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

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1210

Safety Standard for Cigarette Lighters; Adjusted Customs Value for Cigarette Lighters

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Commission's safety standard for disposable and novelty lighters includes specified requirements for child resistance. The standard defines ''disposable lighters,'' in part, as refillable lighters that use butane or similar fuels that have a Customs Value or ex-factory price below a threshold value (initially set at $2.00 in 1993). The standard provides that the initial $2.00 value adjusts every 5 years for inflation. This document revises the cigarette lighter standard to adjust the import value to $2.75.

DATES: The rule is effective December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Julio Alvarado, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504–7418; email: *jalvarado@cpsc.gov.*

SUPPLEMENTARY INFORMATION:

A. Background

In 1993, the Commission issued a standard requiring disposable and novelty lighters to meet certain requirements for child resistance. The standard, as originally written, defines ''disposable lighters'' as those that are either: (1) Non-refillable, or (2) use butane or similar fuels and have ''a Customs Valuation or ex-factory price under $2.00, as adjusted every 5 years, to the nearest $0.25, in accordance with the percentage changes in the monthly Wholesale Price Index from June 1993.'' [1] 58 FR 37584 (July 12, 1993).

The standard adjusts the $2.00 threshold in accordance with inflation, with the adjustment to be rounded to the nearest 25 cents. Adjustment did not occur in 1998 because the change in the PPI since June 1993 was not sufficient to warrant an adjustment. Adjustment did occur in 2003 (to $2.25). Accordingly, the Commission revised the cigarette standard to the adjusted amount. 69 FR 19763 (April 14, 2004). At that time, the reference to the Wholesale Price Index was also revised to refer instead to the Producer Price Index (PPI). No adjustment occurred in 2008. An adjustment occurred in 2013 (to $2.50) and the Commission revised the cigarette standard to reflect the adjusted amount. 78 FR 52679 (August 26, 2013).

CPSC staff has calculated the PPI for Miscellaneous Fabricated Products to have increased by approximately 36 percent from June 1993 to June 2018. Under 16 CFR 1210.2(b)(2)(ii), this increase in the PPI merits an adjustment in the Customs Value or ex-factory price to $2.75 as the threshold for determining whether refillable lighters are within the scope of the cigarette lighter standard. The increase in the PPI (from 124.7 in June 1993 to 169.5 in June 2018) of approximately 36 percent yielded an adjustment to $2.72 per lighter, which rounds to $2.75. Thus, refillable lighters with a Customs Value or ex-factory price under $2.75 are now subject to the standard.

As the cigarette lighter standard is written, the Customs Value or ex-factory price adjusts automatically based on the PPI, and no change in the language of the rule is required to implement this change. However, we are revising the standard so that the CFR will state the properly adjusted $2.75 [c]ustoms [v]alue, and the public will have notice of the adjustment.

B. The Administrative Procedures Act

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) authorizes an agency to dispense with notice and comment procedures when the agency, for good cause, finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' This amendment informs the public of an adjustment to the cigarette lighter regulatory standard that has occurred automatically according to the terms of the cigarette lighter regulation. Because the adjustment occurs by terms of the regulation, the Commission could not alter the adjustment based on any public comments the Commission received. Accordingly, the Commission finds that notice and comment are unnecessary.

The APA also authorizes an agency, ''for good cause found and published with the rule,'' to dispense with the otherwise applicable requirement that a rule be published in the **Federal Register** at least 30 days before its effective date. 5 U.S.C. 553(d)(3). The Commission hereby finds that a 30-day delay of the effective date is unnecessary because this amendment informs the public of an adjustment that already has occurred in accordance with the existing regulatory requirements of the cigarette lighter standard.

List of Subjects in 16 CFR Part 1210

Cigarette lighters, Consumer protection, Fire prevention, Hazardous materials, Infants and children, Labeling, Packaging and containers, Reporting and recordkeeping requirements.

Accordingly, 16 CFR part 1210 is amended as follows:

PART 1210—SAFETY STANDARD FOR CIGARETTE LIGHTERS

■ 1. The authority citation for part 1210 continues to read as follows:

Authority: 15 U.S.C. 2056, 2058, 2079(d).

■ 2. Revise § 1210.2(b)(2)(ii) to read as follows:

§ 1210.2 Definitions.

* * * * *

(b) * * *

(2) * * *

(ii) It has a Customs Valuation or ex-factory price under $2.00, as adjusted every 5 years, to the nearest $0.25, in accordance with the percentage changes in the appropriate monthly Producer Price Index (Producer Price Index for Miscellaneous Fabricated Products) from June 1993. The adjusted figure,

[1] The name of the Wholesale Price Index has changed to the Producer Price Index (PPI). The specific PPI that includes cigarette lighters is the PPI for ''Miscellaneous Fabricated Products.''

based on the change in that Index since June 1993, is $2.75.

* * * * *

Abioye E. Mosheim,

Acting Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 2018–26160 Filed 11–30–18; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 284

[Docket No. RM96–1–041; Order No. 587–Y]

Standards for Business Practices of Interstate Natural Gas Pipelines

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission is amending its regulations to incorporate by reference, with certain enumerated exceptions, the latest version (Version 3.1) of business practice standards adopted by the Wholesale Gas Quadrant of the North American Energy Standards Board (NAESB) applicable to natural gas pipelines in place of the currently incorporated version (Version 3.0) of those business practice standards. The revisions made by NAESB in this version of the standards are designed to clarify the processing of certain business transactions.

DATES: This rule will become effective February 1, 2019. Compliance filings required by this rule are due on April 1, 2019 and compliance with the standards incorporated in this rule is required on and after August 1, 2019. The incorporation by reference of certain publications listed in this rule is approved by the Director of the Federal Register as of February 1, 2019.

FOR FURTHER INFORMATION CONTACT:

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1. In this Final Rule, the Federal Energy Regulatory Commission (Commission) amends its regulations at 18 CFR 284.12 to incorporate by reference, with certain enumerated exceptions, the latest version (Version 3.1) of business practice standards applicable to interstate natural gas pipelines adopted by the Wholesale Gas Quadrant (WGQ) of the North American Energy Standards Board (NAESB) in place of the currently incorporated version (Version 3.0) of those business practice standards. Under this Final Rule, interstate natural gas pipelines are required to file compliance filings with the Commission by April 1, 2019 and are required to comply with the standards incorporated by reference in this rule on and after August 1, 2019.

2. The implementation of these standards and regulations will promote additional efficiency and reliability of the natural gas industries' operations thereby helping the Commission to carry out its responsibilities under the Natural Gas Act (NGA).[1]

3. The NAESB WGQ Version 3.1 package of standards contains a number of revisions to the NAESB Version 3.0 package of standards. As explained further below, NAESB adopted two substantive revisions to its Nominations Related Standards, one to establish a standard rounding process for elapsed-prorated-scheduled quantity calculations and a second to revise the specifications for the information to be included in a nomination request.

4. NAESB also adopted three minor revisions to the WGQ Electronic Delivery Mechanism (EDM) Related Standards. First, it has increased the allowable field length in ASCII Comma Separated Value Files to 3000 characters. Second, NAESB adopted new Standard 4.3.106 to allow checkboxes and radio buttons in the Transmission Service Providers' (TSP) Electronic Bulletin Boards (EBB). Third, NAESB modified its standards to update the operating systems and web browsers that entities should support on behalf of users. Additionally, clarifying language was added to the Secure Sockets Layer (SSL)/Transport Layer Security (TLS) protocols.

5. Other changes adopted by NAESB included changes to the NAESB WGQ data sets and other technical implementation documentation as well as revisions to the Flowing Gas Related data sets and technical implementation. In addition, NAESB revised the Imbalance Trade data set and revised two Sender's Option data elements. NAESB also adopted revisions to the Capacity Release Related data sets and technical implementation and revised Standard 6.3.1 (*i.e.,* the NAESB Base Contract for Sale and Purchase of Natural Gas) to add language directing users to NAESB's copyright disclaimer posted on the NAESB website. Identical language was added to three additional NAESB WGQ Contracts.

6. Lastly, NAESB adopted modifications to add a self-identification provision that assists end

[1] 15 U.S.C. 717 (2012).

users in determining whether counterparties are commercial market participants as defined by the United States Commodity Futures Trading Commission.

I. Background

7. Since 1996, the Commission has adopted regulations to standardize the business practices and communication methodologies of interstate natural gas pipelines to create a more integrated and efficient pipeline grid. These regulations have been promulgated in the Order No. 587 series of orders,[2] wherein the Commission has incorporated by reference standards for interstate natural gas pipeline business practices and electronic communications that were developed and adopted by NAESB's WGQ. Upon incorporation by reference, this version of these standards will become part of the Commission's regulations and compliance by interstate natural gas pipelines will become mandatory and will replace the earlier version of these standards that the Commission previously incorporated by reference in 2015.[3]

8. On September 29, 2017, NAESB filed a report informing the Commission that it had adopted and ratified WGQ Version 3.1 of its business practice standards applicable to natural gas pipelines. The NAESB report identifies all the changes made to the Version 3.0 Standards and summarizes the deliberations that led to the changes. It also identifies changes to the existing standards that were considered but not adopted due to a lack of consensus or other reasons.

9. On August 21, 2018, the Commission issued a Notice of Proposed Rulemaking proposing to amend its regulations to incorporate by reference, with certain enumerated exceptions, the NAESB WGQ Version 3.1 business practice standards (referenced above) applicable to natural gas pipelines.[4]

10. In response to the Version 3.1 NOPR, Tennessee Valley Authority (TVA) and the Interstate Natural Gas Association of America (INGAA) filed comments. TVA expresses support for the Commission's proposal to incorporate by reference NAESB's WGQ Version 3.1 business practice standards. INGAA also supports the Commission's proposal in the Version 3.1 NOPR, but urges the Commission to ensure that implementation of a Final Rule in this proceeding does not occur prior to April 1, 2019, after the winter heating season. INGAA states that implementation of a Final Rule in this proceeding will require substantial time and effort from both pipelines and their customers to alter business systems, scheduling, and coordination processes and, thus, it would be best to schedule implementation to not occur during the winter heating season.

II. Discussion

A. The NAESB WGQ Version 3.1 Business Practice Standards

11. The NAESB WGQ Version 3.1 Business Practice Standards made a number of modifications to the earlier version of those standards that the Commission previously incorporated by reference in 2015 in Order No. 587–W.[5] Notable among these modifications[6] were two substantive revisions concerning the Nominations Related Standards, which govern shipper requests to schedule service on natural gas pipelines. One revision adds a new provision, Standard 1.3.82, to establish a standard rounding process (requiring calculations to at least the seventh decimal place) for elapsed-prorated-scheduled quantity[7] calculations to provide for needed numerical uniformity and granularity for users of these NAESB procedures. The other Nominations Related Standards revision was to revise the ''Service Requester'' element of Standard 1.3.27,[8] which specifies some of the information that should be included in a nomination request, from a Mandatory designation to a Business Conditional[9] designation. Thus, instead of forcing a specific upstream or downstream (unthreaded) nomination[10] to be tied to a specific contract (using a specific threaded nomination), upstream nominations may now be distributed among several contracts (using a Pathed Non-Threaded nomination structure), which generally increases flexibility to customers.

12. NAESB also adopted three minor revisions to the WGQ EDM Related Standards, which establish the framework for the electronic dissemination and communication of information between parties in the North American Wholesale Gas marketplace. First, NAESB revised Standard 4.3.80 to increase the allowable field length in ASCII Comma Separated Value Files to 3000 characters. The revision increases the amount of information that can be conveyed, but reasonably limits it in conformity with commonly used software such as Excel. Second, NAESB adopted new Standard 4.3.106 to allow checkboxes and radio buttons in the TSPs' EBBs to indicate ''Yes'' and/or ''No'' responses to data elements, which NAESB states is more convenient than the current drop down list. Third, NAESB revised its standards to update the operating systems and web browsers that entities should support to allow

[2] This series of orders began with the Commission's issuance of *Standards for Business Practices of Interstate Natural Gas Pipelines,* Order No. 587, FERC Stats. & Regs. ¶ 31,038 (1996) (cross-referenced at 76 FERC ¶ 61,042).

[3] *Standards for Business Practices of Interstate Natural Gas Pipelines,* Order No. 587–W, FERC Stats. & Regs. ¶ 31,373 (2015) (Order No. 587–W) (cross-referenced at 153 FERC ¶ 61,061).

[4] *Standards for Business Practices of Interstate Natural Gas Pipelines,* Notice of Proposed Rulemaking, 83 FR 44521 (Aug. 31, 2018), FERC Stats. & Regs. ¶ 32,728 (2018) (Version 3.1 NOPR).

[5] Order No. 587–W, FERC Stats. & Regs. ¶ 31,373.

[6] An abbreviated description of these modifications is provided at PP 3–6 above.

[7] Standard 1.2.12 of the Nominations Related Standards defines the elapsed-prorated-scheduled quantity to mean:

That portion of the scheduled quantity that would have theoretically flowed up to the effective time of the intraday nomination being confirmed, based upon a cumulative uniform hourly quantity for each nomination period affected.

[8] NAESB also made conforming revisions to the related data sets and documents: Standard 1.4.1 of the Nomination data set, Standard 1.4.5 of the Scheduled Quantity data set, Standard 2.4.4 of the Shipper Imbalance data set, Standard 1.4.2 of the Nomination Quick Response data set, Standard 2.4.1 of the Pre-Determined Allocation document, and Standard 2.4.3 of the Allocation document.

[9] Standard 1.2.2 of the Nominations Related Standards provides that a Business Conditional data element is one that is based on current variations in business practice.

[10] NAESB's Nomination Data Dictionary, WGQ Version 3.1, Standard 1.4.1, retains from the Version 3.0 standard the field for ''Model Type Data'' that identifies which of three types of nomination structures is being used. These are: Pathed, Non-Pathed, and Pathed Non-Threaded. Having these three types of model type data allows specificity as to the details of the nomination. A pathed nomination uses one nomination line item to transact business and, therefore, has one transaction type. A non-pathed nomination uses two nomination line items to transact business and, therefore, has two transaction types. A pathed non-threaded nomination uses three nomination line items to transact business and, therefore, has three transaction types.

NAESB also provides the following clarification of these concepts in the description of the technical implementation of business processes included as part of Standard 1.4.1, where NAESB explains that:

[a] ''Pathed'' nomination is actually a ''Pathed Threaded'' nomination because (1) the physical path of the pipeline locations and service contract(s) is fully described in the nomination, and (2) the logical thread of a specific supplier entity to a specific market entity at specific pipeline locations for a specific quantity is also fully described. ''Non-Pathed'' nominations are actually ''Non-Pathed Non-Threaded'' nominations because (1) physical ''location-to-location'' paths are not described in the nominations, and (2) no ties of specific supply entities to specific market entities are established. And for ''Pathed Non-Threaded'' nominations, (1) the physical path of the pipeline locations, service contract(s), and quantity is fully described, and (2) no ties of specific supply entities to specific market entities are established. *See* NAESB WGQ Version 3.1 Business Practice Standards, Nominations Related Standards, Standard 1.4.1, at 87 (Sep. 29, 2017).

users to take advantage of recent developments in computer technology and use. Additionally, language was added to clarify the SSL/TLS protocols, which encrypt data to hide information from electronic observers on the internet. The revised standard provides guidance on the timing for adoption of a new version of SSL/TLS protocols—new versions of these protocols should be used within 9 months of the version becoming generally available. In addition, the revised standard clarifies that SSL is a colloquial term that encompasses both SSL and TLS.

13. Other changes adopted by NAESB included changes to the NAESB WGQ data sets and other technical implementation documentation, which provide the technical support necessary to use the NAESB standards effectively. One such change was to add a new Business Conditional data element ''Agent'' and corresponding technical implementation to the Nominations related Standard 1.4.1 and the Scheduled Quantity Standard 1.4.5. Currently, in the data sets, the Service Requester is defined as the Shipper or its Agent; however, language included in the implementation guides states that both the Shipper and Agent will be identified. Thus, this change adds a data element ''Agent'' to the data sets to allow the Service Requestor to identify both the shipper and its agent if it uses an agent to nominate and schedule on the pipeline.

14. NAESB also adopted revisions to the Flowing Gas Related data sets and technical implementation, which address quantitative issues relating generally to allocation, imbalances, and measurement of flowing gas. Specifically, NAESB added three Business Conditional data elements to the Authorization to Post Imbalances data set (Standard 2.4.9). The addition of the three data elements will allow a Service Requester to authorize specific contracts and quantities of imbalances for specified periods of time to be posted.

15. In addition, NAESB revised the Imbalance Trade data set (Standard 2.4.11) to reinstate language providing the confirming party the ability to reject a trade in the Imbalance Trade data set when an auto-confirm agreement with a confirming party is in place. NAESB states that in its WGQ Version 2.1 publication, before the Imbalance Trading data sets were consolidated, the Imbalance Trade Confirmation contained a Yes/No indicator that the confirming party could use to indicate its acceptance or rejection of the trade. This indicator informed a pipeline whether the confirming party agreed to the terms of the trade that the initiating trader had posted. When the data sets were consolidated, this data element was dropped because it was assumed that if a confirming party did not agree with the posted terms it would not confirm the trade, which was effective only if the pipeline did not have an auto-confirm agreement with that confirming party. Accordingly, to address situations where there are auto-confirm agreements, NAESB has now revised Standard 2.4.11 to add a new Business Conditional data element ''Imbalance Trade Response'' with an ''Accept/Reject'' code value. This Accept/Reject indicator informs the pipeline whether the confirming party agrees to the terms of the trade that the initiating trader had posted.

16. NAESB also revised Standard 2.4.6 to add two Sender's Option data elements,[11] ''Comments'' and ''Volume-Uncorrected'' to the Measured Volume Audit Statement [12] in order to communicate raw data on volumes in addition to the final volumes, which are communicated through the existing data element ''Volume Corrected.'' Thus, users will now be able to indicate what initial data they received in addition to how that data was ultimately corrected, and to provide comments concerning that data, which relate to what meter was used to measure the data.

17. NAESB also adopted revisions to the Capacity Release Related data sets and technical implementation. Specifically, NAESB revised Standard 5.4.24 to add a new Business Conditional data element, ''Waive Bidder Credit Indicator'' and corresponding code values to the Offer data set. The additional data element indicates to a Bidder whether the Releasing Shipper will waive, pursuant to the TSP's tariff, the Bidder's creditworthiness pre-qualification.

18. Further, NAESB revised Standard 6.3.1 (*i.e.,* the NAESB Base Contract for Sale and Purchase of Natural Gas) to add language to the disclaimer to provide a copyright notification and direct the reader to the NAESB Copyright Policy and Companies with Access to NAESB Standards under the Copyright Policy posted on the NAESB website. Identical language was added to three additional NAESB WGQ Contracts.

19. Lastly, NAESB adopted modifications to the cover page of Standard 6.3.1 to add a self-identification provision that assists end users in determining whether counterparties are commercial market participants as defined by the United States Commodity Futures Trading Commission.

B. NAESB's Process

20. NAESB used its consensus procedures to develop and approve the Version 3.1 Standards. As the Commission found in Order No. 587, the adoption of consensus standards is appropriate, because the consensus process helps ensure the reasonableness of the standards by requiring that the standards draw support from a broad spectrum of industry participants representing all segments of the industry. Moreover, since the industry itself must conduct business under these standards, the Commission's regulations should reflect those standards that have the widest possible support. In section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTT&AA),[13] Congress affirmatively requires federal agencies to use technical standards developed by voluntary consensus standards organizations, like NAESB, as means to carry out policy objectives or activities determined by the agencies unless an agency determines that the use of such standards would be inconsistent with applicable law or otherwise impractical.

C. Adoption of Version 3.1 of the Standards

21. In the Version 3.1 NOPR, the Commission proposed to incorporate by reference, in its regulations, Version 3.1 of the NAESB WGQ consensus business practice standards, with the exception of NAESB's standards specifying the terms of optional model contracts and the eTariff-related standards.[14] As explained above, all of the commenters supported the Commission's proposal to incorporate by reference the NAESB WGQ Version 3.1 business practice standards as proposed in the Version 3.1 NOPR.[15]

22. After a review of the comments filed in response to the Version 3.1 NOPR, the Commission amends Part 284 of its regulations to incorporate by

[11] Nominations Related Standard 1.2.2 provides that Sender's Option means that this element is an option for the sender to send and, if sent, the receiver should store and use the contents of the data element.

[12] NAESB's business process and practices overview of the Flowing Gas Related Standards states that the Measured Volume Audit Statement data set is used to report gas measurement information in support of the allocation, imbalance, invoice and audit processes.

[13] Public Law 104–113, 12(d), 110 Stat. 775 (1996).

[14] Version 3.1 NOPR, FERC Stats. & Regs. ¶ 32,728 at n.1 & P16.

[15] INGAA's suggestions for the implementation dates for the Final Rule are discussed separately in section III below.

reference the NAESB WGQ Version 3.1 business practice standards, with the exceptions (as explained in the Version 3.1 NOPR) of the optional model contracts and the eTariff-related standards.

D. Required Compliance Filings

23. To implement the standards we are incorporating by reference in this Final Rule, we will require each interstate natural gas pipeline to file a separate tariff record reflecting the changed standards by April 1, 2019, to take effect on August 1, 2019, and the natural gas pipelines will be required to comply with these standards on and after August 1, 2019.[16]

III. Implementation Schedule

24. As suggested by INGAA, we have selected an implementation schedule for compliance with this Final Rule that delays implementation until after the winter heating period. We also observe that none of the comments took issue with the Commission's explanation of its policies on tariff filings and on waiver requests. Thus, we are not modifying these policies in this Final Rule and stand by the explanation of those policies we made in the Version 3.1 NOPR. The Commission will require interstate natural gas pipelines to comply with the revised NAESB standards that we are incorporating by reference in this Final Rule beginning on August 1, 2019. We are adopting this implementation schedule to give the interstate natural gas pipelines subject to these standards adequate time to implement these changes. In addition, the interstate natural gas pipelines must file tariff records to reflect the changed standards by April 1, 2019.

25. In addition, consistent with the requirements in Order No. 587–W,[17] the Commission is including the following compliance filing requirements to increase the transparency of the pipelines' incorporation by reference of the NAESB WGQ Standards so that shippers and the Commission will know which tariff provision(s) implements each standard as well as the status of each standard.

(1) The pipelines must designate a single tariff record under which every NAESB standard currently incorporated by reference by the Commission is listed.[18] This section should be a separate tariff record under the Commission's electronic tariff filing requirement and should be filed electronically using the eTariff portal using the Type of Filing Code 580. The Commission will post on its eLibrary website (under Docket No. RM96–1–041) a sample tariff record, to provide filers an illustrative example to aid them in preparing their compliance filings; [19]

(2) For each standard, each pipeline must specify in the tariff record a list of all the NAESB standards currently incorporated by reference by the Commission:

(a) whether the standard is incorporated by reference;

(b) for those standards not incorporated by reference, the tariff provision that complies with the standard; [20] and

(c) a statement identifying any standards for which the pipeline has been granted a waiver, extension of time, or other variance with respect to compliance with the standard.[21]

(3) If the pipeline is requesting a continuation of an existing waiver or extension of time, it must include a table in its transmittal letter that states the standard for which a waiver or extension of time was granted, and the docket number or order citation to the proceeding in which the waiver or extension of time was granted.

IV. Notice of Use of Voluntary Consensus Standards

26. Office of Management and Budget (OMB) Circular A–119 (section 11) (February 10, 1998) provides that federal agencies should publish a request for comment in a NOPR when the agency is seeking to issue or revise a regulation proposing to adopt a voluntary consensus standard or a government-unique standard. In this Final Rule, the Commission is amending its regulations to incorporate by reference voluntary consensus standards developed by NAESB's WGQ. In section 12(d) of NTT&AA, Congress affirmatively requires federal agencies to use technical standards developed by voluntary consensus standards organizations to carry out policy objectives or activities determined by the agencies unless use of such standards would be inconsistent with applicable law or otherwise impractical.[22]

V. Incorporation by Reference

27. The Office of the Federal Register requires agencies incorporating material by reference in final rules to discuss, in the preamble of the final rule, the ways that the materials it incorporates by reference are reasonably available to interested parties and how interested parties can obtain the materials.[23] The regulations also require agencies to summarize, in the preamble of the final rule, the material it incorporates by reference.

28. The NAESB standards being incorporated by reference in this Final Rule consist of seven suites of NAESB WGQ Business Practice Standards that touch on a variety of topics and are designed to streamline the transactional processes for the wholesale gas industry by promoting a more competitive and efficient market. These include the WGQ Additional Business Practice Standards; WGQ Nominations Related Business Practice Standards; WGQ Flowing Gas Related Business Practice Standards; Invoicing Related Business Practice Standards; Quadrant EDM Related Business Practice Standards; Capacity Release Related Business Practice Standards; and internet Electronic Transport Related Business Practice Standards. These can be summarized as follows.

29. *The WGQ Additional Business Practice Standards* address six areas: Creditworthiness, Storage Information, Gas/Electric Operational Communications, Operational Capacity, Unsubscribed Capacity, and Location Data Download.

- The Creditworthiness related standards describe requirements for the exchange of information, notification, and communication between parties during the creditworthiness evaluation process.
- The Storage Information related standards define the information to be provided to natural gas service requesters related to storage activities and/or balances.
- The Gas/Electric Operational Communications related standards define communication protocols intended to improve coordination

[16] To aid in compliance, promptly after issuance of this Final Rule, the Commission will post a sample tariff record on the Commission's website that may be accessed at *http://www.ferc.gov/docs-filing/elibrary.asp.* All interstate natural gas pipelines are to file their tariff records in conformance with this sample tariff record.

[17] Order No. 587–W, FERC Stats. & Regs. ¶31,373 at P 42.

[18] *See* supra n.14.

