4, 2017.

Kevin Brown,

Acting Director, Taxpayer Advocacy Panel.

[FR Doc. 2017–07200 Filed 4–10–17; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee Charter Renewals

AGENCY: Department of Veterans Affairs.

ACTION: Notice of advisory committee charter renewals.

FOR FURTHER INFORMATION CONTACT: Jeffrey Moragne, Committee Management Office, Department of Veterans Affairs, Advisory Committee Management Office (00AC), 810 Vermont Avenue NW., Washington, DC 20420; telephone (202) 266–4660; or email at *Jeffrey.Moragne@va.gov.* To view a copy of a VA Federal advisory committee charter, visit *http://www.va.gov/advisory.*

SUPPLEMENTARY INFORMATION: In accordance with the provisions of the Federal Advisory Committee ACT (FACA), 5 U.S.C. App. 2, and after consultation with the General Services Administration, the Secretary of Veterans Affairs has determined that the following Federal advisory committee is vital to the mission of the Department of Veterans Affairs (VA) and renewing its charter would be in the public interest. Consequently, the charter for the following Federal advisory committee is renewed for a two-year period, beginning on the dates listed below:

Committee name	Committee description	Charter renewed on
Department of Veterans Affairs Voluntary Service National Advisory Committee.	Provides advice on how to coordinate and promote volunteer activities within VA health care facilities.	January 19, 2017.

The Secretary has also renewed the charter for the following statutorily authorized Federal advisory committee for a two-year period, beginning on the date listed below:

Committee name	Committee description	Charter renewed on
Research Advisory Committee on Gulf War Veterans' Illnesses.	Authorized by Public Law 105–368 § 104. Provides advice on proposed research studies, research plans, or research strategies relating to the health effects of military service in Southwest Asia during the Gulf War.	January 27, 2017.

Dated: April 6, 2017.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2017–07216 Filed 4–10–17; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 82 Tuesday,
No. 68 April 11, 2017

Part II

The President

Proclamation 9589—Education and Sharing Day, U.S.A., 2017

Federal Register
Vol. 82, No. 68
Tuesday, April 11, 2017

Presidential Documents

Title 3—

The President

Proclamation 9589 of April 6, 2017

Education and Sharing Day, U.S.A., 2017

By the President of the United States of America

A Proclamation

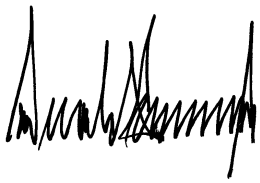
At the core of the American Dream lies the belief that our futures are not pre-determined and can be improved through learning and hard work. On Education and Sharing Day, we acknowledge the critical role of families, schools, and religious and other civic institutions in nurturing in our children the values that enable them to realize the full scope of their ambitions.

Education and Sharing Day recognizes the remarkable efforts of Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe, to use values-based education to drive our Nation's children toward the American Dream. As an educator, Rabbi Schneerson understood that education is incomplete if it is devoid of moral development. Working through a spirit of optimism, he strived to teach children to be honest, civil, respectful of differences, and self-disciplined, in addition to being intellectually rigorous.

On April 18, 1978, our Nation's first Education Day, U.S.A., Rabbi Schneerson wrote that ''we can neither be satisfied nor slacken our efforts'' so long as ''there is still one child that does not receive an adequate education.'' These words inspire us today, as they did then, to empower our children and share with each of them the opportunity and promise of America. It is up to us to support our children in realizing their hopes and to encourage them to reach their fullest potential.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim April 7, 2017, as ''Education and Sharing Day, U.S.A.'' I call upon government officials, educators, volunteers, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of April, in the year of our Lord two thousand seventeen, and of the Independence of the United States of America the two hundred and forty-first.



[FR Doc. 2017–07471
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