[19] *Id.*

[20] For example, pipelines are required to include the full text of the NAESB nomination and capacity release timeline standards (WGQ Standards 1.3.2(i–vi) and 5.3.2) in their tariffs. *See, e.g., Standards for Business Practices of Interstate Natural Gas Pipelines,* Order No. 587–U, FERC Stats. & Regs. ¶ 31,307, at P 39 & n.42 (2010). Each pipeline's submittal is to identify which tariff provision complies with each of these standards.

[21] Shippers can use the Commission's electronic tariff system to locate the tariff record containing the NAESB standards, which will indicate the docket in which any waiver or extension of time was granted.

[22] Public Law 104–113, 12(d), 110 Stat. 775 (1996), 15 U.S.C. 272 note (1997).

[23] 1 CFR 51.5. *See Incorporation by Reference,* 79 FR 66267 (Nov. 7, 2014).

between the gas and electric industries in daily operational communications between transportation service providers and gas-fired power plants. The standards include requirements for communicating anticipated power generation fuel for the upcoming day as well as any operating problems that might hinder gas-fired power plants from receiving contractual gas quantities.

- The Operational Capacity related standards define requirements of the transportation service provider related to the reporting and requesting of a transportation service provider's operational capacity, total scheduled quantity, and operationally available capacity.
- The Unsubscribed Capacity related standards define requirements of the transportation service provider related to reporting and requesting a transportation service provider's available unsubscribed capacity.
- The Location Data Download related standards define requirements for the use of codes assigned by the transportation service provider for locations and common codes for parties communicating electronically.

30. *The WGQ Nominations Related Business Practice Standards* define the process by which a natural gas service requester with a natural gas transportation contract nominates (or requests) service from a pipeline or a transportation service provider for the delivery of natural gas.

31. *The WGQ Flowing Gas Related Business Practice Standards* define the business processes related to the communication of entitlement rights of flowing gas at a location, of the entitlement rights on a contractual basis, of the management of imbalances, and of the measurement and gas quality information of the actual flow of gas.

32. *The Invoicing Related Business Practice Standards* define the process for the communication of charges for services rendered (Invoice), communication of details about funds rendered in payment for services rendered (Payment Remittance), and communication of the financial status of a customer's account (Statement of Account).

33. *The Quadrant Electronic Delivery Mechanism Related Business Practice Standards* define the framework for the electronic dissemination and communication of information between parties in the North American wholesale gas marketplace for Electronic Data Interchange (EDI)/EDM transfers, batch flat file/EDM transfers, informational postings websites, EBB/EDM and interactive flat file/EDM.

34. *The Capacity Release Related Business Practice Standards* define the business processes for communication of information related to the selling of all or any portion of a transmission service requester's contract rights.

35. *The Internet Electronic Transport Related Business Practice Standards* define the implementation of various technologies necessary to communicate transactions and other electronic data using standard protocols for electronic commerce over the internet between trading partners.

36. Our regulations provide that copies of the NAESB standards incorporated by reference may be obtained from NAESB, whose offices are located at 801 Travis Street, Suite 1675, Houston, TX 77002, Phone: (713) 356–0060. NAESB's website can be accessed at *https://www.naesb.org//*. Copies of the NAESB standards may be inspected at the Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street NE, Washington, DC 20426, Phone: (202) 502–8371, *http://www.ferc.gov*.[24]

37. NAESB is a private, consensus standards developer that develops voluntary wholesale and retail standards related to the energy industry. The procedures utilized by NAESB make its standards reasonably available to those affected by the Commission regulations.[25] Participants can join NAESB, for an annual membership cost of $7,000, which entitles them to full participation in NAESB and enables them to obtain these standards at no additional cost.[26] Non-members may obtain the Individual Standards Manual or Booklet for each of the seven manuals or booklets by email for $250 per manual or booklet, which in the case of these standards would total $1,750.[27] Non-members also may obtain the complete set of Business Practice Standards on USB flash drive for $2,000. NAESB also provides a free electronic read-only version of the standards for a three business day period or, in the case of a regulatory comment period, through the end of the comment period.[28] In addition, NAESB considers requests for waivers of the charges on a case-by-case basis based on need.

VI. Information Collection Statement

38. The collections of information for this Final Rule are being submitted to OMB for review under section 3507(d) of the Paperwork Reduction Act of 1995 [29] and OMB's implementing regulations.[30] OMB must approve information collection requirements imposed by agency rules. The burden estimates for this Final Rule are for one-time implementation of the information collection requirements of this Final Rule (including tariff filing, documentation of the process and procedures, and IT work), and ongoing burden.

39. The Commission solicited comments from the public on the Commission's need for this information, whether the information will have practical utility, the accuracy of the burden estimates, recommendations to enhance the quality, utility, and clarity of the information to be collected, and any suggested methods for minimizing respondents' burden, including the use of automated information techniques. No comments were filed raising any objections to the burden estimate presented in the Version 3.1 NOPR. Accordingly, we will use that same burden estimate in this Final Rule.

40. The collections of information related to this Final Rule fall under FERC–545B (Gas Pipeline Rates: Rate Change (Non-Formal)) [31] and FERC–549C (Standards for Business Practices of Interstate Natural Gas Pipelines).[32] The following estimates of reporting burden are related only to this Final Rule and include the costs to pipelines to comply with the Commission's directives in this Final Rule. The burden estimates are primarily related to start-up to implement these standards and regulations and will not result in ongoing costs.

[24] 18 CFR 284.12.

[25] As a private, consensus standards developer, NAESB needs the funds obtained from its membership fees and sales of its Individual Standards Manual or Booklet to finance the organization. The parties affected by these Commission regulations generally are highly sophisticated and have the means to acquire the information they need to effectively participate in Commission proceedings.

[26] *NAESB Membership Application, https://www.naesb.org/pdf4/naesbapp.pdf.*

[27] *NAESB Materials Order Form, https://www.naesb.org/pdf/ordrform.pdf.*

[28] Procedures for non-members to evaluate work products before purchasing are available at *https://www.naesb.org/misc/NAESB_Nonmember_Evaluation.pdf. See Incorporation by Reference,* 79 FR at 66271, n.51 & 53 (Nov. 7, 2014) (citing to NAESB's procedure of providing ''no-cost, no-print electronic access,'' NAESB Comment, at 1, available at *http://www.regulations.gov/#!document Detail;D=OFR-2013-0001-0023*).

[29] 44 U.S.C. 3507(d).

[30] 5 CFR 1320.

[31] FERC–545B covers rate change filings made by natural gas pipelines, including tariff changes.

[32] FERC–549C covers Standards for Business Practices of Interstate Natural Gas Pipelines.

RM96–1–041 FINAL RULE

[Standards for business practices of interstate natural gas pipelines]

	Number of respondents [33]	Annual number of responses per respondent	Total number of responses	Average burden hr. per response	Total annual burden hours & total annual cost [34]	Annual costs per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) * (1)
FERC–545B (one-time) ...	165	1	165	10 hrs.; $1,020	1,650 hrs.; $168,000	$1,020
FERC–549C (one-time) ...	165	1	165	22 hrs.; $2,244	3,630 hrs.; $370,260	2,244
Total	.....	.....	330	.....	5,280 hrs.; 538,560 ...	.....

The one-time burden (for both the FERC–545B and FERC–549C) will be averaged over three years:

FERC–545B: 1,650 hours ÷ 3 = 550 hours/year over three years

FERC–549C: 3,630 hours ÷ 3 = 1,210 hours/year over three years

The number of responses is also averaged over three years (for both the FERC–545 and FERC–549C):

FERC–545B: 165 responses ÷ 3 = 55 responses/year

FERC–549C: 165 responses ÷ 3 = 55 responses/year

The responses and burden for Years 1–3 will total respectively as follows:

Year 1: 55 responses; 550 hours (FERC–545B); 1,210 hours (FERC–549C)

Year 2: 55 responses; 550 hours (FERC–545B); 1,210 hours (FERC–549C)

Year 3: 55 responses; 550 hours (FERC–545B); 1,210 hours (FERC–549C)

41. OMB regulations require OMB to approve certain information collection requirements imposed by agency rule. The Commission is submitting notification of this Final Rule to OMB. These information collections are mandatory requirements.

Title: FERC–545B,[35] Gas Pipeline Rates: Rates Change (Non-Formal); FERC–549C, Standards for Business Practices of Interstate Natural Gas Pipelines.

Action: Proposed information collections.

OMB Control Nos.: TBD (FERC–545B), 1902–0174 (FERC–549C).

Respondents: Business or other for profit (*e.g.,* Natural Gas Pipelines, applicable to only a few small businesses).

Frequency of Responses: One-time implementation (related to business procedures, capital/start-up).

Necessity of Information: The Commission has determined that the revisions the Commission makes in this Final Rule to its regulations specifically will upgrade the business practices and communication standards of natural gas pipelines by (1) updating the Nominations Related Standards to standardize a rounding process for the elapsed-prorated-scheduled quantity calculation, and dictate that the ''Service Requester Contract'' data element signify business conditional nominations, rather than mandatory nominations, (2) updating the WGQ EDM Related Standards to make three minor revisions designed to add clarity, update the minimum technical characteristics to account for changes in technology since the previous version (Version 3.0) of the WGQ standards, and update the minimum and suggested operating systems and web browsers that entities should support, and (3) revising the NAESB WGQ data sets or other technical implementation documentation while not resulting in modifications to the underlying business practice standards. The package of standards also includes minor corrections.

The implementation of these data requirements will provide additional transparency to informational posting websites and will improve communication standards. The implementation of these standards and regulations will promote the additional efficiency and reliability of the natural gas industries' operations thereby helping the Commission to carry out its responsibilities under the NGA. In addition, the Commission's Office of Enforcement will use the data for general industry oversight.

Internal Review: The Commission has reviewed the business practice standards of natural gas pipelines adopted by NAESB and has determined that the revisions the Commission makes in this Final Rule to its regulations are necessary to provide additional transparency to informational posting websites and promote the additional efficiency and reliability of the natural gas industry's operations. These requirements conform to the Commission's plan for efficient information collection, communication, and management within the natural gas pipeline industry. The Commission has assured itself, by means of its internal review, that there is specific, objective support for the burden estimates associated with the information requirements. Interested persons may obtain information on the reporting requirements by contacting the following: Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426 [Attention: Ellen Brown, Office of the Executive Director], email: *DataClearance@ferc.gov,* phone: (202) 502–8663, fax: (202) 273–0873.

42. Comments concerning the collection of information(s) and the associated burden estimate(s) should be sent to the contact listed above and to OMB, Office of Information and Regulatory Affairs, Washington, DC 20503 [Attention: Desk Officer for the

[33] The number of respondents is the number of entities in which a change in burden from the current standards to the proposed exists, not the total number of entities from the current or proposed standards that are applicable.

[34] The estimated hourly cost (salary plus benefits) provided in this section is based on the salary figures for May 2017 posted by the Bureau of Labor Statistics for the Utilities sector (Bureau of Labor Statistics, *May 2017 National Industry-Specific Occupational Employment and Wage Estimates* (May 2017), *http://www.bls.gov/oes/current/naics2_22.htm#13-0000*) and scaled to reflect benefits using the relative importance of employer costs in employee compensation from May 2017 (Bureau of Labor Statistics, *May 2017 National Industry-Specific Occupational Employment and Wage Estimates* (May 2017), *https://www.bls.gov/oes/current/naics2_22.htm*). The hourly estimates for salary plus benefits are:

Computer and Information Systems Manager (Occupation Code: 11–3021), $96.51

Electrical Engineer (Occupation Code: 17–2071), $66.90

Legal (Occupation Code: 23–0000), $143.68

The average hourly cost (salary plus benefits), weighting all of these skill sets evenly, is $102.36. The Commission rounds it to $102/hour.

[35] In the supporting statement for the NOPR, we submitted Gas Pipeline Rates: Rate Changes (Non-Formal) under the temporary information collection FERC–545B to ensure timely submission to OMB as another unrelated item was pending OMB review under FERC–545 (and only one item per collection can be pending at OMB). FERC–545B will also be used for the Final Rule in Docket No. RM96–1–041.

Federal Energy Regulatory Commission, telephone: (202) 395–0710, fax: (202) 395–4718].

VII. Environmental Analysis

43. The Commission concludes that neither an Environmental Assessment nor an Environmental Impact Statement is required for this Final Rule under § 380.4(a) of the Commission's regulations, which provides a categorical exemption for actions that are clarifying, corrective, or procedural, or that do not substantively change the effect of legislation or regulations being amended, for information gathering, analysis, and dissemination, or for the sale, exchange, or transportation of natural gas under sections 4, 5, and 7 of the NGA that require no construction of facilities.[36] Therefore, an environmental review is unnecessary and has not been prepared as part of this Final Rule.

VIII. Regulatory Flexibility Act

44. The Regulatory Flexibility Act of 1980 (RFA) [37] generally requires a description and analysis of final rules that will have significant economic impact on a substantial number of small entities. The Commission is not required to make such analysis if proposed regulations would not have such an effect.

45. As we stated in the WGQ Version 3.1 NOPR, approximately 165 interstate natural gas pipelines, both large and small, are potential respondents subject to the requirements adopted by this rule. Most of the natural gas pipelines regulated by the Commission do not fall within the RFA's definition of a small entity,[38] which is currently defined for natural gas pipelines as a company that, in combination with its affiliates, has total annual receipts of $27.5 million or less.[39] For the year 2018, only eleven companies not affiliated with larger companies had annual revenues in combination with its affiliates of $27.5 million or less and therefore could be considered a small entity under the RFA. This represents about seven percent of the total universe of potential respondents that may have a significant burden imposed on them. The Commission estimates that the one-time implementation cost of the proposals in this Final Rule is $538,560 (or $3,264 per entity, regardless of entity size).[40] The Commission does not consider the estimated $3,264 impact per entity to be significant. Moreover, these requirements are designed to benefit all customers, including small businesses that must comply with them. Further, as noted above, adoption of consensus standards helps ensure the reasonableness of the standards by requiring that the standards draw support from a broad spectrum of industry participants representing all segments of the industry. Because of that representation and the fact that industry conducts business under these standards, the Commission's regulations should reflect those standards that have the widest possible support.

46. Accordingly, pursuant to § 605(b) of the RFA,[41] the regulations being promulgated herein should not have a significant economic impact on a substantial number of small entities.

IX. Document Availability

47. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through FERC's Home Page (*http://www.ferc.gov*) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE, Room 2A, Washington DC 20426.

48. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

49. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202)502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov*.

X. Effective Date and Congressional Notification

50. These regulations are effective February 1, 2019. The Commission has determined (with the concurrence of the Administrator of the Office of Information and Regulatory Affairs of OMB) that this rule is not a ''major rule'' as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996. This Final Rule is being submitted to the Senate, House, and Government Accountability Office.

List of Subjects in 18 CFR Part 284

Incorporation by reference, Natural gas, Reporting and recordkeeping requirements.

By the Commission. Commissioner McIntyre is not voting on this order.

Issued: November 15, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

In consideration of the foregoing, the Commission amends part 284, chapter I, title 18, *Code of Federal Regulations,* as follows:

PART 284—CERTAIN SALES AND TRANSPORTATION OF NATURAL GAS UNDER THE NATURAL GAS POLICY ACT OF 1978 AND RELATED AUTHORITIES

■ 1. The authority citation for part 284 continues to read as follows:

Authority: 15 U.S.C. 717–717z, 3301–3432; 42 U.S.C. 7101–7352; 43 U.S.C. 1331–1356.

■ 2. Section 284.12 is amended by:
■ a. Revising paragraph (a)(1); and
■ b. Removing from paragraph (a)(2) the phrase ''*http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html*'' and adding ''*www.archives.gov/federal-register/cfr/ibr-locations.html*'' in its place.

The revision reads as follows:

§ 284.12 Standards for pipeline business operations and communications.

(a) * * *

(1) An interstate pipeline that transports gas under subparts B or G of this part must comply with the business practices and electronic communications standards as promulgated by the North American Energy Standards Board, as incorporated herein by reference in paragraphs (a)(1)(i) through (vii) of this section.

(i) Additional Standards (Version 3.1, September 29, 2017);

(ii) Nominations Related Standards (Version 3.1, September 29, 2017);

(iii) Flowing Gas Related Standards (Version 3.1, September 29, 2017);

[36] *See* 18 CFR 380.4(a)(2)(ii), 380.4(a)(5), 380.4(a)(27).

[37] 5 U.S.C. 601–612.

[38] *See* 5 U.S.C. 601(3) citing section 3 of the Small Business Act (SBA), 15 U.S.C. 623. Section 3 of the SBA defines a ''small-business concern'' as a business which is independently owned and operated and which is not dominant in its field of operation.

[39] 13 CFR 121.201 (Subsector 486-Pipeline Transportation; North American Industry Classification System code 486210; Pipeline Transportation of Natural Gas) (2018). ''Annual Receipts'' are total income plus cost of goods sold.

[40] This number is derived by dividing the total cost figure by the number of respondents. $538,560/165 = $3,264.

[41] 5 U.S.C. 605(b).

(iv) Invoicing Related Standards (Version 3.1, September 29, 2017);

(v) Quadrant Electronic Delivery Mechanism Related Standards (Version 3.1, September 29, 2017);

(vi) Capacity Release Related Standards (Version 3.1, September 29, 2017); and

(vii) internet Electronic Transport Related Standards (Version 3.1, September 29, 2017).

* * * * *

[FR Doc. 2018–26158 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 701

[Docket ID: USN–2018–HQ–0012]

RIN 0703–AB02

Indexing, Public Inspection, and Federal Register Publication of Department of Navy Directives and Other Documents Affecting the Public

AGENCY: Department of the Navy, Department of Defense.

ACTION: Final rule.

SUMMARY: This final rule amends the CFR by removing a subpart that delineates internal responsibilities regarding indexing, public inspection, and **Federal Register** publication of Department of the Navy (DON) directives and other documents affecting the public. It has been determined that this subpart is no longer required, as the procedures outlined in it are internal to the DON.

DATES: This rule is effective on December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Helena Gilbert at 703–693–9932.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this rule in the **Federal Register** for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing policies and procedures that are solely internal to the DON. Specifically, the subpart this rule is removing prescribes internal instructions for making available for public inspection, and copying, certain classes of documents; maintaining current indexes of documents, and publishing such indexes or making them available by other means; receiving and considering petitions of members of the public for the issuance, revision, or cancellation of documents of some classes; and, distributing the **Federal Register** for official use within the DON. These internal procedures will continue to be available at *https://doni.documentservices.dla.mil/Directives/05000%20General%20Management%20Security%20and%20Safety%20Services/05-700%20General%20External%20and%20Internal%20Relations%20Services/5720.45C.pdf.*

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

List of Subjects in 32 CFR Part 701

Administrative practice and procedure, Freedom of Information, Privacy.

Accordingly, 32 CFR part 701 is amended as follows:

PART 701—AVAILABILITY OF DEPARTMENT OF THE NAVY RECORDS AND PUBLICATION OF DEPARTMENT OF THE NAVY DOCUMENTS AFFECTING THE PUBLIC

■ 1. The authority citation for part 701 continues to read as follows:

Authority: 5 U.S.C. 552.

Subpart E—[Removed and Reserved]

■ 2. Subpart E, consisting of §§ 701.61 through 701.67, is removed and reserved.

M.S. Werner,

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

[FR Doc. 2018–26134 Filed 11–30–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2018–0540]

Special Local Regulation: Seminole Hard Rock Winterfest Holiday Boat Parade

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a special local regulation on December 15, 2018 from 2:00 p.m. through 11:30 p.m. to provide for the safety and security of navigable waterways during the Seminole Hard Rock Winterfest Holiday Boat Parade. During the enforcement period, all non-participant persons and vessels will be prohibited from entering, transiting, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port Miami or a designated representative. The operator of any vessel in the regulated area must comply with instructions from the Coast Guard or designated representative.

DATES: The regulation in 33 CFR 100.701, Table to § 100.701, Line 14 will be enforced on December 15, 2018 from 2:00 p.m. through 11:30 p.m.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Petty Officer Mara J. Brown, Sector Miami Waterways Management Division, U.S. Coast Guard: Telephone: 305–535–4317, Email: *Mara.J.Brown@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a special local regulation for the Seminole Hard Rock Winterfest Holiday Boat Parade published in 33 CFR 100.701, Table to § 100.701, Line 14 on December 15, 2018 from 2:00 p.m. through 11:30 p.m. This action is being taken to provide for the safety and security of navigable waterways during this one-day event. Our regulation for marine events within the Seventh Coast Guard District, § 100.701, specifies the location of the special local regulation for the Seminole Hard Rock Winterfest Holiday Boat Parade, which encompasses a moving buffer zone of 50 yards around the parade as it travels along the New River and Intracoastal Waterway in Ft. Lauderdale, FL. Only event sponsor designated participants and official patrol vessels will be allowed to enter the regulated area. Spectators may contact the Coast Guard Patrol Commander to request permission to pass through the regulated area. If permission is granted, spectators must pass directly through the regulated area at a safe speed without loitering.

In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will inform the public through Local Notice to Mariners and marine information broadcasts at least 24 hours in advance of the enforcement of the special local regulation.

Dated: November 27, 2018.

M.M. Dean,

Captain, U.S. Coast Guard, Captain of the Port Miami.

[FR Doc. 2018–26098 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–1013]

Drawbridge Operation Regulation; Delaware River, Burlington, NJ and Bristol, PA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the SR 413/Burlington-Bristol bridge, which carries SR 413 across the Delaware River, mile 117.8, between Burlington, NJ and Bristol, PA. The deviation is necessary to facilitate an inspection and bridge maintenance. This deviation allows the bridge to remain in the closed-to-navigation position.

DATES: This deviation is effective without actual notice from December 3, 2018 through 3 p.m. on December 14, 2018. For the purposes of enforcement, actual notice will be used from 7 a.m. on November 26, 2018, until December 3, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–1013 is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Michael Thorogood, Bridge Administration Branch Fifth District, Coast Guard, telephone 757–398–6557, email *Michael.R.Thorogood@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Burlington County Bridge Commission, owner and operator of the SR 413/Burlington-Bristol bridge, that carries SR 413 across the Delaware River, mile 117.8, between Burlington, NJ and Bristol, PA, has requested a temporary deviation from the current operating schedule to facilitate an inspection and maintenance of various mechanical components of the vertical lift span of the drawbridge. The bridge has a vertical clearance of 135 feet above mean high water in the open position, and 61 feet above mean high water in the closed position.

The current operating schedule is set out in 33 CFR 117.716. Under this temporary deviation, the bridge will be in the closed-to-navigation position from 7 a.m. through 3 p.m.; Monday through Friday; from 7 a.m. on November 26, 2018, through 3 p.m. on December 14, 2018.

The Delaware River is used by a variety of vessels including deep draft commercial vessels, U.S. government and public vessels, small commercial vessels, tug and barge traffic, and recreational vessels. The Coast Guard has carefully coordinated the restrictions with waterway users in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at any time. The bridge will open on signal, if at least eight hours prior notification is given. The bridge will not be able to open for emergencies and there is no immediate alternative route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterway through our Local Notice and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

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

Dated: November 27, 2018.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2018–26148 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–1033]

Drawbridge Operation Regulation; South Branch of the Elizabeth River, Chesapeake, VA

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Norfolk Southern #7 Railroad Bridge across the South Branch of the Elizabeth River, mile 5.8, at Chesapeake, VA. The deviation is necessary to facilitate maintenance. This deviation allows the bridge to remain in the closed-to-navigation position.

DATES: This deviation is effective without actual notice from December 3, 2018 through 5 p.m. on December 13, 2018. For the purposes of enforcement, actual notice will be used from 7 a.m. on November 26, 2018, until December 3, 2018.

ADDRESSES: The docket for this deviation, [USCG–2018–1033] is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH''. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Martin Bridges, Bridge Administration Branch Fifth District, Coast Guard; telephone (757) 398–6422, email *Martin.A.Bridges@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Norfolk Southern Corporation, owner and operator of the Norfolk Southern #7 Railroad Bridge across the South Branch of the Elizabeth River, mile 5.8, at Chesapeake, VA, has requested a temporary deviation from the current operating schedule to accommodate bridge maintenance to perform a tie replacement project. The current operating regulation is set out in 33 CFR 117.997(d).

Under this temporary deviation, the bridge will be maintained in the closed-to-navigation position from 7 a.m. to 11:30 a.m. and from 12:30 p.m. to 5 p.m., Monday through Thursday, from November 26, 2018, through December 13, 2018. At all other times the bridge will operate per 33 CFR 117.997(d). The bridge has a vertical clearance of 7 feet above mean high water in the closed position.

The South Branch of the Elizabeth River is used by a variety of vessels including deep draft ocean-going vessels, U.S. government vessels, small commercial vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway and coordinated with maritime stakeholders in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed position may do so, after providing 15 minutes notice to the project supervisor at the bridge on VHF–FM channel 13. The bridge will be able to open for emergencies if at least a 1-hour notice is given and there is no immediate alternate route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterways

through our Local and Broadcast Notice to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by this temporary deviation.

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

Dated: November 27, 2018.

Hal R. Pitts,

Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2018–26112 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–1062]

RIN 1625–AA08

Safety Zone; Mississippi Canyon Block 20, South of New Orleans, LA, Gulf of Mexico

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary moving safety zone around the research vessel OCEAN INTERVENTION II operating in the Mississippi Canyon Block 20 in the Gulf of Mexico. The safety zone encompasses all navigable waters within a 500-yard radius of the vessel. The safety zone is needed to protect persons, vessels, and the marine environment from hazards associated with the vessel's limited maneuverability while it deploys underwater equipment and conducts research activity. Persons and vessels are prohibited from entering or remaining in this zone unless specifically authorized by the Captain of the Port Sector New Orleans or a designated representative.

DATES: This rule is effective without actual notice from December 3, 2018 through 8 p.m. on December 4, 2018. For the purposes of enforcement, actual notice will be used from 6 a.m. on December 2, 2018 through December 3, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2018–1062 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, call or email Lieutenant Commander Benjamin Morgan, Sector New Orleans, U.S. Coast Guard; telephone 504–365–2281, email *Benjamin.P.Morgan@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector New Orleans
DHS Department of Homeland Security
FR Federal Register
MM Mile marker
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(3)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must establish this safety zone by December 2, 2018 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to the public interest because immediate action is necessary to respond to potential hazards associated with sub-surface research operations.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Sector New Orleans (COTP) has determined that a temporary moving safety zone is necessary to provide for the safety of persons, vessels, and the marine environment during sub-surface research operations in the vicinity of the Mississippi Canyon Block 20. Potential hazards include the risk of injury or pollution if normal vessel traffic were to interfere with the vessel's movement or deployed equipment. The survey activities are scheduled to take place from 6 a.m. on December 2, 2018 through 8 p.m. on December 4, 2018, in the navigable waters of the Mississippi Canyon Block 20, South of New Orleans, LA, in the Gulf of Mexico. This rule is needed to protect persons, vessels, and the marine environment from hazards associated with the vessel's limited maneuverability while it deploys underwater equipment and conducts research activity.

IV. Discussion of the Rule

This rule establishes a temporary moving safety zone from 6 a.m. on December 2, 2018 through 8 p.m. on December 4, 2018. The safety zone will cover all navigable waters within 500 yards of the vessel OCEAN INTERVENTION II and equipment being used by personnel to conduct sub-surface research in Mississippi Canyon Block 20, South of New Orleans, LA, in the Gulf of Mexico. The duration of the zone is intended to protect persons, vessels, and the marine environment on these navigable waters while research is being conducted. No vessel or person will be permitted to enter or remain the safety zone without obtaining permission from the COTP or a designated representative. Vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. They may be contacted on VHF–FM Channel 16 or 67 or by telephone at (504) 365–2200. Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative. The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory

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

This regulatory action determination is based on the size, location, duration, and time-of-year of the safety zone. This safety zone will restrict vessel traffic from entering or remaining within a 500 yard area around a research vessel for approximately three days. Vessels can safely transit around the zone, which impacts a small area of the Gulf of Mexico. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule allows vessels to seek permission to enter the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting 3 days that will prohibit entry within 500 yards of the research vessel being used for sub-surface research. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination will be made available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08–1062 to read as follows:

§ 165.T08–1062 Safety Zone; Mississippi Canyon Block 20, South of New Orleans, LA, Gulf of Mexico.

(a) *Location.* The following area is a safety zone: All navigable waters within a 500 yard radius around the research vessel OCEAN INTERVENTION II in Mississippi Canyon Block 20, South of New Orleans, LA, in the Gulf of Mexico.

(b) *Effective period.* This section is effective from 6 a.m. on December 2,

2018 through 8 p.m. on December 4, 2018.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into or remaining within this zone is prohibited unless authorized by the Captain of the Port Sector New Orleans (COTP) or designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector New Orleans.

(2) Vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. They may be contacted on VHF–FM Channel 16 or 67 or by telephone at (504) 365–2200.

(3) Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

(d) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

Dated: November 27, 2018.

K.M. Luttrell,

Captain, U.S. Coast Guard, Captain of the Port Sector New Orleans.

[FR Doc. 2018–26147 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–1002]

RIN 1625–AA00

Safety Zone; Arthur Kill and Old Place Creek, Elizabeth, NJ and Staten Island, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 500-yard radius of the old Goethals Bridge Pier C on the Staten Island, NY side of the Federal navigation channel. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by underwater explosives demolition of Pier C. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port New York and New Jersey or a designated representative.

DATES: This rule is effective without actual notice from December 3, 2018 through December 31, 2018. For the purposes of enforcement, actual notice will be used from November 11, 2018 through December 3, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2018–1002 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Craig Lapiejko, Waterways Management, First Coast Guard District; telephone (617) 223–8351, email *Craig.D.Lapiejko@uscg.mil.* You may also call or email Mr. Jeff Yunker, Waterways Management Division, U.S. Coast Guard Sector New York, telephone (718) 354–4195, email *Jeff.M.Yunker@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York and New Jersey
DHS Department of Homeland Security
FR Federal Register
First District USCG First District Bridge Administration
NPRM Notice of proposed rulemaking
PANYNJ Port Authority of NY and NJ
RNA Regulated Navigation Area
§ Section
TFR Temporary Final Rule
U.S.C. United States Code

II. Background Information and Regulatory History

On April 14, 2014 the Coast Guard published a NPRM entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' in the **Federal Register** (79 FR 20851) that would allow the Coast Guard to enforce speed and wake restrictions and prohibit vessel traffic through the RNA during bridge replacement operations on the Goethals Bridge that could pose an imminent hazard to persons and vessels operating in the area. This proposed rule would also allow the Coast Guard to enforce navigation restrictions and prohibit vessel traffic during drilling, blasting, and dredging operations in support of the U.S. Army Corps of Engineers channel deepening project. Proposed work included underwater explosives demolition of the old Goethals Bridge Pier C. We received one comment on this proposed rule. It advocated notifying mariners of waterway closures at least forty eight hours in advance, and that the closures remain in place only as long as required for safety purposes. It also recommended that the Coast Guard work to institute a queue system or other vessel movement scheme that allowed vessels moving with a flood tide to access the right of way in the restricted portion of the Arthur Kill.

On January 7, 2015, the Coast Guard published a TFR entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' in the **Federal Register** (80 FR 00829) that allowed the Coast Guard to enforce speed and wake restrictions and prohibit vessel traffic through the RNA during bridge replacement operations on the Goethals Bridge that could pose an imminent hazard to persons and vessels operating in the area. This rule also allowed the Coast Guard to enforce navigation restrictions and prohibit vessel traffic during drilling, blasting, and dredging operations in support of the U.S. Army Corps of Engineers channel deepening project. The planned work still included underwater explosives demolition of the old Goethals Bridge Pier C. The Coast Guard said it would make every effort to notify mariners forty eight hours before a waterway closure, but that this may not always be possible due to many dynamic factors in the project. It also said it will meet with various other agencies to assess the need for a vessel queue system and administer a queue system if needed on a case by case basis by Vessel Traffic Service New York. This rule was in effect from January 7, 2015 until October 31, 2018.

On October 17, 2018 the PANYNJ contractor's project manager notified the First District and Vessel Traffic Service New York that the previously scheduled underwater explosives demolition of the old Goethals Bridge Pier C below mean lower water had been delayed from late October 2018 until Sunday, November 11, 2018 at approximately 10:20 a.m. The contractor requested the Coast Guard create a safety zone to prohibit vessels and persons within a 500 yard radius of old Goethals Bridge Pier C from approximately 10 a.m. until 11:00 a.m. During this approximate 60-minute window, no vessels or persons will be authorized within the safety zone unless authorized by the COTP New York and New Jersey.

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision

authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the schedule for the demolition of old Goethals Bridge Pier C was only recently finalized and extended past the original project completion date, and timely action is needed to respond to the potential safety hazards associated with this demolition project. It is impracticable and contrary to the public interest to publish an NPRM because we must establish this safety zone by November 11, 2018 to allow for the timely demolition of old Goethals Bridge Pier C and promote the safety of the public.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with underwater explosives demolition of old Goethals Bridge Pier C.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The COTP has determined that potential hazards associated with underwater explosives demolition tentatively scheduled on Sunday, November 11, 2018, will be a safety concern for anyone within a 500-yard radius of the old Goethals Bridge Pier C. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone during underwater explosives demolition of the old Goethals Bridge Pier C.

IV. Discussion of the Rule

This rule establishes a safety zone from 10:00 a.m. on November 11, 2018 through 11:59 p.m. on December 31, 2018. This rule will be enforced from 10:00 a.m. until 11:00 a.m. on November 11, 2018. The safety zone covers all navigable waters of the Arthur Kill and Old Place Creek within approximately 500 yards of the old Goethals Bridge Pier C in approximate position 40°38′07.7″ N, 074°11′46.4″ W (NAD 83). The Coast Guard is publishing this rulemaking to be effective, and enforceable, through December 31, 2018 in case the project is delayed due to unforeseen circumstances.

The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the underwater remains of Pier C are demolished for eventual removal. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP New York and New Jersey or a designated representative.

The Coast Guard will notify the public and local mariners of this safety zone through the Local Notice to Mariners and/or Broadcast Notice to Mariners via VHF–FM marine channel 16 in advance of any scheduled enforcement period.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the following reasons: (1) The safety zone only impacts a small designated area of the Arthur Kill and Old Place Creek, (2) the zone will only be enforced for approximately 60 minutes during the underwater explosives demolition of the old Goethals Bridge Pier C, (3) vessels not constrained by their draft or length may still transit the Arthur Kill south of this safety zone, to, and from sea, via Raritan Bay Reaches and Sandy Hook Channel, (4) the demolition operations are scheduled on Sunday when commercial vessel traffic is less frequent, and (5) the demolition operations are scheduled in the late Fall when recreational vessel traffic is less frequent.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of

power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting approximately 60 minutes that will prohibit entry within a 500 yard radius of the old Goethals Bridge Pier C during underwater demolition. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T01–1002 to read as follows:

§ 165.T01–1002 Safety Zone, Arthur Kill and Old Place Creek, Elizabeth, NJ and Staten Island, NY.

(a) *Safety zone boundaries.* The following is a safety zone: All waters of the Arthur Kill, from surface to bottom, bound by the following approximate positions: All waters south of a line drawn from 40°38′23.7″ N, 074°11′43.3″ W, thence to 40°38′19.0″ N, 074°11′32.6″ W, and all waters north of a line drawn from 40°38′03.9″ N, 074°12′07.8″ W, thence to 40°37′54.9″ N, 074°11′58.7″ W (NAD 83).

(b) *Safety zone boundaries.* The following is a safety zone: all waters of the Old Place Creek, from surface to bottom, bound by the following approximate positions: All waters northwest of a line drawn from the following approximate positions: 40°37′52.7″ N, 074°11′44.3″ W, thence to 40°37′52.9″ N, 074°11′42.7″ W (NAD 83).

(c) *Definitions.* As used in this section:

Designated representative means any Coast Guard commissioned, warrant, petty officer, or designated Patrol Commander of the U.S. Coast Guard who has been designated by the Captain of the Port, Sector New York (COTP), to act on his or her behalf. The designated representative may be on an official patrol vessel or may be on shore and will communicate with vessels via VHF–FM radio or loudhailer. In addition, members of the Coast Guard Auxiliary may be present to inform vessel operators of this regulation.

Official patrol vessels means any Coast Guard, Coast Guard Auxiliary, state, or local law enforcement vessels assigned or approved by the COTP to enforce this section.

(d) *Regulations.* When this safety zone is enforced, the following regulations, along with those contained in 33 CFR 165.23 apply:

(1) During periods of enforcement, during active underwater explosives demolition, no person or vessel may enter or remain in the safety zones described in paragraphs (a) and (b) unless authorized by the COTP or the COTP's designated representative.

(2) Any vessels transiting must comply with all orders and directions from the COTP or the COTP's designated representative.

(3) Upon being hailed by a Coast Guard vessel by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(4) Notwithstanding anything contained in this section, the Rules of the Road (33 CFR part 84—Subchapter E, inland navigational rules) are still in effect and must be strictly adhered to at all times.

(d) *Enforcement periods.* This regulation is enforceable 24 hours a day from 10:00 a.m. on November 11, until 11:59 p.m. on December 31, 2018, but will only be enforced during active underwater explosive demolition of the old Goethals Bridge Pier C. The underwater explosives demolition operations that will require enforcement of the safety zone regulations are tentatively scheduled to take place on November 11, 2018, from approximately 10:00 a.m. until 11:00 a.m., unless delayed by weather, construction delays, or other unforeseen circumstances. The COTP will provide notice of the channel closure by appropriate means to the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and/or Local Notice to Mariners.

(1) Notice of suspension of enforcement: If enforcement is suspended, the COTP will provide a notice of the suspension of enforcement by appropriate means to the affected segments of the public. Such means of notification may include, but are not limited to, Broadcast Notice to Mariners and/or Local Notice to Mariners. Such notification will include the approximate date and time that enforcement will be suspended as well as the approximate date and time that enforcement will resume.

(2) Violations of this regulation may be reported to the COTP at (718) 354–4353 or on VHF-Channel 16.

Dated: November 9, 2018.

J.P. Tama,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2018–26187 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–1018]

RIN 1625–AA00

Safety Zones; Humboldt Bay Bar and Entrance Channel, Eureka, CA, Noyo River Entrance Channel, Ft. Bragg, CA, and Crescent City Harbor Entrance Channel, Crescent City, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary safety zones in the navigable waters of the Humboldt Bay Bar and Entrance Channel, of Eureka, CA, Noyo River Entrance Channel, of Fort Bragg, CA, and Crescent City Harbor Entrance Channel, of Crescent City, CA to safeguard navigation safety during extreme environmental conditions. These safety zones are established to protect the safety of vessels transiting the areas from the dangers associated with extreme breaking surf and high wind conditions occurring in the Humboldt Bay Bar and Entrance Channel, Noyo River Entrance Channel, and Crescent City Harbor Entrance Channel. Unauthorized persons or vessels are prohibited from entering into, transiting through, or remaining in the safety zones without permission of the Captain of the Port (COTP) or their designated representative.

DATES: This rule is effective without actual notice from December 3, 2018 until March 31, 2019. For the purposes of enforcement, actual notice will be used from November 27, 2018 until December 3, 2018.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2018–1018. To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rulemaking.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Emily Rowan, U.S. Coast Guard Sector San Francisco; telephone (415) 399–7443 or email at *SFWaterways@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

APA Administrative Procedure Act
COTP U.S. Coast Guard Captain on the Port
DHS Department of Homeland Security
FR Federal Register
NOAA National Oceanic and Atmospheric Administration
NPRM Notice of Proposed Rulemaking
PATCOM U.S. Coast Guard Patrol Commander
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' In this case, the delay associated with rulemaking procedures is impracticable. The Coast Guard was informed on November 16, 2018 of forecasted extreme environmental conditions occurring near three respective locations of California likely to exceed the maximum environmental limits of the 47-foot Motor Lifeboat employed as the primary rescue asset in each area. These three locations include: The Humboldt Bay Bar and Entrance Channel, near Eureka, CA, the Noyo River Entrance Channel, near Fort Bragg, CA, and the Crescent City Harbor Entrance Channel, of Crescent City, CA. The National Oceanic and Atmospheric Administration's National Weather Service forecasts up to 25-foot breaking seas in the area through 29 November, 2018 and expects a higher probability of breaking seas of 20 feet or more through December 2018 and January 2019. The hazardous conditions associated with these extreme environmental conditions will occur before the rulemaking process could be completed.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The Coast Guard was informed of forecasted extreme environmental conditions including 20 foot breaking seas occurring near three respective locations of California on November 16, 2018. These three locations include: The Humboldt Bay Entrance Channel, near Eureka, CA, the Noyo River Entrance Channel, near Fort Bragg, CA, and the Crescent City Harbor Entrance Channel, of Crescent City, CA. The hazardous conditions associated with these extreme environmental conditions will occur before the rulemaking process would be completed. Additionally, the observed on scene conditions are equal to, and likely to exceed, the maximum environmental limits of the 47 foot Motor Lifeboat employed as the primary rescue asset in the area. Because of the dangers posed by these extreme environmental conditions and the resulting limited availability of rescue assets, these safety zones are necessary to provide for the safety of mariners transiting the area. For the safety concerns noted, it is in the public interest to have these regulations in effect immediately.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. Notable hazards associated with the extreme environmental conditions have been observed in the Humboldt Bay Bar and Entrance Channel near Eureka, CA, the Noyo River Entrance Channel, near Fort Bragg, CA, and the Crescent City Harbor Entrance Channel, of Crescent City, CA. These safety zones establish temporary restricted areas on the navigable waters of the Humboldt Bay Bar and Entrance Channel near Eureka, CA, the Noyo River Entrance Channel, near Fort Bragg, CA, and the Crescent City Harbor Entrance Channel, of Crescent City, CA. These restricted areas are necessary to mitigate the risks associated with vessels transiting the area while extreme environmental conditions exist on scene.

IV. Discussion of the Rule

The Coast Guard will enforce, independent of each other, three respective safety zones in the navigable waters of the Humboldt Bay Bar and Entrance Channel near Eureka, CA, the Noyo River Entrance Channel, near Fort Bragg, CA, and the Crescent City Harbor Entrance Channel, of Crescent City, CA, when the COTP determines that the on scene conditions are hazardous and unsafe for vessel transits, typically expected to be 20 foot breaking seas at each location. Enforcement will be announced via Broadcast Notice to Mariners. These safety zones are effective from November 27, 2018, through March 31, 2019.

The effect of the temporary safety zones is to restrict navigation in the vicinity of the Humboldt Bay Bar and Entrance Channel, Noyo River Entrance Channel, and Crescent City Harbor

Entrance Channel while the hazardous conditions associated with extreme environmental conditions exist, and until the Coast Guard deems the safety zone is no longer needed. Except for persons or vessels authorized by the COTP, no person or vessel may enter or remain in the restricted areas during times of enforcement. These regulated areas are needed to keep vessels away from the immediate vicinity of the hazardous conditions associated to ensure the safety of transiting vessels in each respective area.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on the limited duration and narrowly tailored geographic area of the safety zone. Although this rule restricts access to the waters encompassed by the safety zone, the effect of this rule will not be significant because the local waterway users will be notified via public Broadcast Notice to Mariners to ensure the safety zone will result in minimum impact. The entities most likely to be affected are waterfront facilities, commercial vessels, and pleasure craft engaged in recreational activities.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule may affect the following entities, some of which may be small entities: Owners and operators of waterfront facilities, commercial vessels, and pleasure craft engaged in recreational activities and sightseeing, if these facilities or vessels are in the vicinity of the safety zone at times when this zone is being enforced. This rule will not have a significant economic impact on a substantial number of small entities for the following reasons: (i) This rule will encompass only a small portion of the waterway for a limited period of time while hazardous conditions exist, and (ii) the maritime public will be advised in advance of this safety zone via Broadcast Notice to Mariners.

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

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

F. Environment

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

G. Protest Activities

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

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.959 in numerical order under the undesignated center heading ''Ninth Coast Guard District'' to read as follows:

§ 165–959 Safety zones; Humboldt Bay Bar and Entrance, Noyo River Entrance, and Crescent City Harbor Entrance Channel Closures, Humboldt Bay, Eureka, CA.

(a) *Location.* The safety zones are established in:

(1) The navigable waters of the Humboldt Bay Bar Channel and the Humboldt Bay Entrance Channel, of Humboldt Bay, CA;

(2) The navigable waters of the Noyo River Entrance Channel as defined by the Area contained seaward of the Line of Demarcation with northern boundary of the line originating in approximate position 39°25′41″ N, 123°48′37″ W and extending 1,200 yards at bearing 290° T & southern boundary of the line originating in approximate position 39°25′38″ N, 123°48′36″ W & extending 1,200 yards at 281° T, in Fort Bragg, CA; and

(3) The navigable waters of the Crescent City Harbor Entrance Channel, as defined by the area contained seaward of the line originating in approximate position 41°44′36″ N, 124°11′18″ W bearing 237° T and extending out to 1 NM of the Line of Demarcation in Crescent City, CA.

(b) *Enforcement period.* The zones described in paragraph (a) of this section will be effective from November 27, 2018 through March 31, 2019. The zones described in paragraph (a) will be enforced when the COTP determines that the on scene conditions are hazardous and unsafe for vessel transits, typically expected to be 20 foot breaking seas at each location. Enforcement will be announced via Broadcast Notice to Mariners. The COTP will notify the maritime community of periods during which these zones will respectively be enforced via Broadcast Notice to Mariners in accordance with 33 CFR 165.7.

(c) *Definitions.* As used in this section, ''designated representative'' means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer on a Coast Guard vessel or at a Coast Guard unit or a Federal, State, or local officer designated by or assisting the COTP in the enforcement of the safety zones.

(d) *Regulations.* (1) Under the general regulations in 33 CFR part 165, subpart C, entry into, transiting or anchoring within these safety zones are prohibited unless authorized by the COTP or a designated representative.

(2) The safety zones are closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) Vessel operators desiring to enter or operate within the Humboldt Bay Entrance Channel or Crescent City Harbor Entrance Channel safety zones during times of enforcement shall contact Station Humboldt Bay on VHF–FM channel 16 or at (707) 443–2213 between 6:30 a.m. and 10 p.m., or to Sector Humboldt Bay on VHF–FM channel 16 or at (707) 839–6113 if between 10 p.m. and 6:30 a.m. Vessel operators desiring to enter or operate within the Noyo River Entrance Channel safety zone during times of enforcement shall contact Station Noyo River on VHF–FM channel 16 or at (707) 964–6611 between 6:30 a.m. and 10 p.m., or to Sector Humboldt Bay on VHF–FM channel 16 or at (707) 839–6113 if between 10 p.m. and 6:30 a.m. Vessel operators given permission to enter or operate in the safety zones must comply with all directions given to them by the COTP or a designated representative.

Dated: November 27, 2018.

Marie B. Byrd,

Captain, U.S. Coast Guard, Alternate Captain of the Port, San Francisco.

[FR Doc. 2018–26105 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–1001]

RIN 1625–AA87

Security Zones; Annual Events in the Captain of the Port Detroit Zone—North American International Auto Show, Detroit River, Detroit MI

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a security zone associated with the North American International Auto Show, Detroit River, Detroit, MI. This security zone is intended to restrict vessels from a portion of the Detroit River in order to ensure the safety and security of participants, visitors, and public officials at the North American International Auto Show (NAIAS), which is being held at Cobo Hall in downtown Detroit, MI. Vessels in close proximity to the security zone will be subject to increased monitoring and boarding during the enforcement of the security zone. No person or vessel may enter the security zone while it is being enforced without permission of the Captain of the Port Detroit.

DATES: The security zone regulation described in 33 CFR 165.915(a)(3) will be enforced from 7 a.m. on January 14, 2019, through 11:59 p.m. on January 27, 2019.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Tracy Girard, Prevention, U.S. Coast Guard Sector Detroit, 110 Mount Elliot Street, Detroit, MI 48207; telephone (313) 568–9564; email *Tracy.M.Girard@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the North American International Auto Show, Detroit River, Detroit, MI security zone listed in 33 CFR 165.915, Security zones; Captain of the Port Detroit at the following dates and times for the following event:

North American International Auto Show, Detroit River Detroit MI. This security zone listed in § 165.915(a)(3), will be enforced when necessary from 7 a.m. January 14, 2019, through 11:59 p.m. January 27, 2019.

All persons and vessels shall comply with the instructions of the Captain of the Port Detroit or his designated on-scene representative, who may be contacted via VHF Channel 16.

Under the provisions of 33 CFR 165.33, no person or vessel may enter or remain in this security zone without the permission of the Captain of the Port Detroit. Each person and vessel in this security zone shall obey any direction or order of the Captain of the Port Detroit. The Captain of the Port Detroit may take possession and control of any vessel in this security zone. The Captain of the Port Detroit may remove any person, vessel, article, or thing from this security zone. No person may board, or take or place any article or thing on board any vessel in this security zone without the permission of the Captain of Port Detroit. No person may take or place any article or thing upon any waterfront facility in this security zone without the permission of the Captain of the Port Detroit.

Vessels that wish to transit through this security zone shall request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals may be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF–FM. The Coast Guard will give notice to the public via Local Notice to Mariners and VHF radio broadcasts that the regulation is in effect and when enforced.

This document is issued under authority of 33 CFR 165.915 and 5 U.S.C. 552(a). If the Captain of the Port determines that this security zone need not be enforced for the full duration stated in this document; he may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: November 27, 2018.

Jeffrey W. Novak,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2018–26149 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0868]

RIN 1625–AA00

Safety Zone; Annual Fireworks Displays Within the Sector Columbia River Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is revising the regulation for safety zones for annual fireworks displays in the Captain of the Port Zone Columbia River. This action is necessary to provide for the safety of life on navigable waters during the fireworks displays. This rule includes updating 3 existing safety zones, adding 1 safety zone for a fireworks display that was previously published as a temporary regulation, and removing 10 safety zones for inactive fireworks displays.

DATES: This rule is effective January 2, 2019.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2018–0868 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LCDR Dixon Whitley, Waterways Management Division, Marine Safety Unit Portland, Coast Guard; telephone 503–240–9319, email *msupdxwwm@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background Information and Regulatory History

The Coast Guard is amending the regulation for safety zones for annual fireworks displays in the Captain of the Port Zone Columbia River, 33 CFR 165.1315. This rule is removing 10 safety zones for inactive fireworks displays, adding 1 safety zone for a new, recurring fireworks display for which we previously issued a temporary safety zone, and updating the date or location for 3 existing fireworks displays.

On September 28, 2018, the Coast Guard published a notice of proposed rulemaking (NPRM) titled, ''Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone'' (83 FR 49028). There we stated why we issued the NPRM, and invited comments on our proposed regulatory action related to annual fireworks displays. During the comment period that ended October 29, 2018, we received four comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Columbia River (COTP) has determined that potential hazards associated with the fireworks displays create hazardous conditions for the maritime public because of the large number of vessels near the displays, as well as the noise, falling debris, and explosions that occur during the event. Because firework discharge sites pose a potential hazard to the maritime public, these safety zones are necessary in order to restrict vessel movement and reduce vessel congregation in the proximity of the firework discharge sites. The purpose of this rule is to ensure safety of vessels and the navigable waters in the safety zone before, during, and after the scheduled events and provides the public accurate information regarding safety zones for annual fireworks displays in the Captain of the Port Zone Columbia River.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received four comments on our NPRM published September 28, 2018. The first comment suggested establishing new safety zones to replace the 10 inactive safety zones this rule is removing. There has been no indication from the sponsors of these events that they plan to continue them and our office has not received any additional information to warrant the addition of replacement safety zones. The second and third comments contained no suggested changes or recommendations. The fourth comment supported the creation of this rule. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

The Coast Guard is removing 10 fireworks display safety zones in 33 CFR 165.1315 that are listed in Table 1 below because there has been no indication from the sponsors of these events that they plan to continue them.

TABLE 1—LIST OF SAFETY ZONE WE ARE REMOVING FROM 33 CFR 165.1315

Cinco de Mayo Fireworks	Portland, OR	One day in May	45°30′58″ N	122°40′12″ W
Newport High School Graduation Fireworks	Newport, OR	One day in June	44°36′48″ N	124°04′10″ W
Celebrate Milwaukie	Milwaukie, OR	One day in July	45°26′33″ N	122°38′44″ W
Arlington 4th of July	Arlington, OR	One day in July	45°43′23″ N	120°12′11″ W
East County 4th of July Fireworks	Gresham, OR	One day in July	45°33′32″ N	122°27′10″ W
Rufus 4th of July Fireworks	Rufus, OR	One day in July	45°41′39″ N	120°45′16″ W
Maritime Heritage Festival	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W
Lynch Picnic	West Linn, OR	One day in July	45°23′37″ N	122°37′52″ W
First Friday Milwaukie	Milwaukie, OR	One day in September	45°26′33″ N	122°38′44″ W
Willamette Falls Heritage Festival	Oregon City, OR	One day in October	45°21′44″ N	122°36′21″ W

Additionally, the Coast Guard is adding a new fireworks display safety zone. We previously issued a temporary safety zone (83 FR 30869, July 2, 2018) for that event, and after conferring with the event sponsor, we determined it will become a recurring fireworks display. This safety zone will cover all navigable waters within a 450-yard radius of the fireworks barge in the Willamette River located at approximately 45°24′37″ N, 122°39′30″ W in the vicinity of George Rogers Park in Lake Oswego, OR. The following will be added to the table in 33 CFR 165.1315:

City of Lake Oswego 4th of July Fireworks	Lake Oswego, OR	One day in July	45°24′37″ N	122°39′30″ W

Finally, the Coast Guard is revising three existing fireworks display safety zones. These revisions include updating the date for 4th of July at Pekin Ferry to more precisely describe when the fireworks display will occur, correcting the wrong state listed for the Independence Day at the Port and updating the location for the Leukemia and Lymphoma Light the Night Fireworks.

These updates will eliminate any confusion caused by the fireworks display safety zones listed in the 33 CFR 165.1315 table and any subsequently issued temporary safety zones resulting from changes to the dates or locations of the events. The regulatory text appears at the end of this document.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

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

This regulatory action determination is based on size, location, duration, and time-of-day of the safety zone. Vessel traffic will be able to safely transit around these safety zones which will impact small designated areas of the Oregon coast, Tillamook Bay, the Columbia River and its tributaries, and the Clatskanie River for approximately 2 hours during the evening when commercial vessel traffic is normally low. Moreover, the Coast Guard will issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zones, and the rule allows vessels to seek permission to enter the zone.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

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

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the

various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves safety zones lasting less approximately two hours in duration that will prohibit entry within 450 yards of fireworks launch sites. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. In § 165.1315, revise paragraph (a) to read as follows:

§ 165.1315 Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone.

(a) *Safety zones.* The following areas are designated safety zones: Waters of the Columbia River and its tributaries, waters of the Siuslaw River, Yaquina River, Umpqua River, Clatskanie River, Tillamook Bay and waters of the Washington and Oregon Coasts, within a 450 yard radius of the launch site at the approximate locations listed in the following table:

Event name (typically)	Event location	Date of event	Latitude	Longitude
Portland Rose Festival Fireworks	Portland, OR	One day in May or June	45°30′58″ N	122°40′12″ W
Tri-City Chamber of Commerce Fireworks/River of Fire Festival.	Kennewick, WA	One day in July	46°13′37″ N	119°08′47″ W
Astoria-Warrenton 4th of July Fireworks	Astoria, OR	One day in July	46°11′34″ N	123°49′28″ W
Waterfront Blues Festival Fireworks	Portland, OR	One day in July	45°30′42″ N	122°40′14″ W
Florence Independence Day Celebration	Florence, OR	One day in July	43°58′09″ N	124°05′50″ W
Oaks Park Association 4th of July	Portland, OR	One day in July	45°28′22″ N	122°39′59″ W
City of Rainier/Rainier Days	Rainier, OR	One day in July	46°05′46″ N	122°56′18″ W
Ilwaco July 4th Committee Fireworks/Independence Day at the Port.	Ilwaco, WA	One day in July	46°18′17″ N	124°02′00″ W
Splash Aberdeen Waterfront Festival	Aberdeen, WA	One day in July	46°58′40″ N	123°47′45″ W
City of Coos Bay July 4th Celebration/Fireworks Over the Bay.	Coos Bay, OR	One day in July	43°22′06″ N	124°12′24″ W
Port of Cascade Locks 4th of July Fireworks	Cascade Locks, OR	One day in July	45°40′15″ N	121°53′43″ W
Clatskanie Heritage Days Fireworks	Clatskanie, OR	One day in July	46°6′17″ N	123°12′02″ W
Washougal 4th of July	Washougal, WA	One day in July	45°34′32″ N	122°22′53″ W
City of St. Helens 4th of July Fireworks	St. Helens, OR	One day in July	45°51′54″ N	122°47′26″ W
Waverly Country Club 4th of July Fireworks	Milwaukie, OR	One day in July	45°27′03″ N	122°39′18″ W
Hood River 4th of July	Hood River, OR	One day in July	45°42′58″ N	121°30′32″ W
Winchester Bay 4th of July Fireworks	Winchester Bay, OR	One day in July	43°40′56″ N	124°11′13″ W
Brookings, OR July 4th Fireworks	Brookings, OR	One day in July	42°02′39″ N	124°16′14″ W
Yachats 4th of July	Yachats, OR	One day in July	44°18′38″ N	124°06′27″ W
Lincoln City 4th of July	Lincoln City, OR	One day in July	44°55′28″ N	124°01′31″ W
July 4th Party at the Port of Gold Beach	Gold Beach, OR	One day in July	42°25′30″ N	124°25′03″ W
Gardiner 4th of July	Gardiner, OR	One day in July	43°43′55″ N	124°06′48″ W
Huntington 4th of July	Huntington, OR	One day in July	44°18′02″ N	117°13′33″ W
Toledo Summer Festival	Toledo, OR	One day in July	44°37′08″ N	123°56′24″ W
Port Orford 4th of July	Port Orford, OR	One day in July	42°44′31″ N	124°29′30″ W
The Dalles Area Fourth of July	The Dalles, OR	One day in July	45°36′18″ N	121°10′23″ W
Roseburg Hometown 4th of July	Roseburg, OR	One day in July	43°12′58″ N	123°22′10″ W
Newport 4th of July	Newport, OR	One day in July	44°37′40″ N	124°02′45″ W
Cedco Inc./The Mill Casino Independence Day	North Bend, OR	One day in July	43°23′42″ N	124°12′55″ W
Waldport 4th of July	Waldport, OR	One day in July	44°25′31″ N	124°04′44″ W

Event name (typically)	Event location	Date of event	Latitude	Longitude
Westport 4th of July	Westport, WA	One day in July	46°54′17″ N	124°05′59″ W
The 4th of July at Pekin Ferry	Ridgefield, WA	Saturday before July 4th	45°52′07″ N	122°43′53″ W
Bandon 4th of July	Bandon, OR	One day in July	43°07′29″ N	124°25′05″ W
Garibaldi Days Fireworks	Garibaldi, OR	One day in July	45°33′13″ N	123°54′56″ W
Bald Eagle Days	Cathlamet, WA	One day in July	46°12′14″ N	123°23′17″ W
Independence Day at the Fort Vancouver	Vancouver, WA	One day in July	45°36′57″ N	122°40′09″ W
Oregon Symphony Concert Fireworks	Portland, OR	One day in August or September.	45°30′42″ N	122°40′14″ W
Astoria Regatta	Astoria, OR	One day in August	46°11′34″ N	123°49′28″ W
Leukemia and Lymphoma Light the Night Fireworks.	Portland, OR	One day in October	45°30′23″ N	122°40′4″ W
Veterans Day Celebration	The Dalles, OR	One day in November	45°36′18″ N	121°10′34″ W

* * * * *

Dated: November 27, 2018.

D.F. Berliner,

Captain, U.S. Coast Guard, Acting Captain of the Port Columbia River.

[FR Doc. 2018–26151 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2017–0672; FRL–9986–75–Region 8]

Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze 5-Year Progress Report State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing approval of a State Implementation Plan (SIP) revision submitted by the State of South Dakota through the South Dakota Department of Environment and Natural Resources (DENR) on January 27, 2016. South Dakota's January 27, 2016 SIP revision (Progress Report) addresses requirements of the Clean Air Act (CAA or Act) and the EPA's rules that require each state to submit periodic reports describing progress towards reasonable progress goals (RPGs) established for regional haze and a determination of the adequacy of the state's existing SIP addressing regional haze (regional haze plan). The EPA is finalizing approval of South Dakota's determination that the State's regional haze plan is adequate to meet these RPGs for the first implementation period covering through 2018 and requires no substantive revision at this time.

DATES: This rule will be effective January 2, 2019.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2017–0672. All documents in the docket are listed on the *http://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *http://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

FOR FURTHER INFORMATION CONTACT: Kate Gregory, Air Program, Environmental Protection Agency, 1595 Wynkoop Street, Denver, Colorado 80202–1129, (303) 312–6175, or by email at *gregory.kate@epa.gov.*

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

I. Background

States are required to submit a progress report in the form of a SIP revision for the first implementation period that evaluates progress towards the RPGs for each mandatory Class I federal area[1] (Class I area) within the state and for each Class I area outside the state which may be affected by emissions from within the state (40 CFR 51.308(g)). In addition, the provisions of 40 CFR 51.308(h) require states to submit, at the same time as the 40 CFR 51.308(g) progress report, a determination of the adequacy of the state's existing regional haze plan. The first progress report is due 5 years after submittal of the initial regional haze plan. On January 21, 2011, South Dakota submitted the State's first regional haze SIP in accordance with 40 CFR 51.308, which the EPA fully approved.[2]

On January 27, 2016, South Dakota submitted its Progress Report which, among other things, detailed the progress made in the first period toward implementation of the long-term strategy outlined in the State's regional haze plan; the visibility improvement measured at Badlands and Wind Cave National Parks, the two Class I areas within South Dakota, and at Class I areas outside of the State potentially impacted by emissions from South Dakota; and a determination of the adequacy of the State's existing regional haze plan.

In a notice of proposed rulemaking (NPRM) published on March 19, 2018 (83 FR 11946), the EPA proposed to approve South Dakota's Progress Report. The details of South Dakota's submission and the rationale for the EPA's actions are explained in the NPRM.

II. Response to Comments

Comments on the proposed rulemaking were due on or before April 18, 2018. The EPA received a total of 16 public comment submissions on the proposed approval. All public comments received on this rulemaking action are available for review by the public and may be viewed by following the instructions for access to docket materials as outlined in the **ADDRESSES** section of this preamble. After reviewing the comments, the EPA has determined that 15 of the comment submissions are outside the scope of our proposed action and/or fail to identify any material issue necessitating a response. We received one comment letter from the National Parks

[1] Areas designated as mandatory Class I federal areas consist of national parks exceeding 6000 acres, wilderness areas and national memorial parks exceeding 5000 acres, and all international parks that were in existence on August 7, 1977 (42 U.S.C. 7472(a)). These areas are listed at 40 CFR part 81, subpart D.

[2] 77 FR 24845 (April 26, 2012). EPA fully approved South Dakota's regional haze SIP submittal addressing the requirements of the first implementation period for regional haze.

Conservation Association (NPCA), containing two significant comments that we are responding to here. Below is a summary of those comments and the EPA's responses. *Comment:* In a comment letter dated April 18, 2018, the NPCA asserted that South Dakota's Regional Haze 5-Year Progress Report and the EPA's analysis of the progress report fail to meet 40 CFR 51.308(g)(5) as neither mentions the Gerald Gentleman Station in Nebraska. The commenter states that South Dakota's SIP and RPGs relied on visibility modeling from the Central Regional Air Planning Association (CENRAP) that assumed the installation of scrubbers for control of sulfur dioxide (SO_2) emissions from the Gerald Gentleman Station, which has a significant impact on South Dakota's Class I areas. The commenter suggests that the lack of requirements to install scrubbers and limit SO_2 emissions from the Gerald Gentleman Station constitutes an anthropogenic change that impedes visibility progress. Finally, the commenter suggests the lack of change in emissions at the Gerald Gentleman Station since the baseline period ''impedes visibility progress'' and is a ''significant change'' that the EPA's guidance suggests should be discussed to meet the requirements of § 51.308(g)(5).

Response: We acknowledge that the Progress Report from South Dakota does not include an assessment of emission changes from the Gerald Gentleman Station. However, such an assessment is not required given the facts about South Dakota's SIP, emission trends for Gerald Gentleman, and visibility trends at the two Class I areas in South Dakota. Changes in emissions from the Gerald Gentleman Station are not ''significant changes'' within the meaning of this section of the Regional Haze Rule (RHR). It should be noted that, South Dakota cannot regulate emissions from the Gerald Gentleman Station in Nebraska.

Section 51.308(g)(5) of the RHR requires that periodic progress reports contain an assessment of any significant changes in anthropogenic emissions within or outside the state that have occurred during the implementation period including whether such changes were anticipated and whether they have limited or impeded progress in reducing emissions and improving visibility. The EPA provided guidance that summarized and clarified the requirements for progress reports in a document titled *General Principles for the 5-Year Regional Haze Progress Reports for the Initial Regional Haze State Implementation Plans (Intended to Assist States and EPA Regional Offices in Development and Review of the Progress Reports).*[3] In relation to § 51.308(g)(5), the guidance states that ''[t]his requirement is aimed at assessing whether any such significant emissions changes have occurred within the state over the 5-year period since the SIP was submitted, and whether emissions increases outside the state are affecting a Class I area within the state adversely.'' [4] Further, the guidance principles specify that a ''significant change'' that can ''limit or impede progress'' could be ''either (1) a significant unexpected increase in anthropogenic emissions that occurred over the 5-year period (that is, an increase that was not projected in the analysis for the SIP), or (2) a significant expected reduction in anthropogenic emissions that did not occur (that is, a projected decrease in emissions in the analysis for the SIP that was not realized).'' [5]

The ''significance'' of a change in emissions, if there is a change, is evaluated on a case-by-case basis depending on the factual context. It is clear from both § 51.308(g)(5) and the guidance that significance depends on whether a change in emissions is large enough to have limited or impeded progress in improving visibility, with the adopted RPGs being important benchmarks for progress.

In this instance, there have not been significant changes in emissions within the meaning of § 51.308(g)(5). First, there has not been a ''significant unexpected increase'' in emissions from outside South Dakota, *i.e.,* from the Gerald Gentleman Station. While this first questions is perhaps more relevant where a new or modified source has increased emissions over what was projected in the SIP, we nonetheless assess it in respect to Gerald Gentleman Station. A review of emissions data submitted to the EPA Air Markets Program Data indicates that the annual SO_2 emissions from Units 1 and 2 decreased in the 5-year period from the submittal of the initial SIP. In the 5-year period before submittal of the initial SIP, 2006 through 2010, the annual SO_2 emissions from the facility averaged 30,597 tons per year.[6] In the following 5-year period, 2011 through 2016, the annual SO_2 emissions averaged 26,696 tons per year.[7] The average annual SO_2 emissions between the two periods decreased by 3,901 tons per year.[8] As such, we conclude that there has not been a significant unexpected increase in anthropogenic emissions from the Gerald Gentleman Station.

Second, there was not a significant expected reduction in anthropogenic emissions that did not occur. As a preliminary matter, we acknowledge that the RPGs for South Dakota's Class I areas are based on the assumption that SO_2 emissions from the Gerald Gentleman Station would be reduced by the application of scrubbers that achieve the ''presumptive BART'' emission rate of 0.15 lb/MMBtu.[9] This assumption was built into the projected emission inventory for air quality modeling used to establish RPGs.[10] However, this occurred before Nebraska made its BART determination. It also occurred before Nebraska completed its consultation with other states, including South Dakota, in the development of its emission control strategies.[11] In the Agency's final action on Nebraska's Regional Haze SIP, the EPA addressed the disparity between the modeling assumptions for South Dakota's RPGs and the SO_2 BART emission limit the EPA chose for the Gerald Gentleman Station.[12] In response to comments on this issue, the Agency noted that ''South Dakota had the opportunity to comment on Nebraska's draft BART permits as well as the overall regional haze SIP, and did not ask for additional emission reductions from Nebraska.'' [13] The Agency concluded that ''Nebraska did establish a BART limit for the Gerald Gentleman Station and informed South Dakota that its BART determination

[3] U.S. Environmental Protection Agency Office of Air Quality Planning and Standards Air Quality Policy Division Geographic Strategies Group, April 2013.

[4] Guidance Priciples, p. 15.

[5] Ibid.

[6] Refer to spread sheet in the docket titled ''Gerald Gentleman Station Annual Emissions from AMPD.xlsx'' located in the docket.

[7] Ibid.

[8] Because no new SO_2 controls have been installed at the Gerald Gentleman Station, the reduction in emissions between the two time periods, 3,901 tons per year, is primarily due to a decrease in heat input.

[9] For comparison, the SO_2 annual emission rate (in lb/MMBtu) at the Gerald Gentleman Station was about 0.58 lb/MMBtu during 2002, which was the period used as the baseline by Nebraska when it developed its SIP. The annual emission rate in lb/MMBtu has not changed appreciably since that time.

[10] The emissions projected for the Gerald Gentleman Station by CENRAP were incorporated into the Western Regional Air Partnership (WRAP) reasonable progress modeling for 2018 (referred to as the PRP18b scenario). The RPGs for the South Dakota Class I areas were determined by the WRAP modeling.

[11] 40 CFR 51.308(d)(3)(i) requires that a state consult with another state if its emissions are reasonably anticipated to contribute to visibility impairment at that state's Class I area(s), and that a state consult with other states if those other states' emissions are reasonably anticipated to contribute to visibility impairment at its Class I areas.

[12] 77 FR 40150 (July 6, 2012).

[13] Ibid, 40155.

deviated from what was included in the modeling [for RPGs], [and] the fact that the final BART determination varied from the predictions is not grounds for disapproving either SIP.'' [14] Indeed, the content of the long-term strategy (including BART controls) determines the RPGs, not the opposite case. If not for the difference in timing between the air quality modeling for the RPGs and Nebraska's BART determination, South Dakota's RPGs would have reflected Nebraska's BART determination for the Gerald Gentleman Station. Put more concisely, the SO_2 BART requirement for Gerald Gentleman Station is not predicated on an assumption that was made in the modeling analysis before BART was determined, but rather on the control measures that were ultimately agreed upon between Nebraska and South Dakota through the requisite consultation process.

Nonetheless, in the Agency's final action for Nebraska, the EPA disapproved the SO_2 BART determination for the Gerald Gentleman Station because the State did not comply with the EPA's regulations. The EPA also disapproved Nebraska's long-term strategy insofar as it relied on the deficient SO_2 BART determination at the Gerald Gentleman Station. To address these deficiencies, in the same action, the EPA promulgated a Federal Implementation Plan relying on the Cross-State Air Pollution Rule (CSAPR, or ''transport rule'') as an alternative to BART for SO_2 emissions from Gerald Gentleman Station,[15] with the result that the long-term strategy for Nebraska does not require that SO_2 scrubbers be installed at the Gerald Gentleman Station to meet BART. Again, the RPGs are intended to reflect the emission reductions in states' long-term strategies. The fact that Nebraska's long-term strategy ultimately contains a different BART emission limit for the Gerald Gentleman Station than initially assumed does not mean that any difference between the two constitutes ''a significant expected reduction in anthropogenic emissions that did not occur.''

The guidance further clarifies that the requirement in § 51.308(g)(5) is ''aimed at assessing . . . whether emissions increases outside the state are affecting a Class I area within the state *adversely.* For those Class I areas where there is a significant overall downward trend in both visibility and nearby emissions, we expect that this assessment will point to those trends in support of a simple negative declaration satisfying this requirement'' (emphasis added).[16] This means that if aggregate emissions influencing the affected Class I areas are significantly declining and visibility conditions are significantly improving, an upward ''change'' for one contributing source relative to expectations is not significant. We accordingly turn to the topic of aggregate emissions and visibility trends for the Class I areas in South Dakota.[17]

In the Progress Report, South Dakota compared the most recent updated emission inventory data available at the time of Progress Report development with the baseline emissions inventory used in the modeling for the regional haze plan. The State's comparison showed that the statewide emissions of key visibility impairing pollutants, including SO_2, had declined. For example, between the baseline emission inventory and the most recent updated emission inventory of 2011, South Dakota found that anthropogenic SO_2 emissions declined by 8,285 tons per year. The emissions trends do not suggest any deficiencies in South Dakota's SIP that would affect achievement of the RPGs for Wind Cave and Badlands National Parks.

In the Progress Report, South Dakota provided baseline visibility conditions (2000–2004), current conditions based on the most recently available visibility monitoring data available at the time of Progress Report development, the difference between these current visibility conditions and baseline visibility conditions, and the change in visibility impairment from 2009–2013.[18] In order to further assess the trend in visibility as it relates to § 51.308(g)(5), the EPA has expanded on the analysis of visibility included in South Dakota's Progress Report. In addition to the information and analysis provided in the Progress Report, Table 1 below presents updated Interagency Monitoring of Protected Visual Environments (IMPROVE) monitoring data which shows that visibility for the two Class I areas in the State, Badlands and Wind Cave National Parks, has continued to improve beyond the 2009–2013 period considered by South Dakota. Table 1 shows a continued downward trend in visibility impairment (in deciviews) at both Badlands and Wind Cave National Parks from the baseline time period (2000–2004) to the most current time period (2012–2016).

TABLE 1—BASELINE VISIBILITY, CURRENT VISIBILITY, VISIBILITY CHANGES, AND 2018 RPGS IN SOUTH DAKOTA'S CLASS I AREAS

[Deciviews] [19]

Class I area	Baseline (2000–2004)	Current (2007–2011)	Difference (baseline vs. current)	More current (2009–2013)	Difference (baseline vs. more current)	Most current (2012–2016)	Difference (baseline vs. most current)	2018 RPG [20]
Badlands National Park								
20% Worst Days	17.1	16.3	−0.8	15.7	−1.4	14.7	−2.4	16.3
20% Best Days	6.9	6.6	−0.3	5.8	−1.1	5.5	−1.4	6.6
Wind Cave National Park								
20% Worst Days	15.8	14.9	−0.9	14.2	−1.6	13.6	−2.2	15.2
20% Best Days	5.1	4.4	−0.7	4.0	−1.1	3.6	−1.5	5.0

In Figures 1 and 2 below, in addition to comparing visibility improvement to the 2018 RPGs, we also compare monitored visibility (as a 5-year rolling average) to the Uniform Rate of Progress (URP). As described in the RHR, the URP is the uniform rate of visibility improvement that would need to be maintained during each implementation

[14] Ibid.

[15] 40 CFR 52.143.

[16] Principles, p. 15.

[17] 83 FR 11949–11950 (March 19, 2018).

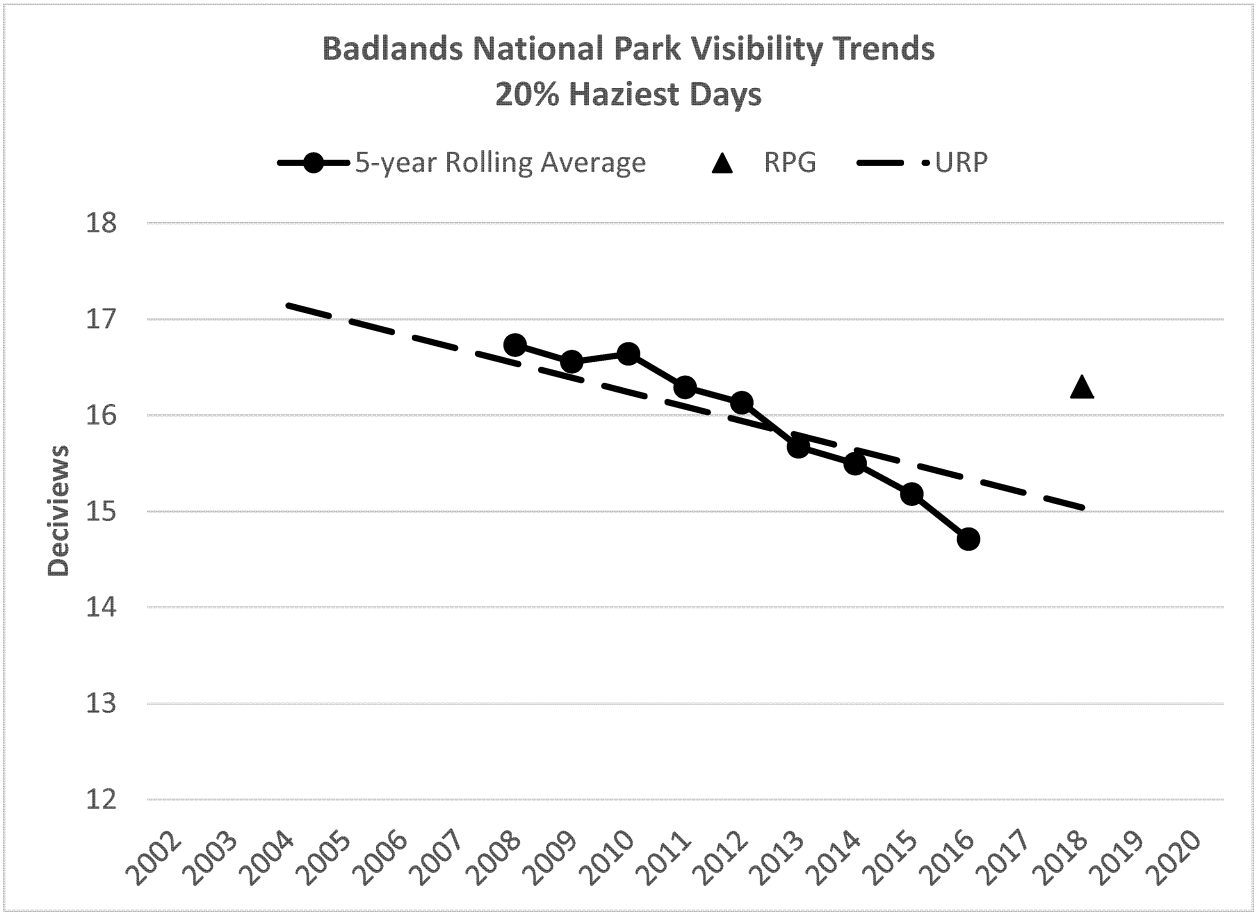
[18] Ibid.

[19] IMPROVE Data, Federal Land Manager Environmental Database. See 'Badlands and Wind Cave IMPROVE Table.xlsx', available in docket.

[20] 76 FR 76646, 76664 (April 26, 2012).

period in order to attain natural visibility conditions by the end of 2064.[21] While the RHR does not require that states compare monitored visibility to the URP as part of their progress reports, the EPA has done so here because it is instructive when considering visibility trends in the context of § 51.308(g)(5). Figures 1 and 2 show that the visibility in recent years for both Badlands and Wind Cave National Parks is well below the RPGs. For example, for Badlands National Park, the 2011 through 2016 5-year rolling average of the 20% haziest days is 14.7 deciviews, which is well below the 2018 RPG of 16.3 deciviews. Moreover, the visibility for both Class I areas is below the URP in recent years; at Badlands National Park, the 5-year rolling average of the 20% haziest days is below the URP beginning in 2012 and extending through the most recent year of available IMPROVE data (2016). Similar trends are apparent for Wind Cave National Park. As with the emissions trends, the visibility trends do not suggest any deficiencies in South Dakota's SIP that would adversely affect achievement of the RPGs for Wind Cave and Badlands National Parks.

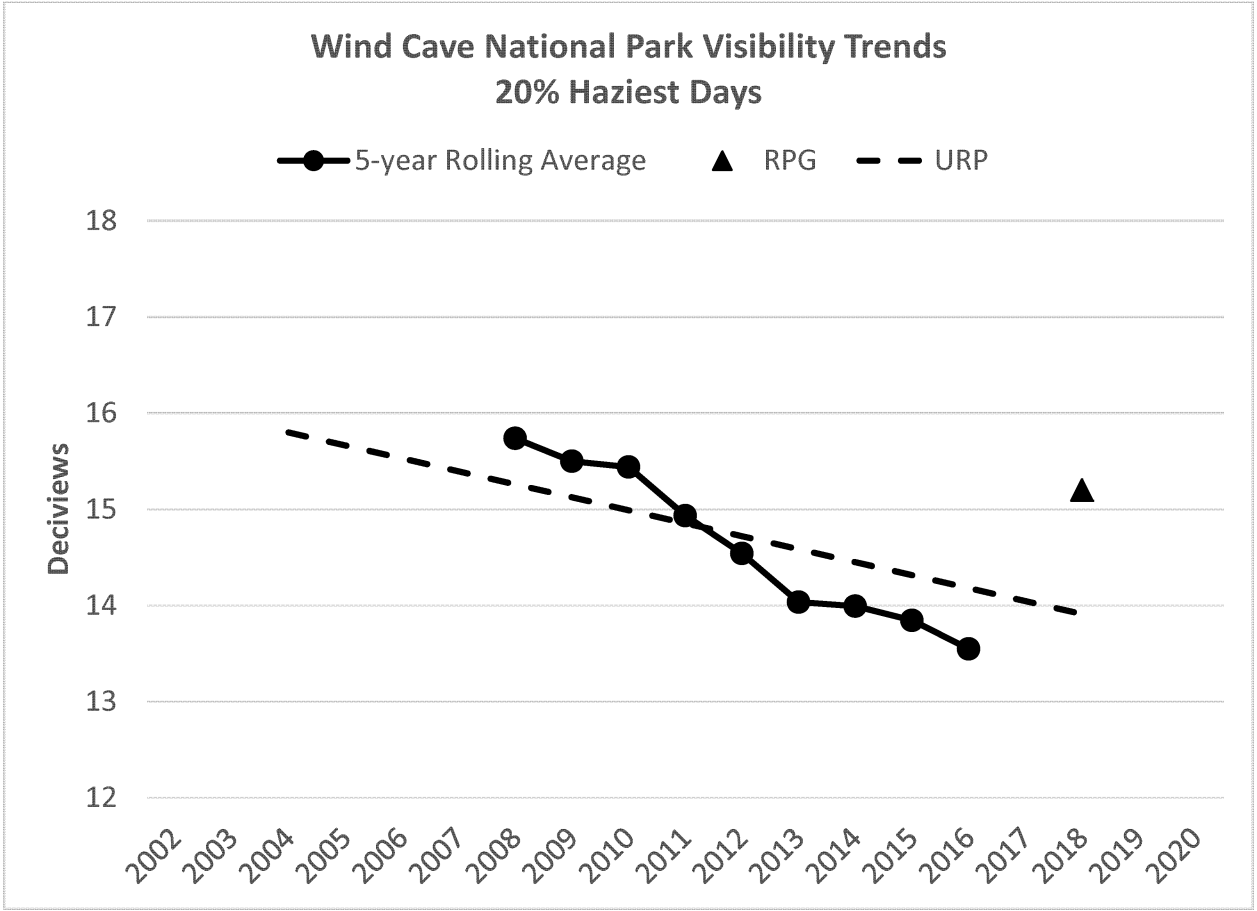
Figure 1: Badlands National Park Visibility Trends, 20% Haziest Days[22]



[21] 40 CFR 51.308(f)(1)(vi)(A).

[22] IMPROVE Data, Federal Land Manager Environmental Database. See 'Badlands and Wind Cave IMPROVE Visibility Trends.xlsx,' available in docket.

Figure 2: Wind Cave National Park Visibility Trends, 20% Haziest Days[23]



As previously stated, progress relative to the adopted RPGs is an important benchmark in assessing whether an increase in the Gerald Gentleman Station's SO_2 emissions relative to the expectations inherent in the SIP has ''limited or impeded progress in improving visibility.'' While there would likely have been more progress if the Gerald Gentleman Station's SO_2 emissions had been reduced even more over time than they have been, in the context of improvements already in the first implementation period relative to the RPGs and the URP for both Class I areas in South Dakota, we do not consider any lack of emission reductions from the Gerald Gentleman Station as having limited or impeded progress in improving visibility.

In summary, we find that there has been no significant change in anthropogenic emissions relative to what was expected under South Dakota's regional haze SIP. Moreover, even if there had been such a change, emissions and visibility trends do not suggest any deficiencies in South Dakota's SIP that would affect achievement of reasonable progress for Wind Cave and Badlands National Parks. Given our conclusions regarding § 51.308(g)(5) here, we find that the absence of a discussion of the Gerald Gentleman Station is not a failure to report on ''significant changes in anthropogenic emissions'' as that term is used in § 51.308(g)(5) nor a shortcoming in South Dakota's Progress Report that requires our disapproval of the Progress Report. Consequently, consistent with the RHR and our guidance principles, we are finalizing our finding that South Dakota has met the requirements of § 51.308(g)(5).[24]

Comment: The NPCA also asserts that ''EPA has previously identified the need for consultation between South Dakota and Nebraska in the next planning period regarding the impacts of the Gerald Gentleman Station on South Dakota's Class I areas,'' and asks the EPA to ''work with South Dakota to include a discussion of the Gerald Gentleman Station in its progress report.''

Response: The Progress Report that is the subject of today's action addresses the requirements of the first regional haze planning period. When adopting long-term strategies and establishing RPGs for the second regional haze planning period, extending to 2028, the RHR requires that states once again ''consult with those states that are reasonably anticipated to cause or contribute to visibility impairment in [ ] mandatory Class I area[s].'' [25] As such, South Dakota will have an opportunity to consult with Nebraska regarding SO_2 controls for the Gerald Gentleman Station in the second planning period. Moreover, nothing in this final rule would prevent Nebraska, in consultation with South Dakota or other

[23] Ibid.

[24] Because we are finding that South Dakota has not failed to report on ''significant changes in anthropogenic emissions'' as that term is used in § 51.308(g)(5), we have not needed to reach a conclusion as to whether such a failure in this particular situation would be so important that it would require disapproval of the Progress Report.

[25] 40 CFR 51.308(f)(2)(ii).

states, from assessing the need for SO_2 controls at the Gerald Gentleman Station as part of its long-term strategy for the second planning period.

Comment: The NPCA also asserts that the EPA does not adequately address in the NPRM South Dakota's progress towards investigating and developing a smoke management plan.[26] The NPCA asserts that ''EPA's analysis incorrectly states that 'The Progress Report presents the extensive information collected and analyzed to investigate the impacts of a smoke management plan'.'' [27] The NPCA acknowledges that the South Dakota Progress Report discusses the impact of prescribed fire at Wind Cave National Park, but asserts that the progress report does not mention a smoke management plan specifically. The commenter additionally asserts that the progress report does not include an ''update or information about South Dakota's progress towards investigating and developing a smoke management plan.'' [28] Finally, the commenter requests that the EPA work with South Dakota to include an update on South Dakota's examination of a smoke management plan as the NPCA asserts that 40 CFR 51.308(g)(1) requires that the status of all control strategies be included in the SIP.

Response: As this response to comment will show, South Dakota is committed to investigating the impacts of prescribed burns and wildfires and considering smoke management practices and a smoke management plan; however, there is no smoke management plan currently included in the SIP. Insofar as the comment implicates the adequacy of the State's existing Regional Haze SIP, we note that our review of the Progress Report is not a second review of the adequacy of that SIP, as the public already had an opportunity to review and comment on it and the EPA approved the SIP as meeting the requirements of 40 CFR 51.308(d)(3)(v)(E). However, since South Dakota committed to investigating these issues, it was appropriate for the State to include an update on this investigation in the Progress Report and we find that the State did so. Contrary to commenters' assertions, the SIP explains that the State will:

- ''[I]nvestigate the impacts that a smoke management plan for wild fires and prescribed burns will have on the 20% most impaired days'' within the first planning period of 2013'';
- Investigate and determine whether the ''burning of grass in and around the Class I areas'' warrants being covered under a smoke management plan''; and
- Review IMPROVE data for a recent prescribed fire to see what kind of impact the fire had on the organic carbon mass concentration and to some extent the ammonia sulfide and ammonia nitrate levels.

Finally, the SIP explains that it is DENR's ''intention'' to

[I]nvestigate these prescribed burns as well as other wildfires and planned prescribed burns to determine at what level (*e.g.,* size of burn, distance from the Class I areas, combustible material) should a wildfire or prescribed fire be included in the smoke management plan and what best management practices can be used to minimize their impacts on the 20% most impaired days in the Class I areas. The results of this analysis will be adopted in the Regional Haze State Implementation Plan as part of our long term strategy. DENR will work with the federal land managers, other state agencies, and local governments during the development and implementation of the smoke management plan.[29]

Contrary to the commenter's assertions, the Progress Report, as explained in the Regional Haze 5-Year Progress Report NPRM, describes that the State has taken the following steps so far to investigate the impacts of prescribed burns and natural fire on visibility in the first planning period. The impacts of prescribed fires on the 20% most impaired days at Wind Cave were investigated using the IMPROVE data that was presented in their progress report.[30]

The State also reviewed IMPROVE data for two recent prescribed fires to see what kind of impact the fires had on the organic carbon mass concentration and to some extent the ammonium sulfide and ammonium nitrate levels. This data shows the impact of two prescribed fires conducted by the National Park Service (NPS) at Wind Cave National Park in 2009 and 2010.[31] The two examples of the IMPROVE data that show that the NPS prescribed fires contributed to high levels of both particulate organic mass and elemental carbon on both days.[32] Finally, the Progress Report shows that natural fire has been decreasing in its impact.[33]

Furthermore, regarding the State's intention to develop and implement the smoke management plan, since the publication of the NPRM, we learned that the State of South Dakota reconfirmed their intention regarding the smoke management plan,[34] as is described in its SIP to participate in a Western States Air Resources Council (WESTAR) smoke management workgroup.

Finally, as described in South Dakota's progress report and the NPRM, the State has worked in coordination with Federal Land Managers to mitigate the impacts of prescribed fires. In its Progress Report, the State explains that ''DENR and Federal Land Managers in South Dakota have improved coordination and communications over the past few years and plan to continue that effort to help mitigate the impacts of prescribed fires'' at Wind Cave and Badlands National Parks.[35]

In conclusion, as explained above, we find the State has provided an adequate description of the status of the State's investigation of smoke management measures. The State has investigated both prescribed fire and wildfire and the impact of fire on the 20% most impaired days at Class I areas, reviewed IMPROVE data, showed continued collaboration with Federal Land Managers, and provided a description of their intention to investigate, develop and implement and a smoke management plan as is described in their SIP. Accordingly, we clarify and confirm our proposed finding that South Dakota has adequately addressed its SIP commitment.

III. Final Action

EPA is finalizing without revisions its proposed approval of South Dakota's January 27, 2016 Progress Report as meeting the applicable regional haze requirements set forth in 40 CFR 51.308(g) and 51.308(h).

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 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,

[26] National Parks Conservation Association (NPCA) Comment Letter, p.2.

[27] Ibid.

[28] Ibid.

[29] 76 FR 76671 (December 8, 2011).

[30] South Dakota Progress Report, Table 3–28, p.31 and Table 3–29, p. 33.

[31] South Dakota Progress Report, p. 29.

[32] South Dakota Progress Report, Table 3–28, p.31 and Table 3–29, p. 33.

[33] South Dakota Progress Report, Table 3–28, p.31 and Table 3–29, pp. 17, 19, 20, 21, 24.

[34] Memo to File EPA–R08–OAR–2017–0672, available in docket.

[35] South Dakota Progress Report, pp. 41–42, Appendix B, pp. B–2—B–3. At the suggestion of the National Park Service, the DENR also looked at the Fire Emissions Tracking System and noted that it may be a useful tool going forward as the DENR continues to track prescribed fires and their impacts on the Class I areas.

provided that they meet the criteria of the CAA. 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- 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, described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 1, 2019. 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. 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, Incorporation by reference, Intergovernmental relations, Nitrogen oxides, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

Douglas Benevento,

Regional Administrator, Region 8.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart QQ—South Dakota

■ 2. Section 52.2170(e) is amended by adding a new entry for *XXIII. Regional Haze 5-Year Progress Report* in numerical order to read as follows:

§ 52.2170 Identification of plan.

* * * * *

(e) * * *

Rule title	State effective date	EPA effective date	Final rule citation, date	Comments
* * *	*	*	*	*
XXIII. Regional Haze 5-Year Progress Report	Submitted 01/27/2016	1/2/2019	[Insert **Federal Register** citation], 12/3/2018.	

[FR Doc. 2018–26179 Filed 11–30–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 68

[EPA–HQ–OEM–2015–0725; FRL–9987–23–OLEM]

Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; announcement of effective date.

SUMMARY: The Environmental Protection Agency (EPA) is announcing that the amendments to the Risk Management Program under the Clean Air Act put forward in a final rule published in the **Federal Register** on January 13, 2017 are in effect.

DATES: The rule amending 40 CFR part 68, published at 82 FR 4594 (January 13, 2017) and delayed at 82 FR 8499 (January 26, 2017), 82 FR 13968 (March

16, 2017), and 82 FR 27133 (June 14, 2017), is effective December 3, 2018.

ADDRESSES: The EPA established a docket for the ''Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act'' under Docket ID No. EPA–HQ–OEM–2015–0725, which includes this announcement. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: James Belke, United States Environmental Protection Agency, Office of Land and Emergency Management, 1200 Pennsylvania Ave. NW (Mail Code 5104A), Washington, DC, 20460; telephone number: (202) 564–8023; email address: *belke.jim@epa.gov,* or Kathy Franklin, United States Environmental Protection Agency, Office of Land and Emergency Management, 1200 Pennsylvania Ave. NW (Mail Code 5104A), Washington, DC 20460; telephone number: (202) 564–7987; email address: *franklin.kathy@epa.gov.*

SUPPLEMENTARY INFORMATION: On January 13, 2017, EPA finalized amendments to the Accidental Release Prevention Requirements for Risk Management Programs under the Clean Air Act, Section 112(r)(7) (RMP Amendments rule; 82 FR 4594). On January 26, 2017, the EPA published an action in the **Federal Register** that initially delayed the effective date of the RMP Amendments rule for a short period of time (82 FR 8499). The EPA further delayed the effective date of the RMP Amendments rule through additional EPA actions published in the **Federal Register** on March 16, 2017 and June 14, 2017 (82 FR 13968 and 82 FR 27133, respectively). On August 17, 2018, the U.S. Court of Appeals for the District of Columbia Circuit issued its decision vacating the June 14, 2017 rule (82 FR 27133) that had delayed the effective date of the RMP Amendments rule until February 19, 2019. On September 21, 2018, the Court issued its mandate which makes the RMP Amendments rule now effective.

Section 553(b)(3)(B) of the Administrative Procedure Act, 5 U.S.C. 553(b)(3)(B), provides that, when an agency for good cause finds that public notice and comment procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making this rule announcing the effectiveness of the RMP Amendments rule final without prior proposal and opportunity for comment because such notice and opportunity for comment is unnecessary.

Specifically, updating the Code of Federal Regulations (CFR) to reflect the requirements of the RMP Amendments rule is a ministerial act. The Court specifically identified as vacated the June 14, 2017 rule that had delayed the effectiveness of the RMP Amendments rule until February 19, 2019. The rule published today simply implements the decision of the Court. Since EPA lacks discretion to do otherwise, it would serve no useful purpose to provide an opportunity for public comment on this issue. The requirements of CAA section 307(d), including the requirement for public comment and a hearing on proposed rulemakings, do not apply to this action because 5 U.S.C. 553(b)(3)(B) applies.

Moreover, the agency finds that the considerations outlined above to support issuance of this rule without prior notice and comment also provide good cause for making this action effective immediately under section 553(d) of the Administrative Procedure Act (APA), 5 U.S.C. 553(d). Section 553(d) provides in pertinent part that final rules shall not become effective until 30 days after publication in the **Federal Register**, ''except . . . as otherwise provided by the agency for good cause.'' The purpose of section 553(d) of the APA is to ''give affected parties a reasonable time to adjust their behavior before the final rule takes effect.'' *Omnipoint Corp.* v. *FCC,* 78 F.3d 620, 630 (DC Cir. 1996); *see also United States* v. *Gavrilovic,* 551 F.2d 1099, 1104 (8th Cir. 1977) (quoting legislative history). In determining whether good cause exists to waive the 30-day effective date under the APA, an agency should ''balance the necessity for immediate implementation against principles of fundamental fairness which require that all affected persons be afforded a reasonable amount of time to prepare for the effective date of its ruling.'' *Gavrilovic,* 551 F.2d at 1105. Here, the decision of the Court vacating the Delay Rule and the issuance of the mandate have taken the issue of timing out of EPA's control. As noted above, we are simply implementing the Court's mandate by undertaking the ministerial act necessary to update the Code of Federal Regulations. Accordingly, this rule will take effect upon publication in the **Federal Register**. 5 U.S.C. 553(d).

Dated: November 21, 2018.

Andrew R. Wheeler,

Acting Administrator.

■ Accordingly, the rule amending 40 CFR part 68, published at 82 FR 4594 (January 13, 2017), and delayed at 82 FR 8499 (January 26, 2017), 82 FR 13968 (March 16, 2017), and 82 FR 27133 (June 14, 2017), is effective December 3, 2018.

[FR Doc. 2018–26224 Filed 11–30–18; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[EPA–HQ–OAR–2017–0548; FRL–9977–72–OAR]

RIN 2060–AT94

Additional Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards

Correction

In rule document 2018–11838, appearing on pages 25776 through 25848, in the issue of Monday, June 4, 2018, make the following corrections:

1. On page 25785, in the table, under Rest of State, the Designation Date for Greenlee County should read ''1/16/18''.

2. On page 25824, in the table, insert a row below the row for Union County. On the new row, the Designated Area should read ''Van Wert County'', the Designation Date should read ''1/16/18'', and the Designation Type should read ''Attainment/Unclassifiable''.

[FR Doc. C1–2018–11838 Filed 11–30–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 180207141–8999–02]

RIN 0648–BH74

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Groundfish Bottom Trawl and Midwater Trawl Gear in the Trawl Rationalization Program

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: This rule revises Federal regulations that currently restrict the use and configuration of bottom and midwater trawl gear for vessels fishing under the Pacific Coast Groundfish Fishery's Trawl Rationalization Program. The revisions implemented through this rule were developed by the Pacific Fishery Management Council to address restrictions that are no longer necessary because of changes to the fishery including implementation of the Trawl Rationalization Program in 2011 and improved status of a number of overfished rockfish stocks. This action will likely increase flexibility in how vessels can use and configure gear to increase access to target stocks and efficiency of fishing practices, while still limiting the catch of target and non-target discards to meet the conservation objectives of the Trawl Rationalization Program.

DATES: This final rule is effective January 1, 2019.

ADDRESSES: Electronic copies of supporting documents referenced in this final rule, including the environmental assessment (EA) and regulatory impact review (RIR)/regulatory flexibility analysis (RFA), are available from *www.regulations.gov* or from the NMFS West Coast Region Groundfish Fisheries website at *http://www.westcoast.fisheries.noaa.gov/fisheries/groundfish/index.html.*

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I. Background

Prior to 2011 the Pacific Coast Groundfish fishery was primarily managed with trip and landing limits and area closures, and monitoring was limited (*i.e.,* less than 25 percent of groundfish bottom and midwater trawl trip landings were subject to at-sea observer coverage). During that time NMFS implemented trawl gear restrictions to both reduce groundfish and non-groundfish bycatch and discards, as well as limit access to overfished rockfish habitat. Restrictions included: (1) Minimum mesh size requirements; (2) requirements for chafing gear and codends; (3) the trawl Rockfish Conservation Areas (RCA) in which the use of groundfish bottom trawl gear between certain fathom lines is prohibited, as defined in regulation at §§ 660.71 through 660.74; and, (4) a requirement that vessels use selective flatfish trawl, a type of small footrope trawl gear, shoreward of the trawl RCA and north of 40°10′ North (N) latitude.

In 2011, NMFS implemented Amendments 20 and 21 to the Pacific Coast Groundfish Fishery Management Plan (PCGFMP), which established the Trawl Rationalization Program. The Trawl Rationalization Program, a type of catch share program, replaced trip and landing limits with fixed allocations for limited entry trawl participants through an individual fishing quota (IFQ) management system. To allow managers to accurately account for catch against IFQ the program increased at-sea and shoreside monitoring to 100 percent of trips and landings for groundfish bottom and midwater trawl vessels. This management system increased individual vessel accountability and successfully reduced bycatch of target and non-target rockfish in the trawl fishery. Since implementation of the Trawl Rationalization Program, five of the seven previously overfished rockfish species are now rebuilt.

Building on the successes of the Trawl Rationalization Program at reducing discards, NMFS and the Pacific Fishery Management Council (Council) worked with industry members to identify regulations that limit the use and configuration of groundfish bottom and midwater trawl gears, and may no longer be necessary because the Trawl Rationalization Program effectively limits target and non-target species bycatch. Additional discussion of the background and rationale for the Council's development of changes to bottom and midwater trawl gear configuration is included in the proposed rule (83 FR 45396; September 7, 2018) and is not repeated here. Detailed information, including the supporting documentation the Council considered while developing these recommendations, is available at the Council's website, *www.pcouncil.org.*

The discussion in this final rule and in the EA/RIR/RFA (see **ADDRESSES**) groups several related measures to reduce redundancy and to present the collective impacts of similar regulations. This final rule:

- Adjusts a suite of restrictions related to how nets are configured, including eliminating minimum mesh size restrictions, changing the definition of mesh size, removing chafing gear placement restrictions, and removing restrictions on using double-walled codends from groundfish bottom and midwater trawl vessels fishing under the Trawl Rationalization Program;
- Removes the requirement to use selective flatfish trawl gear north of 40°10′ N lat. and shoreward of the trawl RCA;
- Adjusts a number of provisions related to vessel operations on a single fishing trip, including allowing vessels that fish in the Shorebased IFQ Program under the Trawl Rationalization Program to carry and fish groundfish bottom and midwater trawl gears on the same trip, fish across IFQ management lines, and bring a new haul on deck before the catch from a previous haul is stowed.

II. Regulations for Net Configurations

This section discusses several regulatory changes that remove some minimum mesh size restrictions, revise the definition of mesh size, remove chafing gear placement restrictions, and remove the prohibition on using double-walled codends for groundfish bottom and midwater trawl vessels fishing under the Trawl Rationalization Program. These measures all relate to net configuration and all affect the mesh size for trawl nets. A description of the existing regulations for net configurations, as well as a summary of the potential impacts of these combined measures, is included in the proposed rule and is not repeated here.

This final rule removes the minimum mesh size requirement of 4.5 inches (11.4 cm) for groundfish bottom trawl nets and revises the minimum mesh size requirements for midwater trawl gear. Midwater trawl gear nets are no longer required to have a minimum mesh size of 3.0 inches (7.6 cm). However, the Council did not recommend revising the restriction on the minimum mesh size restriction for the first 20 feet (6.51 m) behind the footrope or head-rope for midwater trawl gears because it is essential to the definition of midwater trawl gear. As such, nets must still be configured so that the first 20 feet (6.51 m) immediately behind the footrope or head-rope is constructed with bare ropes or mesh with a minimum size of 16 inches (40.64 cm).

This final rule redefines minimum mesh size as the smallest distance allowed from opposing knots or corners. In addition, this final rule revises the definition for measuring minimum

mesh size to include knotless nets, as well as redefining the approach for measuring mesh size as the opening between opposing corners. These changes will allow NMFS Office of Law Enforcement (OLE) to enforce current mesh size requirements for vessels using midwater trawl nets, which must meet minimum mesh size requirements for the first 20 feet (6.51 m) behind the footrope or head-rope.

Finally, this final rule eliminates the prohibition on double-walled codends and restrictions on the use of chafing gear. Removing these restrictions will allow vessel operators flexibility in how they use chafing gear to protect nets and codends, fish relative to the seafloor, and strategically use mesh sizes to enhance fishing operations (*i.e.,* herding smaller fish through the net). NMFS anticipates that under these regulations vessel operators will use chafing gear strategically to provide protection in areas where the net can be susceptible to wear. This will allow vessels to extend the life of their nets and ultimately reduce operational costs.

Eliminating restrictions on groundfish bottom and midwater trawl net configuration allows vessels to experiment with different mesh sizes, chafing gear placement, and use of double-walled codends. The new regulations will allow vessels to reduce the mesh size of their nets and increase net protections to better target semi-pelagic rockfish species or longspine thornyheads.

III. Requirement To Use Selective Flatfish Trawl Shoreward of the RCA and North of 40°10′ North Latitude

This final rule adjusts groundfish vessel requirements for using selective flatfish trawl gear. A description of the existing regulations for selective flatfish trawl, as well as a summary of the potential impacts of this measure, is included in the proposed rule and is not repeated here.

This final rule revises the definition of selective flatfish trawl, a type of small footrope trawl gear, to allow for a two- or four-seamed net with no more than four riblines, while retaining all other existing restrictions related to configuration of this gear including: The breastline may not be longer than 3 feet (0.92 m); there may be no floats along the center third of the headrope or attached to the top panel, except on the riblines; the footrope must be less than 105 feet (32.26 m); the headrope must be no less than 30 percent longer than the footrope; and the headrope is issued along the length of the headrope from the outside edge to the opposite outside edge.

Revising the definition of selective flatfish trawl to allow for use of a four-seam net will provide for better flow and improved selectivity compared to a two-seam net. A four-seam net has more open meshes for smaller fish to escape. In addition, studies have demonstrated that improved flow within nets improves fishing efficiency, which may increase catch of marketable target groundfish (*e.g.,* widow rockfish, yellowtail rockfish, and Pacific cod), and reduce bycatch of small or unmarketable groundfish (*e.g.,* undersized redstripe rockfish, rosethorn rockfish, sand dabs).

The final rule also eliminates the requirement that vessels use selective flatfish trawl gear shoreward of the trawl RCA north of 42° N lat. Instead, trawl vessels are allowed to use any type of small footrope trawl gear, including selective flatfish trawl gear, shoreward of the trawl RCA north of 42° N lat. Large footrope trawl gear will still be prohibited shoreward of the trawl RCA. This final rule does not make any changes to the requirement to use selective flatfish trawl gear between 40°10′ N lat. and 42° N lat. Vessels that choose to fish groundfish bottom trawl gear in this area are required to use selective flatfish trawl gear. Fishing with small footrope trawl gear, other than selective flatfish trawl gear, is prohibited between 40°10′ N lat. and 42° N lat.

As described in the proposed rule for this action, the Council recommended that NMFS remove the requirement to use selective flatfish trawl gear north of 40°10′ N lat. and replace it with a requirement to use small footrope trawl gear. However, NMFS determined that the Council's recommended changes to the selective flatfish trawl gear requirement shoreward of the trawl RCA between 42° N lat. and 40°10′ N lat. are out of compliance with the terms and conditions of the December 2017 Salmon Incidental Take Statement. Term and Condition 4b requires that ''prior to allowing additional non-whiting trawling south 42° N lat., NMFS will implement one or more exempted fishing permits (EFPs) designed to collect information about Chinook and coho bycatch levels and stock composition from fishing in those areas or at those times for a minimum of three years.'' Because the area shoreward of the trawl RCA between 42° N lat. and 40°10′ N lat. was not part of the exemption to the selective flatfish trawl gear requirement in the 2017 and 2018 EFPs, which was the Council's recommendation, NMFS cannot make changes to restrictions in this area that could result in additional non-whiting trawling effort. NMFS notified the Council of this preliminary determination at its September 2018 meeting in Seattle, Washington.

NMFS does support the continued use of EFPs to obtain data on potential impacts of changing the selective flatfish trawl gear requirement between 42° N lat. and 40°10′ N lat. This information would help inform any future regulatory changes the Council recommends for this area and gear type.

IV. Regulations for Vessel Operations

This section discusses the three regulatory changes that relate to vessel operations on a single fishing trip including allowing vessels that fish in the Shorebased IFQ Program under the Trawl Rationalization Program to carry and fish groundfish bottom and midwater trawl gears on the same trip, fish across IFQ management lines, and bring a new haul on deck before the catch from a previous haul is stowed. A description of the existing regulations for vessel operators, as well as a summary of the potential impacts of these combined measures, is included in the proposed rule and is not repeated here.

The groundfish regulations define four trawl gear types (large footrope trawl, small footrope trawl, selective flatfish trawl, and midwater trawl), as well as where and when vessels may carry those trawl gear types. Under the revised regulations in this final rule, vessels fishing north of 40°10′ N lat. may not have both groundfish trawl gear and non-groundfish trawl gear on board simultaneously, but vessels fishing in the Shorebased IFQ Program will be allowed to carry multiple trawl gear types (groundfish bottom or midwater trawl gear) on board simultaneously. A vessel may have more than one type of small footrope bottom trawl gear on board (selective flatfish trawl or small footrope trawl gear) either simultaneously or successively during a trip limit period, with one exception. Only a selective flatfish trawl is allowed onboard when fishing shoreward of the trawl RCA between 42° N lat. and 40°10′ N lat. Finally, a vessel may have more than one type of midwater groundfish trawl gear on board, either simultaneously or successively, during a cumulative trip limit period. South of 40°10′ N lat., a vessel may not have both groundfish trawl gear and non-groundfish trawl gear on board simultaneously; however, they may have both bottom trawl gear and midwater trawl gear on board simultaneously or any type of small footrope trawl gear, including selective

flatfish trawl gear, simultaneously or successively.

This final rule eliminates the prohibition on using multiple types of groundfish trawl gears (bottom and midwater trawl gear) on the same trip for vessels fishing in the Trawl Rationalization Program's IFQ Program. Allowing the use of multiple trawl gears during a single trip reduces the complexity in the regulations and will improve economic efficiency and safety at sea by reducing the number of trips and days at sea.

Vessels fishing with multiple types of groundfish trawl gear are required to keep and land all catch separately by gear type, and catch must be reported on electronic fish tickets by gear type (*i.e.,* midwater or bottom trawl). Vessels are not required to keep catch separate by haul. This rule does not adjust the current provision that requires vessels to stow any gear not authorized for use in the area when transiting through a groundfish conservation area. For species managed with trip limits, crossover provisions, or gear-specific trip limits, all current regulations would remain in effect.

This final rule also modifies recordkeeping and reporting requirements for vessels fishing in the Shorebased IFQ Program that choose to use more than one type of groundfish trawl gear on the same trip. These vessels are required to make a new gear declaration to indicate that they have chosen to fish with a new gear type (*i.e.,* groundfish bottom trawl vs. midwater trawl). Previously, the regulations only allowed vessels to declare one type of trawl gear at a time when fishing in the Trawl Rationalization Program, and vessel operators were required to make the declaration for each trip prior to leaving port. The final rule revises the regulations so that vessel operators in the Shorebased IFQ Program that choose to use multiple groundfish trawl gears on the same trip may adjust their gear declarations from sea and do not need to return to port to do so. Vessel operators are required to make a new declaration any time they switch to a gear other than the gear that was previously declared. This allows for the continued monitoring and enforcement of gear-specific closed areas. Allowing vessels the flexibility to use and carry multiple trawl gears onboard the vessel will reduce costs to operators by reducing daily fuel and observer coverage costs.

This final rule eliminates both the existing prohibition on bringing a haul on board before the previous haul has been stowed and the requirement to stow all catch before catch from a new haul is brought on board. Vessels may now bring a new haul on board before the previous haul has been stowed and will not be required to stow all catch before the catch from a new haul is brought on board. Vessels are still required to keep catch from separate hauls until the observer has completed all haul-specific sampling protocols and has allowed the hauls to be mixed. Vessels will also still be required to allow observers and catch monitors to carry out all required duties without interference to ensure continued accurate monitoring and reporting of catch. This ensures availability of quality data for catch at-sea and landings which are used to manage the fishery in season and to assess the stocks and develop catch limits and harvest guidelines. Vessels fishing with electronic monitoring are required to keep catch from different hauls separate on deck until fully documented according to protocols established in the specific vessel's monitoring plan. All vessels are required to land any catch by gear type if it was caught using different gears separated by gear type.

This final rule also eliminates the prohibition on fishing in multiple IFQ management areas on the same trip or tow, for vessels fishing in the Shorebased IFQ Program. These vessels are allowed to fish in multiple IFQ management areas on the same trip and the same haul, and catch does not need to be sorted by area. Vessel operators will be responsible for recording the number of hauls that took place in which IFQ management area. Catch will then be assigned to an area and quota pounds will be deducted from vessel accounts based on the proportion of hauls in a given management area. For example, if six hauls were taken in one IFQ management area, and two hauls were taken in another management area, the total catch would be apportioned to management areas by a 6 to 2 ratio. For any hauls that took place across management lines, catch would be apportioned 50 percent to each area. Therefore, if six hauls were taken in one management area, two hauls taken in another management area, and one haul taken across management areas, the total catch would be apportioned to management areas by a 6.5 to 2.5 ratio.

Vessel operators are expected to use the flexibility to create an efficient fishing strategy that best limits bycatch of non-target and protected species while still maximizing catch of their target species. Vessels would maximize attainment of IFQ by carrying and fishing with both midwater and groundfish bottom trawl gear on the same trip. Eliminating regulations that manage vessel operations may have some potential negative impacts to processors, observers, and managers, but these are likely to be limited and may even decrease over time as operations adjust to the changes.

V. Comments and Responses

NMFS received seven comment letters from private citizens during the comment period for the proposed rule. All of the comments raised similar issues regarding the potential for these gear changes to negatively impact previously overfished rockfish stocks and their habitat, and the potential for the changes to increase salmon bycatch. Only comments relevant to measures considered in the proposed rule are summarized and addressed below. Comments related to other fishery actions, general fishery management, or unrelated to fisheries are not addressed here. All public comment letters can be viewed, along with the proposed and final rules for this action, at *www.regulations.gov.*

Comment 1: Please withhold changes to gear restrictions until salmon stocks have had a chance to rebuild. These gear changes will likely increase bycatch of Chinook salmon.

Response: While NMFS shares the commenter's concerns over any action that could increase bycatch of Chinook salmon, the analysis for this action does not support the conclusion that removing these restrictions and requirements would result in additional bycatch beyond what already occurs in this fishery. Over the past two years NMFS has permitted more than 40 vessels annually to test whether removing these requirements or prohibitions would result in additional bycatch of Chinook and coho salmon. These vessels have completed more than 200 EFP trips. Based on the analysis of this EFP information, changes that have occurred within the fishery over the past several years, and the analysis in the December 2017 biological opinion, NMFS has determined that changes to mesh size, removing restrictions on codends and chafing gear, and removing restrictions on vessel operations is unlikely to result in additional impacts to Chinook salmon. With regards to removal of the selective flatfish trawl gear requirement, impacts to Chinook salmon are unlikely to increase from this action in the area north of 42° N lat. (the southern boundary of the 2017 and 2018 Trawl Gear EFPs). However, impacts to Chinook salmon resulting this action are less certain in the area between 42° N lat. and 40°10′ N lat.

NMFS discussed uncertainty around potential impacts to Chinook salmon in the area between 42° N lat. and 40°10′ N lat. in the proposed rule, particularly when considering the removal of the requirement to use selective flatfish trawl gear, because this area was not included in the 2017 or 2018 EFPs. Therefore, as mentioned above in Section III, NMFS is only removing the prohibition on using any small footrope trawl gear besides selective flatfish trawl gear for the area north of 42° N lat. No changes to regulations requiring the use of selective flatfish trawl gear will be implemented for the area between 42° N lat. and 40°10′ N lat., where impacts to salmon are less certain.

Additionally, unlike in previous years, NMFS is proposing through the proposed rule for the 2019–2020 harvest specifications and management measures (83 FR 47416, September 19, 2018), to establish hard caps for Chinook salmon established in the 2017 Salmon Biological Opinion. If implemented, NMFS will have a mechanism available in regulation that may be used to close the non-whiting and/or whiting fisheries if the bycatch of Chinook salmon exceeds or is projected to exceed the thresholds for those fisheries. Finally, NMFS continues to work with the Council to develop any management measures needed to address any unexpected high bycatch of Chinook or coho salmon in the groundfish fisheries.

Comment 2: The proposed regulations do not acknowledge the potential for rockfish habitats to be destroyed with little chance of rehabilitation.

Response: In developing the EA for this action NMFS considered potential impacts to the physical environment, which includes important habitats for rockfish species, and determined that impacts to the physical environment from this action are likely to be negligible to low for the several reasons. First, the regulatory revisions do not change any areas that are currently closed to fishing, such as essential fish habitat conservation areas (EFHCAs) designed to protect sensitive habitat from bottom contact gear. NMFS expects there may be increased effort shoreward of the trawl RCA and north of 42° N latitude by vessels fishing without selective flatfish trawl gear. However, NMFS expects this effort would likely only occur with groundfish bottom trawl over soft-bottom habitat or with pelagic trawls fished off the ocean floor and in the water column away from any high relief structures that could damage fishing nets. Finally, the regulatory revisions do not change small footrope requirements for groundfish bottom trawl shoreward of the RCA. This small footrope requirement provides a strong disincentive for harvesters to fish with bottom trawl over high-relief habitat. Therefore, based on this analysis, NMFS determined that the revised regulations will not result in additional impacts to the physical environments.

Comment 3: Eliminating the mesh and net size requirements would potentially increase the incentive for vessels to use larger equipment, which could increase the likelihood for overfishing. Rockfish are especially vulnerable to overfishing.

Response: Eliminating regulations that restrict the configuration and use of the nets would not affect the size of the gear used. Requirements affecting rope size will still be in place. Additionally, trawl nets are often limited by the size of the vessel and the ability of the vessel to pull the net. None of the revisions implemented through this final rule will change any of the vessel size restrictions for limited entry permits in the groundfish fishery.

In regard to overfishing, NMFS agrees that rockfish can be susceptible to overfishing because many species do not begin to reproduce until they are 5–20 years old, and very few of their young survive to adulthood. In addition, many species can live more than 100 years (*e.g,* yelloweye rockfish). However, NMFS and the Council are obligated under National Standard 1 to ensure that conservation and management measures, including those implemented through this final rule, prevent overfishing while also providing an opportunity for industry to harvest catch. NMFS and the Council have worked diligently over the past 15 years to conservatively manage species in order to rebuild seven previously overfished rockfish stocks. There are only two stocks (*i.e.,* yelloweye rockfish and cowcod) that remain in rebuilding plans, and both are projected to rebuild ahead of schedule. The Trawl Rationalization Program has proven to be an effective management system for groundfish fisheries because it increases individual vessel accountability and ensures full catch accounting for all stocks. NMFS and the Council will continue to use the management tools available through that program to protect rockfish stocks from overfishing while also providing economic opportunities for West Coast communities.

Comment 4: Eliminating the mesh size requirements will result in increased unwanted bycatch, discards, and the increased mortality of small or young fish. Allowing this will reverse the Trawl Rationalization Program's longstanding success.

Response: The Trawl Rationalization Program has been successful in addressing the NMFS and Council's responsibilities under the Magnuson-Stevens Fishery Conservation Act (MSA) and the National Standards, in particular National Standard 1 guideline responsibilities for preventing overfishing, and National Standard 8 responsibilities to reduce bycatch to the extent practicable. Consistent with requirements under MSA, NMFS will continue to support development of actions that continue this success. As discussed in additional detail in the proposed rule, the continued success of the program relies on the use of an individual quota management system, which provides a disincentive for vessels to target small fish or reduce the mesh size of the net so as to catch more small fish. These undersized fish are not marketable and harvesters would have to use their quota pounds to cover the catch. One hundred percent at-sea monitoring, either with human observers or electronic monitoring, is required by all groundfish trawl vessels and ensures against vessels discarding unwanted or unmarketable catch without first recording the information. Additionally, reducing mesh size increases drag on the net which can reduce the efficiency of the fishing practices and also serves as a disincentive.

The purpose of eliminating the mesh size restrictions is not to incentivize the catch of small fish. It is intended to allow vessel operators the ability to address concerns about gilled fish (fish stuck in the net) and to use different mesh sizes to attach excluders and chafing gear, or heard smaller fish through the net and out the codend. This will ultimately have a limited positive impact for vessel operators. NMFS and the Council will make every effort to continue the successful management of the Trawl Rationalization Program.

Comment 5: Allowing vessels to use multiple types of groundfish trawl gear on the same trip will threaten the quality of stock assessments.

Response: There is a potential to impact stock assessments by allowing vessels to use multiple types of groundfish trawl gear to be fished on the same trip, and allowing vessels to fish in multiple IFQ management areas on the same trip and haul. However, NMFS is implementing mitigation measures, such as sorting and haul tabulation requirements, to ensure that the impacts to stock assessments will be low. The Council and its advisory bodies, including the Groundfish Management Team, the Groundfish Advisory

Subpanel, and the Scientific and Statistical Committee (SSC), had extensive discussion on the potential issues that could arise from revising these regulations. The SSC spoke specifically to the risk that co-mingling of total catch could result in greater uncertainty in data used in stock assessments because gear-specific and area-specific catch, as well as effort per trip would be unknown, and species-specific selectivity varies among gear types. However, the SSC reported that the sorting requirements (catch must be separate by gear type) and the haul tabulation requirements (number of hauls by area must be recorded) could alleviate the potential impacts on data for stock assessments. Additionally, recording the number of hauls should allow for an accurate assessment of catch location.

Comment 6: The proposed rule appears to state that the purpose of removing the prohibition on the use of chafing gear is to extend the life of nets and ultimately reduce operational costs. This purpose is distinct from the purpose stated in the summary of the proposed rule, namely increasing flexibility while still limiting the catch of target and non-target species.

Response: The intent of the entire package of proposed measures is to increase flexibility while still limiting the catch of target and non-target species. As stated in the proposed rule, removing the restrictions on chafing gear will increase flexibility in how vessel operators attach their chafing gear to both protect the net and increase fishing efficiency. When implemented in the mid-1990s, the original restrictions on chafing gear were introduced to ensure that chafing gear was not used to effectively reduce the mesh size of the net. When discussing the elimination of the restrictions on net configurations, the Council considered the flexibility vessel operators would have through elimination of the minimum mesh size requirements, and how that flexibility would be limited if restrictions on codends and chafing gear were not also revised. In developing these measures on net configuration, vessel operators sought the flexibility to configure their nets strategically with different mesh sizes and chafing gear panels to optimize fishing operations by reducing operational costs (*i.e.,* reduction in net replacement costs) and increasing fishing efficiency (*i.e.,* herding of smaller fish). As described in the proposed rule and elsewhere in this preamble, the provisions of the Trawl Rationalization Program will continue to limit catch of target and non-target species.

Comment 7: A full environmental impact statement (EIS) is necessary to consider alternative approaches and designs that could serve the needs of NMFS while protecting marine life.

Response: NMFS originally published a notice of intent (NOI) to prepare an EIS in the **Federal Register** on March 3, 2016 (81 FR 11189), in accordance with the National Environmental Policy Act (NEPA) to analyze the impacts on the human environment resulting from changes to gear requirements for groundfish bottom trawl and midwater trawl gear in the Trawl Rationalization Program. NMFS accepted public comments on the NOI from March 3, 2016, to April 4, 2016.

Upon completion of the analysis for the action, NMFS determined that the impacts associated with implementing the action would not be significant and, therefore, there would be no need to complete an EIS. Instead, NMFS completed an EA for the proposed action, in compliance with NEPA. NMFS withdrew the NOI to prepare an EIS on June 8, 2018 (83 FR 22640).

VI. Changes From the Proposed Rule

The proposed rule for this action contained all the measures that the Pacific Fishery Management Council recommended, including a measure that would eliminate the requirement to use selective flatfish trawl gear north of 40°10′ N lat. and shoreward of the trawl RCA, and replace it with a small footrope trawl gear requirement. The proposed rule also highlighted NMFS' concerns that the removal of the requirement to use selective flatfish trawl gear shoreward of the trawl RCA between 40°10′ N lat. and 42° N lat. may be inconsistent with the terms and conditions of the 2017 Salmon Biological Opinion.

After consideration of public comment we preliminarily determined that, in order to maintain consistency with the 2017 Salmon Biological Opinion, it was only appropriate to remove the selective flatfish trawl requirement north of 42° N lat. This final rule would implement a revised version of the regulation put forward in the proposed rule, and would maintain the selective flatfish trawl requirement between 40°10′ N lat. and 42° N lat. Vessels fishing in the area between 40°10′ N lat. and 42° N lat. would be required to use selective flatfish trawl gear in a two- or four-seam net. North of 42° N lat., vessels would be allowed to fish with any type of small footrope trawl gear, including selective flatfish trawl gear.

VII. Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this action is consistent with the Pacific Coast Groundfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

The Office of Management and Budget has determined that this final rule is not significant for purposes of Executive Order 12866.

This final rule does not contain policies with Federalism or ''takings'' implications as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

This action contains a change to an information collection requirement, which has been approved by the Office of Management and Budget (OMB) under OMB Control Number 0648–0573: Expanded Vessel Monitoring System Requirement for the Pacific Groundfish Fishery. The regulatory change, which was described in section IV of this final rule, would allow vessel operators who fish in the Shorebased IFQ Program to make a new declaration from sea when a new gear fished on a trip. This revision removes the requirement that vessels return to port to make a new declaration. The numbers of declaration reports the vessel operator is required to submit to NMFS would not change under this request. Therefore, no small entity would be subject to additional reporting requirements.

Pursuant to Executive Order 13175, this final rule was developed after meaningful collaboration with tribal officials from the area covered by the FMP. Consistent with the Magnuson-Stevens Act at 16 U.S.C. 1852(b)(5), one of the voting members of the Council is a representative of an Indian tribe with federally recognized fishing rights from the area of the Council's jurisdiction.

NMFS finds good cause to waive the 30-day delay in effectiveness pursuant to 5 U.S.C. 553(d)(3), so that this final rule may become effective January 1, 2019. Each of these revisions to groundfish regulations in this rule

would remove restrictions that are no longer necessary due to implementation of the Trawl Rationalization Program, create more efficient and safe harvesting practices, and allow vessel operators to better attain species that are currently under attained without causing any additional impacts on the fishery. NMFS was unable to finalize these regulations sooner because of the need to include data in the analysis for this action from the 2018 trawl gear exempted fishing permit which was not available until May 2018.

Delaying the implementation of these revisions would reduce the benefits that they would provide to the industry and could cause confusion for vessel operators. For example, trawl vessels average between 10 and 20 days spent annually traveling back and forth to port to change gear types. Reducing restrictions on how they operate their vessels, including carrying multiple types of trawl gear onboard, vessel operators may be able to substantially reduce or eliminate the number of days spent traveling back and forth to port to change gears, resulting in financial savings and increased safety. Delays in implementing these revisions would reduce those financial savings and require vessels to continue more dangerous fishing practices. The revisions to regulations described in the preamble of this document affect commercial fisheries in Washington, Oregon and California. These revisions have been requested by members of industry, and were recommended to NMFS by the Council. No aspect of this action is controversial.

List of Subjects in 50 CFR Part 660

Fisheries, Fishing, and Indian Fisheries.

Dated: November 28, 2018.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES

■ 1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.,* 16 U.S.C. 773 *et seq.,* and 16 U.S.C. 7001 *et seq.*

■ 2. In § 660.11, amend the definition of ''Fishing gear'' by revising paragraphs (7) and (11)(iii)(B) to read as follows:

§ 660.11 General definitions.

* * * * *

Fishing gear * * *

* * * * *

(7) *Mesh size* means the opening between opposing knots, or opposing corners for knotless webbing. Minimum mesh size means the smallest distance allowed between the inside of one knot or corner to the inside of the opposing knot or corner, regardless of twine size.

* * * * *

(11) * * *

(iii) * * *

(B) *Chafing gear* means webbing or other material that is attached to the trawl net to protect the net from wear and abrasions either when fishing or hauling on deck.

* * * * *

■ 3. In § 660.13, revise paragraph (d) to read as follows:

§ 660.13 Recordkeeping and reporting.

* * * * *

(d) *Declaration reporting requirements*—When the operator of a vessel registers a VMS unit with NMFS OLE, the vessel operator must provide NMFS with a declaration report as specified at paragraph (d)(4)(iv) of this section. The operator of any vessel that has already registered a VMS unit with NMFS OLE but has not yet made a declaration, as specified at paragraph (d)(4)(iv) of this section, must provide NMFS with a declaration report upon request from NMFS OLE.

(1) *Declaration reports for vessels registered to limited entry permits.* The operator of any vessel registered to a limited entry permit must provide NMFS OLE with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port on a trip in which the vessel is used to fish in U.S. ocean waters between 0 and 200 nm offshore of Washington, Oregon, or California.

(i) Limited entry trawl vessels fishing in the Shorebased IFQ Program must provide NMFS OLE with a new declaration report each time a different groundfish trawl gear (bottom or midwater only) is fished. The declaration may be made from sea and must be made to NMFS before a different type (bottom or midwater only) of groundfish trawl gear is fished.

(ii) [Reserved]

(2) *Declaration reports for all vessels using non-groundfish trawl gear.* The operator of any vessel that is not registered to a limited entry permit and which uses non-groundfish trawl gear to fish in the EEZ (3–200 nm offshore), must provide NMFS OLE with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port to fish in the EEZ.

(3) *Declaration reports for open access vessels using non trawl gear (all types of open access gear other than non-groundfish trawl gear).* The operator of any vessel that is not registered to a limited entry permit, must provide NMFS with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port on a trip in which the vessel is used to take and retain or possess groundfish in the EEZ or land groundfish taken in the EEZ.

(4) *Declaration reports.* (i) The operator of a vessel specified in paragraphs (d)(1), (d)(2), and (d)(3) of this section must provide a declaration report to NMFS OLE prior to leaving port on the first trip in which the vessel meets the requirement specified at § 660.14(b) to have a VMS.

(ii) A declaration report will be valid until another declaration report revising the existing gear or fishery declaration is received by NMFS OLE. The vessel operator must send a new declaration report when:

(A) A gear type that is different from the gear type most recently declared for the vessel will be used, or

(B) A vessel will fish in a fishery other than the fishery most recently declared.

(iii) During the period of time that a vessel has a valid declaration report on file with NMFS OLE, it cannot fish with a gear other than a gear type declared by the vessel or fish in a fishery other than the fishery most recently declared.

(iv) Declaration reports will include: The vessel name and/or identification number, the gear type, and the fishery (as defined in paragraph (d)(4)(iv)(A) of this section).

(A) One of the following gear types or sectors must be declared:

(*1*) Limited entry fixed gear, not including Shorebased IFQ Program,

(*2*) Limited entry groundfish non-trawl, Shorebased IFQ Program,

(*3*) Limited entry midwater trawl, non-whiting Shorebased IFQ Program,

(*4*) Limited entry midwater trawl, Pacific whiting Shorebased IFQ Program,

(*5*) Limited entry midwater trawl, Pacific whiting catcher/processor sector,

(*6*) Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership),

(*7*) Limited entry bottom trawl, Shorebased IFQ Program, not including demersal trawl,

(*8*) Limited entry demersal trawl, Shorebased IFQ Program,

(B) [Reserved]

(v) Upon receipt of a declaration report, NMFS will provide a confirmation code or receipt to confirm that a valid declaration report was

received for the vessel. Vessel owners or operators are responsible for retaining the confirmation code or receipt to verify that a valid declaration report was filed.

■ 4. In § 660.25, revise paragraph (b)(4)(vii)(C) to read as follows:

§ 660.25 Permits.

* * * * *

(b) * * *

(4) * * *

(vii) * * *

(C) *Limited entry MS permits and limited entry permits with an MS/CV or a C/P endorsement.* Limited entry MS permits and limited entry permits with an MS/CV or a C/P endorsement may be registered to another vessel up to two times during the calendar year as long as the second change in vessel registration is back to the original vessel. The original vessel is either the vessel registered to the permit as of January 1, or if no vessel is registered to the permit as of January 1, the original vessel is the first vessel to which the permit is registered after January 1. After the original vessel has been established, the first change in vessel registration would be to another vessel, but any second change in vessel registration must be back to the original vessel. For an MS/CV-endorsed permit on the second change in vessel registration back to the original vessel, that vessel must be used to fish exclusively in the MS Coop Program described § 660.150 for the remainder of the calendar year, and declare in to the limited entry mid water trawl, Pacific whiting mothership sector as specified at § 660.13(d)(4)(iv).

* * * * *

■ 5. In § 660.60, revise paragraphs (h)(7) introductory text, (h)(7)(i) introductory text, (h)(7)(ii)(A), (h)(7)(ii)(B)(*1*) introductory text, and (h)(7)(ii)(B)(*2*) to read as follows:

§ 660.60 Specifications and management measures.

* * * * *

(h) * * *

(7) *Crossover provisions.* Crossover provisions apply to three activities: Fishing on different sides of a management line, fishing in both the limited entry and open access fisheries, or fishing in both the Shorebased IFQ Program and the limited entry fixed gear fishery. Fishery-specific crossover provisions can be found in subparts D through F of this part.

(i) *Fishing in management areas with different trip limits.* Trip limits for a species or a species group may differ in different management areas along the coast. The following crossover provisions apply to vessels fishing in different geographical areas that have different cumulative or ''per trip'' trip limits for the same species or species group, with the following exceptions. Such crossover provisions do not apply to: IFQ species (defined at § 660.140(c), subpart D) for vessels that are declared into the Shorebased IFQ Program (see § 660.13(d)(4)(iv)(A), for valid Shorebased IFQ Program declarations); species that are subject only to daily trip limits; or to trip limits for black rockfish off Washington, as described at §§ 660.230(e) and 660.330(e).

* * * * *

(ii) * * *

(A) *Fishing in limited entry and open access fisheries with different trip limits.* Open access trip limits apply to any fishing conducted with open access gear, even if the vessel has a valid limited entry permit with an endorsement for another type of gear. Except such provisions do not apply to IFQ species (defined at § 660.140(c), subpart D) for vessels that are declared into the Shorebased IFQ Program (see § 660.13(d)(4)(iv)(A) for valid Shorebased IFQ Program declarations). A vessel that fishes in both the open access and limited entry fisheries is not entitled to two separate trip limits for the same species. If a vessel has a limited entry permit registered to it at any time during the trip limit period and uses open access gear, but the open access limit is smaller than the limited entry limit, the open access limit may not be exceeded and counts toward the limited entry limit. If a vessel has a limited entry permit registered to it at any time during the trip limit period and uses open access gear, but the open access limit is larger than the limited entry limit, the smaller limited entry limit applies, even if taken entirely with open access gear.

(B) * * *

(*1*) *Vessel registered to a limited entry trawl permit.* To fish with open access gear, defined at § 660.11, a vessel registered to a limited entry trawl permit must make the appropriate fishery declaration, as specified at § 660.13(d)(4)(iv)(A). In addition, a vessel registered to a limited entry trawl permit must remove the permit from their vessel, as specified at § 660.25(b)(4)(vi), unless the vessel will be fishing in the open access fishery under one of the following declarations specified at § 660.13(d):

* * * * *

(*2*) *Vessel registered to a limited entry fixed gear permit(s).* To fish with open access gear, defined at § 660.11, subpart C, a vessel registered to a limit entry fixed gear permit must make the appropriate open access declaration, as specified at § 660.13(d)(4)(iv)(A). Vessels registered to a sablefish-endorsed permit(s) fishing in the sablefish primary season (described at § 660.231, subpart E) may only fish with the gear(s) endorsed on their sablefish-endorsed permit(s) against those limits.

* * * * *

■ 6. In § 660.112, revise paragraphs (b)(1)(vii), (b)(1)(xi), (b)(1)(xii)(A), (c)(4), and (e)(4) to read as follows:

§ 660.112 Trawl fishery—prohibitions.

* * * * *

(b) * * *

(1) * * *

(vii) For vessels fishing with multiple trawl gear types on a single trip, fail to keep catch from different trawl gears separate and land the catch separately by gear type.

* * * * *

(xi) Mix catch from different hauls before all sampling and monitoring requirements for the hauls have been met.

(xii) * * *

(A) A vessel that is 75-ft (23-m) or less LOA that harvests Pacific whiting and, in addition to heading and gutting, cuts the tail off and freezes the whiting, is not considered to be a C/P vessel nor is it considered to be processing fish, and

* * * * *

(c) * * *

(4) Catch, take, or harvest fish in the MS Coop Program with a vessel that does not have a valid VMS declaration for limited entry midwater trawl, Pacific whiting mothership sector, as specified at § 660.13(d)(4)(iv)(A), subpart C.

* * * * *

(e) * * *

(4) Fish in the C/P Coop Program with a vessel that does not have a valid VMS declaration for limited entry midwater trawl, Pacific whiting catcher/processor sector, as specified at § 660.13(d)(4)(iv)(A).

* * * * *

■ 7. In § 660.113, revise paragraph (b)(3) to read as follows:

§ 660.113 Trawl fishery-recordkeeping and reporting.

* * * * *

(b) * * *

(3) *Gear switching declaration.* Any person with a limited entry trawl permit participating in the Shorebased IFQ Program using groundfish non-trawl gear (*i.e.,* gear switching) must submit a valid gear declaration reporting such participation as specified in § 660.13(d)(4)(iv)(A).

* * * * *

■ 8. In § 660.130:
■ a. Remove paragraphs (b)(1), (b)(2), and (b)(3)(iii);
■ b. Redesignate paragraphs (b)(3) and (b)(4) as (b)(1) and (b)(2), respectively;
■ c. Revise the newly redesignated paragraphs (b)(1)(ii)(A) and (b)(2);
■ d. Revise paragraphs (c)(1), (c)(2), (c)(3)(ii), (c)(4)(i)(A), (c)(4)(i)(B), (c)(4)(i)(D) and (E), (c)(4)(ii)(A) and (B), (d)(2)(ii), (e) introductory text, (e)(4)(ii), and (e)(4)(iv).

The revisions read as follows:

§ 660.130 Trawl fishery—management measures.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(A) *Selective flatfish trawl gear.* Selective flatfish trawl gear is a type of small footrope trawl gear. The selective flatfish trawl net must be either a two-seamed or four-seamed net with no more than four riblines, excluding the codend. The breastline may not be longer than 3 ft (0.92 m) in length. There may be no floats along the center third of the headrope or attached to the top panel except on the riblines. The footrope must be less than 105 ft (32.26 m) in length. The headrope must be not less than 30 percent longer than the footrope. The headrope shall be measured along the length of the headrope from the outside edge to the opposite outside edge. An explanatory diagram of a selective flatfish trawl net is provided as Figure 1 of part 660, subpart D.

* * * * *

(2) *Midwater (pelagic or off-bottom) trawl gear.* Midwater trawl gear must have unprotected footropes at the trawl mouth, and must not have rollers, bobbins, tires, wheels, rubber discs, or any similar device anywhere on any part of the net. The footrope of midwater gear may not be enlarged by encircling it with chains or by any other means. Ropes or lines running parallel to the footrope of midwater trawl gear must be bare and may not be suspended with chains or any other materials. Sweep lines, including the bottom leg of the bridle, must be bare. For at least 20 ft (6.15 m) immediately behind the footrope or headrope, bare ropes or mesh of 16-inch (40.6-cm) minimum mesh size must completely encircle the net.

(c) * * *

(1) *Fishing with large footrope trawl gear.* It is unlawful for any vessel using large footrope gear to fish for groundfish shoreward of the RCAs defined at paragraph (e)(4) of this section and at §§ 660.70 through 660.74, subpart C. The use of large footrope gear is allowed seaward of the RCAs coastwide.

(2) *Fishing with small footrope trawl gear.* The use of small footrope bottom trawl gear is allowed in all areas where bottom trawling is allowed with the following requirements:

(i) *Fishing with selective flatfish trawl gear.* The use of selective flatfish trawl gear, a type of small footrope trawl gear, is allowed in all areas where bottom trawling is allowed and is required shoreward of the trawl RCA between 42° North latitude and 40°10′ North latitude.

(ii) The use of small footrope trawl, other than selective flatfish trawl gear, is prohibited between 42° North latitude and 40°10′ North latitude.

(iii) The use small footrope trawl, other than of selective flatfish trawl gear, is required inside the Klamath River Salmon Conservation Zone (defined at § 660.131(c)(1)) and the Columbia River Salmon Conservation Zone (defined at § 660.131(c)(2)).

(3) * * *

(ii) South of 40°10′ N lat., midwater groundfish trawl gear is prohibited within and shoreward of the RCA boundaries (see § 660.130(e)(4)(i)) and allowed seaward of the RCA boundaries.

(4) * * *

(i) * * *

(A) A vessel may not have both groundfish trawl gear and non-groundfish trawl gear onboard simultaneously. A vessel may not have both selective flatfish trawl gear and any other type of small footrope trawl gear onboard simultaneously.

(B) If a vessel fishes exclusively with large or small footrope trawl gear during an entire cumulative limit period, the vessel is subject to the cumulative limits for that gear.

* * * * *

(D) If more than one type of groundfish bottom trawl gear (selective flatfish, large footrope, or small footrope) is on board, either simultaneously or successively, at any time during a cumulative limit period, then the most restrictive cumulative limit associated with the groundfish bottom trawl gear on board during that cumulative limit period applies for the entire cumulative limit period.

(E) If a vessel fishes both north and south of 40°10′ N lat. with any type of small or large footrope gear onboard the vessel at any time during the cumulative limit period, the most restrictive trip limit associated with the gear on board applies for that trip and will count toward the cumulative limit for that gear (See crossover provisions at § 660.60(h)(7)).

(ii) * * *

(A) A vessel may not have both groundfish trawl gear and non-groundfish trawl gear onboard simultaneously.

(B) If a vessel fishes both north and south of 40°10′ N lat. with any type of small or large footrope gear onboard the vessel at any time during the cumulative limit period, the most restrictive cumulative limit associated with the gear on board would apply for that trip and all catch would be counted toward that cumulative limit (See crossover provisions at § 660.60(h)(7)).

(d) * * *

(2) * * *

(ii) *Catcher vessels.* All catch must be sorted by the gear types declared in accordance with § 660.13(d), and to the species groups specified in paragraph (d)(1) of this section for vessels with limited entry permits, except those vessels retaining all catch during a Shorebased IFQ trip (*i.e.,* maximized retention trips). The catch must not be discarded from the vessel and the vessel must not mix catch from hauls until the observer has sampled the catch. Catch separated by trawl gear type must be landed separately by trawl gear type. Prohibited species must be sorted according to the following species groups: Dungeness crab, Pacific halibut, Chinook salmon, other salmon. Non-groundfish species must be sorted as required by the state of landing.

* * * * *

(e) *Groundfish conservation areas (GCAs) applicable to trawl vessels.* A GCA, a type of closed area, is a geographic area defined by coordinates expressed in degrees of latitude and longitude. The latitude and longitude coordinates of the GCA boundaries are specified at §§ 660.70 through 660.74. If a vessel is fishing within a GCA listed in this paragraph (e) using trawl gear authorized for use within a GCA, all prohibited gear: must be stowed below deck; or, if the gear cannot readily be moved, must be stowed in a secured and covered manner detached from all towing lines so that it is rendered unusable for fishing; or, if remaining on deck uncovered, must be stowed disconnected from the trawl doors with the trawl doors hung from their stanchions. The following GCAs apply to vessels participating in the limited entry trawl fishery. Additional closed areas that specifically apply to vessels using midwater groundfish trawl gear are described at § 660.131(c).

* * * * *

(4) * * *

(ii) Trawl vessels may transit through an applicable GCA, with or without

groundfish on board, provided all prohibited groundfish trawl gear: is stowed below deck; or, if the gear cannot readily be moved, is stowed in a secured and covered manner detached from all towing lines so that it is rendered unusable for fishing; or, if remaining on deck uncovered, is stowed disconnected from the trawl doors with the trawl doors hung from their stanchions. These restrictions do not apply to vessels allowed to fish within the trawl RCA under paragraph (e)(4)(i) of this section.

* * * * *

(iv) If a vessel fishes in the trawl RCA using midwater trawl gear, it may also fish outside the trawl RCA with groundfish bottom trawl gear on the same trip. Nothing in these Federal regulations supersedes any state regulations that may prohibit trawling shoreward of the fishery management area (3–200 nm).

* * * * *

■ 9. In § 660.140, remove paragraphs (c)(1) and (h)(2)(viii)(I), and redesignate paragraph (c)(2) as (c)(1), revise newly redesignated paragraph (c)(1), and reserve paragraph (c)(2) to read as follows:

§ 660.140 Shorebased IFQ Program.

* * * * *

(c) * * *

(1) *IFQ management areas.* IFQ management areas are as follows:

(i) Between the U.S./Canada border and 40°10′ N lat.,

(ii) Between 40°10′ N lat. and 36° N lat.,

(iii) Between 36° N lat. and 34°27′ N lat., and

(iv) Between 34°27′ N lat. and the U.S./Mexico border.

(2) [Reserved]

* * * * *

■ 10. Table 1 (North) and Table 1 (South) to part 660, subpart D are revised to read as follows:

BILLING CODE 3510–22–P

Table 1 (North) to Part 660, Subpart D -- Limited Entry Trawl Rockfish Conservation Areas and Landing Allowances for non-IFQ Species and Pacific Whiting North of 40°10' N. Lat.

This table describes Rockfish Conservation Areas for vessels using groundfish trawl gear. This table describes incidental landing allowances for vessels registered to a Federal limited entry trawl permit and using groundfish trawl or groundfish non-trawl gears to harvest individual fishing quota (IFQ) species.

Other Limits and Requirements Apply -- Read § 660.10 - § 660.399 before using this table 01012019

TABLE 1 (North)

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)[1/]:							
1	North of 45°46' N. lat.	100 fm line[1/] - 150 fm line[1/]					
2	45°46' N. lat. - 40°10' N. lat.	100 fm line[1/] - modified[2/] 200 fm line[1/]					

See provisions at § 660.130 for gear restrictions and requirements by area. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry groundfish trawl fishery landing allowances in this table, regardless of the type of fishing gear used. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry fixed gear non-trawl RCA, as described in Tables 2 (North) and 2 (South) to Part 660, Subpart E.

See § 660.60, § 660.130, and § 660.140 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70 660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).

State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.

3	**Minor Nearshore Rockfish, Washington Black rockfish & Oregon Black/blue/deacon rockfish**	300 lb/ month					
4	**Whiting[3/]**						
5	midwater trawl	Before the primary whiting season: CLOSED. -- During the primary season: mid-water trawl permitted in the RCA. See §660.131 for season and trip limit details. -- After the primary whiting season: CLOSED.					
6	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip. -- During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.					
7	**Oregon Cabezon/Kelp Greenling complex**	50 lb/ month					
8	**Cabezon in California**	50 lb/ month					
9	**Shortbelly rockfish**	Unlimited					
10	**Spiny dogfish**	60,000 lb/ month					
11	**Big skate**	5,000 lb/ 2 months	25,000 lb/ 2 months	30,000 lb/ 2 months	35,000 lb/ 2 months	10,000 lb/ 2 months	5,000 lb/ 2 months
12	**Longnose skate**	Unlimited					
13	**Other Fish [4/]**	Unlimited					

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours, and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to the RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ The "modified" fathom lines are modified to exclude certain petrale sole areas from the RCA.

3/ As specified at §660.131(d), when fishing in the Eureka Area, no more than 10,000 lb of whiting may be taken and retained, possessed, or landed by a vessel that, at any time during the fishing trip, fished in the fishery management area shoreward of 100 fm contour.

4/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 1 (South) to Part 660, Subpart D -- Limited Entry Trawl Rockfish Conservation Areas and Landing Allowances for non-IFQ Species and Pacific Whiting South of 40°10' N. Lat.

This table describes Rockfish Conservation Areas for vessels using groundfish trawl gear. This table describes incidental landing allowances for vessels registered to a Federal limited entry trawl permit and using groundfish trawl or groundfish non-trawl gears to harvest individual fishing quota (IFQ) species.

Other Limits and Requirements Apply -- Read § 660.10 - § 660.399 before using this table 01012019

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)[1/]:							
1	South of 40°10' N. lat.	100 fm line[1/] - 150 fm line [1/ 2/]					
See provisions at § 660.130 for gear restrictions and requirements by area. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry groundfish trawl fishery landing allowances in this table, regardless of the type of fishing gear used. Vessels fishing groundfish trawl quota pounds with groundfish non-trawl gears, under gear switching provisions at § 660.140, are subject to the limited entry fixed gear non-trawl RCA, as described in Tables 2 (North) and 2 (South) to Part 660, Subpart E.							
See § 660.60, § 660.130, and § 660.140 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.70 660.74 and §§ 660.76-660.79 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, Cordell Banks, and EFHCAs).							
State trip limits and seasons may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
2	**Longspine thornyhead**						
3	South of 34°27' N. lat.	24,000 lb/ 2 months					
4	**Minor Nearshore Rockfish, California Black rockfish, & Oregon Black/Blue/Deacon rockfish**	300 lb/ month					
5	**Whiting**						
6	midwater trawl	During the Primary whiting season: allowed seaward of the trawl RCA. Prohibited within and shoreward of the trawl RCA.					
7	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip. -- During the primary season: 10,000 lb/trip. -- After the primary whiting season: 10,000 lb/trip.					
8	**Cabezon**	50 lb/ month					
9	**Shortbelly rockfish**	Unlimited					
10	**Spiny dogfish**	60,000 lb/ month					
11	**Big skate**	5,000 lb/ 2 months	25,000 lb/ 2 months	30,000 lb/ 2 months	35,000 lb/ 2 months	10,000 lb/ 2 months	5,000 lb/ 2 months
12	**Longnose skate**	Unlimited					
13	**California scorpionfish**	Unlimited					
14	**Other Fish [3/]**	Unlimited					

TABLE 1 (South)

1/ The Rockfish Conservation Area is an area closed to fishing by particular gear types, bounded by lines specifically defined by latitude and longitude coordinates set out at §§ 660.71-660.74. This RCA is not defined by depth contours, and the boundary lines that define the RCA may close areas that are deeper or shallower than the depth contour. Vessels that are subject to the RCA restrictions may not fish in the RCA, or operate in the RCA for any purpose other than transiting.

2/ South of 34°27' N. lat., the RCA is 100 fm line - 150 fm line along the mainland coast; shoreline - 150 fm line around islands.

3/ "Other Fish" are defined at § 660.11 and include kelp greenling off California and leopard shark.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

■ 11. In § 660.333, revise paragraphs (b)(1), and (d)(1) to read as follows:

§ 660.333 Open access non-groundfish trawl fishery—management measures

* * * * *

(b) * * *

(1) It is declared ''non-groundfish trawl gear for ridgeback prawn'' under § 660.13(d)(4)(iv)(A)(*10*), regardless of whether it is registered to a Federal limited entry trawl-endorsed permit; and

* * * * *

(c) * * *

(1) It is declared ''non-groundfish trawl gear for California halibut'' under § 660.13(d)(4)(iv)(A)(*11*), regardless of whether it is registered to a Federal limited entry trawl-endorsed permit;

* * * * *

(d) * * *

(1) It is declared ''non-groundfish trawl gear for sea cucumber'' under § 660.13(d)(4)(iv)(A)(*12*), regardless of whether it is registered to a Federal limited entry trawl-endorsed permit;

* * * * *

[FR Doc. 2018–26194 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–22–C

Proposed Rules

Federal Register
Vol. 83, No. 232
Monday, December 3, 2018

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

FEDERAL ELECTION COMMISSION

11 CFR Part 100

[Notice 2018–16]

Rulemaking Petition: Definition of Contribution

AGENCY: Federal Election Commission.

ACTION: Rulemaking petition; notification of availability.

SUMMARY: On August 27, 2018, the Federal Election Commission received a Petition for Rulemaking, which asks the Commission to amend a regulation that defines the term ''contribution'' in light of a recent district court decision in *Citizens for Responsibility & Ethics in Washington* v. *Federal Election Commission.* The Commission seeks comments on the petition.

DATES: Comments must be submitted on or before February 1, 2019.

ADDRESSES: All comments must be in writing. Commenters are encouraged to submit comments electronically via the Commission's website at *http://www.fec.gov/fosers,* reference REG 2018–03. Alternatively, commenters may submit comments in paper form, addressed to the Federal Election Commission, Attn.: Robert M. Knop, Assistant General Counsel, 1050 First Street NE, Washington, DC 20463.

Each commenter must provide, at a minimum, his or her first name, last name, city, and state. All properly submitted comments, including attachments, will become part of the public record, and the Commission will make comments available for public viewing on the Commission's website and in the Commission's Public Records Office. Accordingly, commenters should not provide in their comments any information that they do not wish to make public, such as a home street address, personal email address, date of birth, phone number, social security number, or driver's license number, or any information that is restricted from disclosure, such as trade secrets or commercial or financial information that is privileged or confidential.

FOR FURTHER INFORMATION CONTACT: Mr. Robert M. Knop, Assistant General Counsel, or Mr. Tony Buckley, Attorney, Office of the General Counsel, 1050 First Street NE, Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: On August 27, 2018, the Commission received a Petition for Rulemaking from the Institute for Free Speech (''Petition''), asking the Commission to amend 11 CFR 100.52, which defines the term ''contribution.'' Specifically, the Institute for Free Speech asks the Commission to amend this regulation in light of the decision in *Citizens for Responsibility & Ethics in Washington* v. *FEC (''CREW''),* 316 F. Supp. 3d 349 (D.D.C. 2018), *appeal docketed,* No. 18–5261 (DC Cir. Aug. 30, 2018).

Under the Federal Election Campaign Act, 52 U.S.C. 30101–45 (the ''Act''), and Commission regulations, persons other than political committees that make independent expenditures aggregating over $250 with respect to a given election in a calendar year must report to the Commission certain information regarding their independent expenditures. 52 U.S.C. 30104(c)(1); 11 CFR 109.10(b) and (e). The Act provides that such reports must include ''the identification of each person (other than a political committee) who makes a *contribution* to the reporting committee during the reporting period, whose *contribution or contributions* have an aggregate amount or value in excess of $200 within the calendar year,'' and ''the identification of each person who made a *contribution* in excess of $200 to the person filing such statement which was made for the purpose of furthering an independent expenditure.'' 52 U.S.C. 30104(b)(3)(A), (c)(1), (c)(2)(C) (emphasis added). Commission regulations implemented these paragraphs by requiring persons filing such reports to include the ''identification of each person who made a *contribution* in excess of $200 to the person filing such report, which *contribution* was made for the purpose of furthering the reported independent expenditure.'' 11 CFR 109.10(e)(1)(vi) (emphasis added) (vacated effective September 18, 2018). Commission regulations define ''contribution'' as including a ''gift, subscription, loan . . ., advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.'' 11 CFR 100.52; *see also* 52 U.S.C. 30101(8)(A)(i) (same).

In *CREW,* the court declared invalid and vacated the reporting requirement at 11 CFR 109.10(e)(1)(vi) for persons other than political committees that make independent expenditures. The court held that the regulation failed to implement the statutory disclosure requirements of 52 U.S.C. 30104(c). *CREW,* 316 F.Supp.3d at 423.[1]

According to the Petition, ''the court [in *CREW*] extended the scope of donations to nonprofit entities that may now be considered reportable contributions under the Federal Election Campaign Act . . . to include certain funds given to organizations that, while not political committees, spend $250 in independent expenditures in a calendar year.'' Petition at 1. The Petition argues that ''the current definition of 'Contribution' is inaccurate and misleading, especially as it pertains to groups that are not political committees,'' and ''[t]o understand which donations [to these groups] are contributions and which are not, potential speakers must parse over 40 years of case law, because neither the statute nor the regulation defining contributions has been updated to reflect existing constitutional limits.'' *Id.* at 5. In light of this, the Petition asks the Commission to open a rulemaking ''to amend 11 CFR 100.52 to clarify the definition of 'Contribution.' '' *Id.*

The Commission seeks comments on the petition. The public may inspect the petition on the Commission's website at *http://www.fec.gov/fosers,* or in the Commission's Public Records Office, 1050 First Street NE, 12th Floor, Washington, DC 20463, Monday through Friday, from 9 a.m. to 5 p.m.

The Commission will not consider the petition's merits until after the comment period closes. If the Commission decides that the petition has merit, it may begin a rulemaking proceeding. The Commission will announce any action that it takes in the **Federal Register**.

[1] An appeal of this decision is currently pending before the United States Court of Appeals for the District of Columbia Circuit.

On behalf of the Commission.

Caroline C. Hunter,

Chair, Federal Election Commission.

[FR Doc. 2018–26107 Filed 11–30–18; 8:45 am]

BILLING CODE 6715–01–P

FEDERAL ELECTION COMMISSION

11 CFR Part 112

[Notice 2018–15]

Rulemaking Petition: Advisory Opinion Procedures

AGENCY: Federal Election Commission.

ACTION: Rulemaking petition; notification of availability.

SUMMARY: On February 10, 2016, the Federal Election Commission received a Petition for Rulemaking that asks the Commission to promulgate rules establishing specific time periods for the submission of public comments on drafts of advisory opinions. The Commission seeks comments on this petition.

DATES: Comments must be submitted on or before February 1, 2019.

ADDRESSES: All comments must be in writing. Commenters are encouraged to submit comments electronically via the Commission's website at *http://sers.fec.gov/fosers/,* reference REG 2016–01. Alternatively, commenters may submit comments in paper form, addressed to the Federal Election Commission, Attn.: Robert M. Knop, Assistant General Counsel, 1050 First Street NE, Washington, DC 20463.

Each commenter must provide, at a minimum, his or her first name, last name, city, and state. All properly submitted comments, including attachments, will become part of the public record, and the Commission will make comments available for public viewing on the Commission's website and in the Commission's Public Records Office. Accordingly, commenters should not provide in their comments any information that they do not wish to make public, such as a home street address, personal email address, date of birth, phone number, Social Security number, or driver's license number, or any information that is restricted from disclosure, such as trade secrets or commercial or financial information that is privileged or confidential.

FOR FURTHER INFORMATION CONTACT: Mr. Robert M. Knop, Assistant General Counsel, or Ms. Cheryl A. Hemsley, Attorney, Office of the General Counsel, 1050 First Street NE, Washington, DC 20463, (202) 694–1650 or (800) 424–9530.

SUPPLEMENTARY INFORMATION: On February 10, 2016, the Federal Election Commission received a Petition for Rulemaking from Make Your Laws PAC, Inc., Make Your Laws Advocacy, Inc., Make Your Laws, Inc., and Dan Backer, Esq., asking the Commission to modify its regulation at 11 CFR 112.3 to provide time for the public to comment on drafts of advisory opinions before the Commission votes on the drafts.

Current Commission advisory opinion procedures state that the Commission ''will provide at least one draft response to the Requestor and the public no later than one week prior to the Commission open meeting at which the advisory opinion will be considered.'' Advisory Opinion Procedure, 74 FR 32160, 32161 (July 7, 2009). These procedures also note that ''prior to the open meeting, additional advisory opinion draft responses may be produced after the initial draft(s) is released publicly,'' and that ''[t]he Commission will make available to the public and to Requestors any and all additional draft responses as soon as possible.'' *Id.* The petition asks the Commission to modify its regulation at 11 CFR 112.3 to codify procedures establishing specific time periods for public comment on drafts of advisory opinions before the Commission votes on the drafts. The petition further asks the Commission to amend existing regulations to require that, when the Commission makes public multiple drafts of an advisory opinion, the Commission indicate the differences between those drafts.

The Commission seeks comments on the petition. The public may inspect the petition on the Commission's website at *http://sers.fec.gov/fosers/,* or in the Commission's Public Records Office, 1050 First Street NE, 12th Floor, Washington, DC 20463, Monday through Friday, from 9 a.m. to 5 p.m.

The Commission will not consider the petition's merits until after the comment period closes. If the Commission decides that the petition has merit, it may begin a rulemaking proceeding. The Commission will announce any action that it takes in the **Federal Register**.

On behalf of the Commission.

Dated: November 16, 2018.

Caroline C. Hunter,

Chair, Federal Election Commission.

[FR Doc. 2018–26111 Filed 11–30–18; 8:45 am]

BILLING CODE 6715–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 55

[EPA–R03–OAR–2009–0238; FRL–9986–90–Region 3]

Outer Continental Shelf Air Regulations; Consistency Update for Delaware

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; consistency update.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to update a portion of the Outer Continental Shelf (OCS) Air Regulations. Requirements applying to OCS sources located within 25 miles of states' seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area (COA), as mandated by section 328(a)(1) of the Clean Air Act (CAA). The portion of the OCS air regulations that is being updated pertains to the requirements for OCS sources for which Delaware is the designated COA. The State of Delaware's requirements discussed in this document are proposed to be incorporated by reference into the Code of Federal Regulations and listed in the appendix to the OCS air regulations.

DATES: Written comments must be received on or before January 2, 2019.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2009–0238 at *http://www.regulations.gov,* or via email to *maldonado.zelma@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, 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, 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: Amy Johansen, (215) 814–2156, or by email at *johansen.amy@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On September 4, 1992, EPA promulgated 40 CFR part 55,[1] which established requirements to control air pollution from OCS sources in order to attain and maintain Federal and state ambient air quality standards and to comply with the provisions of part C of title I of the CAA. The regulations at 40 CFR part 55 apply to all OCS sources except those located in the Gulf of Mexico west of 87.5 degrees longitude. *See* 40 CFR 55.3(a). Section 328 of the CAA requires that for such sources located within 25 miles of a state's seaward boundary, the requirements shall be the same as would be applicable if the sources were located in the COA. Because the OCS requirements are based on onshore requirements, and onshore requirements may change, section 328(a)(1) requires that EPA update the OCS requirements as necessary to maintain consistency with onshore requirements.

Pursuant to 40 CFR 55.12, consistency reviews will occur (1) at least annually; (2) upon receipt of a Notice of Intent (NOI) under 40 CFR 55.4; or (3) when a state or local agency submits a rule to EPA to be considered for incorporation by reference in 40 CFR part 55. This proposed action is being taken in response to the submittal of a NOI on August 8, 2018, by Deepwater Wind, LLC on behalf of Garden State Offshore Energy, LLC for the proposed installation of a meteorological buoy for the purposes of gathering meteorological data to support development of offshore wind projects. Public comments received in writing within 30 days of publication of this document will be considered by EPA before publishing a final rule.

Section 328(a) of the CAA requires that EPA establish requirements to control air pollution from OCS sources located within 25 miles of States' seaward boundaries that are the same as onshore requirements. To comply with this statutory mandate, EPA must incorporate applicable onshore rules into 40 CFR part 55 as they exist onshore. This limits EPA's flexibility in deciding which requirements will be incorporated into 40 CFR part 55 and prevents EPA from making substantive changes to the requirements it incorporates. As a result, EPA may be incorporating rules into 40 CFR part 55 that do not conform to all of EPA's state implementation plan (SIP) guidance or certain requirements of the CAA. Consistency updates may result in the inclusion of state or local rules or regulations into 40 CFR part 55, even though the same rules may ultimately be disapproved for inclusion as part of the SIP. Inclusion in the OCS rule does not imply that a rule meets the requirements of the CAA for SIP approval, nor does it imply that the rule will be approved by EPA for inclusion in the SIP.

II. EPA Analysis

EPA reviewed Delaware's rules for inclusion in 40 CFR part 55 to ensure that they are rationally related to the attainment or maintenance of Federal or state ambient air quality standards and compliance with part C of title I of the CAA, that they are not designed expressly to prevent exploration and development of the OCS, and that they are potentially applicable to OCS sources. *See* 40 CFR 55.1. EPA has also evaluated the rules to ensure they are not arbitrary or capricious. *See* 40 CFR 55.12(e). In addition, EPA has excluded administrative or procedural rules,[2] and requirements that regulate toxics which are not related to the attainment and maintenance of Federal and state ambient air quality standards.

EPA is soliciting public comments on the issues discussed in this document or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional Office listed in the **ADDRESSES** section of this **Federal Register**.

III. Proposed Action

EPA is proposing to incorporate the rules potentially applicable to sources for which the State of Delaware will be the COA. The rules that EPA proposes to incorporate are applicable provisions of Title 7 of the Delaware Administrative Code, specifically, Air Quality Management Section 1100. The rules EPA proposes to incorporate are listed in detail at the end of the document. The intended effect of proposing approval of the OCS requirements for the Delaware Department of Natural Resources and Environmental Control (DNREC) is to regulate emissions from OCS sources in accordance with the requirements for onshore sources.

IV. Incorporation by Reference

In this document, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference Title 7 of the Delaware Administrative Code set forth below. EPA has made, and will continue to make, these materials available through *www.regulations.gov* and at the EPA Region III Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to establish requirements to control air pollution from OCS sources located within 25 miles of states' seaward boundaries that are the same as onshore air pollution control requirements. To comply with this statutory mandate, the EPA must incorporate applicable onshore rules into 40 CFR part 55 as they exist onshore. *See* 42 U.S.C. 7627(a)(1); 40 CFR 55.12. Thus, in promulgating OCS consistency updates, EPA's role is to maintain consistency between OCS regulations and the regulations of onshore areas, provided that they meet the criteria of the CAA. Accordingly, this action simply updates the existing OCS requirements to make them consistent with requirements onshore, without the exercise of any policy direction by EPA. For that reason, this proposed 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);
- Is not an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866.
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

[1] The reader may refer to the Notice of Proposed Rulemaking, December 5, 1991 (56 FR 63774), and the preamble to the final rule promulgated September 4, 1992 (57 FR 40792) for further background and information on the OCS regulations.

[2] Each COA which has been delegated the authority to implement and enforce 40 CFR part 55 will use its administrative and procedural rules as onshore. However, in those instances where EPA has not delegated authority to implement and enforce 40 CFR part 55, EPA will use its own administrative and procedural requirements to implement the substantive requirements. *See* 40 CFR 55.14(c)(4).

• Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

• Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

• Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

• Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

• Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

• Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and

• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule incorporating by reference sections of Title 7 of the Delaware Administrative Code, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because this action is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preemptive tribal law.

Under the provisions of the Paperwork Reduction Act, 44 U.S.C 3501 *et seq.,* an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has approved the information collection requirements contained in 40 CFR part 55 and, by extension, this update to the rules, and has assigned OMB control number 2060–0249. OMB approved the EPA Information Collection Request (ICR) No. 1601.08 on September 18, 2017.[3] The current approval expires September 30, 2020. The annual public reporting and recordkeeping burden for collection of information under 40 CFR part 55 is estimated to average 643 hours per response, using the definition of burden provided in 44 U.S.C. 3502(2).

EPA is proposing to incorporate the rules potentially applicable to sources for which the State of Delaware will be the COA. The rules that EPA proposes to incorporate are applicable provisions of Title 7 of the Delaware Administrative Code, specifically, Air Quality Management Section 1100.

List of Subjects in 40 CFR Part 55

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

Dated: November 13, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

Part 55 of Chapter I, title 40 of the Code of Federal Regulations is proposed to be amended as follows:

PART 55—OUTER CONTIENTAL SHELF AIR REGULATIONS

■ 1. The authority citation for part 55 continues to read as follows:

Authority: Section 328 of the Clean Air Act (42 U.S.C. 7401 *et seq.*) as amended by Public Law 101–549.

■ 2. Section 55.14 is amended by adding paragraphs (d)(5)(i)(A) and (B) to read as follows:

§ 55.14 Requirements that apply to OCS sources located within 25 miles of States' seaward boundaries, by State.

* * * * *

(d) * * *

(5) * * *

(i) * * *

(A) State of Delaware Requirements Applicable to OCS Sources, November 11, 2018.

(B) [Reserved]

* * * * *

■ 3. Appendix A to part 55 is amended by revising paragraph (a)(1) under the heading ''Delaware'' to read as follows:

Appendix A to Part 55—Listing of State and Local Requirements Incorporated by Reference Into Part 55, by State

* * * * *

Delaware

(a) * * *

(1) The following State of Delaware requirements are applicable to OCS Sources, November 11, 2018, State of Delaware—Department of Natural Resources and Environmental Control.

The following sections of Title 7 Delaware Administrative Code 1100—Air Quality Management Section:

7 DE Admin. Code 1101: Definitions and Administrative Principals

Section 1.0: General Provisions (Effective 02/01/1981)
Section 2.0: Definitions (Effective 12/11/2016)
Section 3.0: Administrative Principals (Effective 11/11/2013)
Section 4.0: Abbreviations (Effective 02/01/1981)

7 DE Admin. Code 1102: Permits

Section 1.0: General Provisions (Effective 06/11/2006)
Section 2.0: Applicability (Effective 06/11/2006)
Section 3.0: Application/Registration Prepared by Interested Party (Effective 06/01/1997)
Section 4.0: Cancellation of Construction Permits (Effective 06/01/1997)
Section 5.0: Action on Applications (Effective 06/01/1997)
Section 6.0: Denial, Suspension or Revocation of Operating Permits (Effective 06/11/2006)
Section 7.0: Transfer of Permit/Registration Prohibited (Effective 06/01/1997)
Section 8.0: Availability of Permit/Registration (Effective 06/01/1997)
Section 9.0: Registration Submittal (Effective 06/01/1997)
Section 10.0: Source Category Permit Application (Effective 06/01/1997)
Section 11.0: Permit Application (Effective 06/11/2006)
Section 12.0: Public Participation (Effective 06/11/2006)
Section 13.0: Department Records (Effective 06/01/1997)
Appendix A (Effective 06/11/2006)

7 DE Admin. Code 1103: Ambient Air Quality Standards

Section 1.0: General Provisions (Effective 01/11/2014)
Section 2.0: General Restrictions (Effective 02/01/1981)
Section 3.0: Suspended Particulates (Effective 02/01/1981)
Section 4.0: Sulfur Dioxide (Effective 01/11/2014)
Section 5.0: Carbon Monoxide (Effective 02/01/1981)
Section 6.0: Ozone (Effective 01/11/2014)
Section 7.0: Hydrocarbons (Effective 02/01/1981)
Section 8.0: Nitrogen Dioxide (Effective 01/11/2014)
Section 9.0: Hydrogen Sulfide (Effective 02/01/1981)
Section 10.0: Lead (Effective 01/11/2014)
Section 11.0: PM_{10} and $PM_{2.5}$ Particulates (Effective 01/11/2014)

7 DE Admin. Code 1104: Particulate Emissions From Fuel Burning Equipment

Section 1.0: General Provisions (Effective 01/11/2017)
Section 2.0: Emission Limits (Effective 01/11/2017)

[3] OMB's approval of the ICR can be viewed at *www.reginfo.gov.*

7 DE Admin. Code 1105: Particulate Emissions From Industrial Process Operations

Section 1.0: General Provisions (Effective 01/11/2017)
Section 2.0: General Restrictions (Effective 01/11/2017)
Section 3.0: Restrictions on Hot Mix Asphalt Batching Operations (Effective 02/01/1981)
Section 4.0: Restrictions on Secondary Metal Operations (Effective 01/11/2017)
Section 5.0: Restrictions on Petroleum Refining Operations (Effective 01/11/2017)
Section 6.0: Restrictions on Prill Tower Operations (Effective 02/01/1981)
Section 7.0: Control of Potentially Hazardous Particulate Matter (Effective 02/01/1981)

7 DE Admin. Code 1106: Particulate Emissions From Construction and Materials Handling

Section 1.0: General Provisions (Effective 02/01/1981)
Section 2.0: Demolition (Effective 02/01/1981)
Section 3.0: Grading, Land Clearing, Excavation and Use of Non-Paved Roads (Effective 02/01/1981)
Section 4.0: Material Movement (Effective 02/01/1981)
Section 5.0: Sandblasting (Effective 02/01/1981)
Section 6.0: Material Storage (Effective 02/01/1981)

7 DE Admin. Code 1107: Emissions From Incineration of Noninfectious Waster

Section 1.0: General Provisions (Effective 10/13/1989)
Section 2.0: Restrictions (Effective 10/13/1989)

7 DE Admin. Code 1108: Sulfur Dioxide Emissions From Fuel Burning Equipment

Section 1.0: General Provisions (Effective 07/11/2013)
Section 2.0: Limit on Sulfur Content of Fuel (Effective 07/11/2013)
Section 3.0: Emission Control in Lieu of Sulfur Content Limits of 2.0 of This Regulation (Effective 07/11/2013)
Section 4.0: Sampling and Testing Methods and Requirements (Effective 07/11/2013)
Section 5.0: Recordkeeping and Reporting (Effective 07/11/2013)

7 DE Admin. Code 1109: Emissions of Sulfur Compounds From Industrial Operations

Section 1.0: General Provisions (Effective 05/09/1985)
Section 2.0: Restrictions on Sulfuric Acid Manufacturing Operations (Effective 02/01/1981)
Section 3.0: Restriction on Sulfuric Recovery Operations (Effective 02/01/1981)
Section 4.0: Stack Height Requirements (Effective 02/01/1981)

7 DE Admin. Code 1110: Control of Sulfur Dioxide Emissions—Kent and Sussex Counties

Section 1.0: Requirements for Existing Sources of Sulfur Dioxide (Effective 01/18/1982)
Section 2.0: Requirements for New Sources of Sulfur Dioxide (Effective 02/01/1981)

7 DE Admin. Code 1111: Carbon Monoxide Emissions From Industrial Process Operations New Castle County

Section 1.0: General Provisions (Effective 02/01/1981)
Section 2.0: Restrictions on Petroleum Refining Operations (Effective 02/01/1981)

7 DE Admin. Code 1112: Control of Nitrogen Oxide Emissions

Section 1.0: Applicability (Effective 11/24/1993)
Section 2.0: Definitions (Effective 11/24/1993)
Section 3.0: Standards (Effective 11/24/1993)
Section 4.0: Exemptions (Effective 11/24/1993)
Section 5.0: Alternative and Equivalent RACT Determinations (11/24/1993)
Section 6.0: RACT Proposals (11/24/1993)
Section 7.0: Compliance Certification, Recordkeeping, and Reporting Requirements (Effective 11/24/1993)

7 DE Admin. Code 1113: Open Burning

Section 1.0: Purpose (Effective 04/11/2007)
Section 2.0: Applicability (Effective 04/11/2007)
Section 3.0: Definitions (Effective 04/11/2007)
Section 4.0: Prohibitions and Related Provisions (Effective 04/11/2007)
Section 5.0: Season and Time Restrictions (Effective 04/11/2007)
Section 6.0: Allowable Open Burning (Effective 04/11/2007)
Section 7.0: Exemptions (Effective 04/11/2007)

7 DE Admin. Code 1114: Visible Emissions

Section 1.0: General Provisions (Effective 11/11/2013)
Section 2.0: Requirements (Effective 05/11/2018)
Section 3.0: Alternate Opacity Requirements (Effective 07/17/1984)
Section 4.0: Compliance With Opacity Standards (Effective 07/17/1984)

7 DE Admin. Code 1115: Air Pollution Alert and Emergency Plan

Section 1.0: General Provisions (Effective 07/17/1984)
Section 2.0: Stages and Criteria (Effective 03/29/1988)
Section 3.0: Required Actions (Effective 02/01/1981)
Section 4.0: Standby Plans (Effective 02/01/1981)

7 DE Admin. Code 1116: Sources Having an Interstate Air Pollution Potential

Section 1.0: General Provisions (Effective 02/01/1981)
Section 2.0: Limitations (Effective 02/01/1981)
Section 3.0: Requirements (Effective 02/01/1981)

7 DE Admin. Code 1117: Source Monitoring, Record Keeping and Reporting

Section 1.0: Definitions and Administrative Principals (Effective 01/11/1993)
Section 2.0: Sampling and Monitoring (Effective 07/17/1984)
Section 3.0: Minimum Emissions Monitoring Requirements For Existing Sources (Effective 07/17/1984)
Section 4.0: Performance Specifications (Effective 07/17/1984)
Section 5.0: Minimum Data Requirements (Effective 07/17/1984)
Section 6.0: Data Reduction (Effective 07/17/1984)
Section 7.0: Emission Statement (Effective 01/11/1993)

7 DE Admin. Code 1120: New Source Performance Standards

Section 1.0: General Provisions (Effective 12/07/1988)
Section 2.0: Standards of Performance for Fuel Burning Equipment (Effective 04/18/1983)
Section 3.0: Standards of Performance for Nitric Acid Plants (Effective 04/18/1983)
Section 5.0: Standards of Performance for Asphalt Concrete Plants (Effective 04/18/1983)
Section 6.0: Standards of Performance for Incinerators (Effective 04/18/1983)
Section 7.0: Standards of Performance for Sewage Treatment Plants (Effective 04/18/1983)
Section 8.0: Standards of Performance for Sulfuric Acid Plants (Effective 04/18/1983)
Section 9.0: Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978 (Effective 04/18/1983)
Section 10.0: Standards of Performance for Stationary Gas Turbines (Effective 11/27/1985)
Section 11.0: Standards of Performance for Petroleum Refineries (Effective 11/27/1985)
Section 12.0: Standards of Performance for Steel Plants: Electric Arc Furnaces (Effective 11/27/1985)
Section 20.0: Standards of Performance for Bulk Gasoline Terminals (Effective 11/27/1985)
Section 22.0: Standards of Performance for Equipment Leaks at Petroleum Refineries (Effective 11/27/1985)
Section 27.0: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (Effective 12/07/1988)
Section 28.0: Standards of Performance for Municipal Solid Waste Landfills (Effective 04/11/1998)
Section 30.0: Standards of Performance for Municipal Solid Waste Landfills after July 11, 2017 (Effective 07/11/2017)

7 DE Admin. Code 1122: Restriction on Quality of Fuel in Fuel Burning Equipment

Section 1.0: Prohibition of Waste Oil (Effective 11/27/1985)

7 DE Admin. Code 1124: Control of Volatile Organic Compounds

Section 1.0: General Provisions (Effective 01/11/2017)

Section 2.0: Definitions (Effective 04/11/2010)
Section 3.0: Applicability (Effective 01/11/1993)
Section 4.0: Compliance, Certification, Recordkeeping, and Reporting Requirements for Coating Sources (Effective 11/29/1994)
Section 5.0: Compliance, Certification, Recordkeeping, and Reporting Requirements for Non-Coating Sources (Effective 01/11/1993)
Section 6.0: General Recordkeeping (Effective 01/11/1993)
Section 7.0: Circumvention (Effective 01/11/1993)
Section 8.0: Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs) (Effective 03/11/2011)
Section 9.0: Compliance, Permits, Enforceability (Effective 01/11/1993)
Section 10.0: Aerospace Coatings (Effective 02/11/2003)
Section 11.0: Mobile Equipment Repair and Refinishing (Effective 10/11/2010)
Section 12.0: Surface Coating of Plastic Parts (Effective 10/11/2011)
Section 13.0: Automobile and Light-Duty Truck Coating Operations (Effective 03/11/2011)
Section 14.0: Can Coating (Effective 01/11/1993)
Section 15.0: Coil Coating (Effective 01/11/1993)
Section 16.0: Paper, Film, and Foil Coating (Effective 03/11/2011)
Section 17.0: Fabric Coating (Effective 01/11/1993)
Section 18.0: Vinyl Coating (Effective 01/11/1993)
Section 19.0: Coating of Metal Furniture (Effective 10/11/2011)
Section 20.0: Coating of Large Appliances (Effective 10/11/2011)
Section 21.0: Coating of Magnet Wire (Effective 11/29/1994)
Section 22.0: Coating of Miscellaneous Metal Parts (Effective 10/11/2011)
Section 23.0: Coating of Flat Wood Paneling (Effective 03/11/2011)
Section 24.0: Bulk Gasoline Plants (Effective 01/11/1993)
Section 25.0: Bulk Gasoline Terminals (Effective 11/29/1994)
Section 26.0: Gasoline Dispensing Facility Stage I Vapor Recovery (Effective 01/11/2002)
Section 27.0: Gasoline Tank Trucks (Effective 01/11/1993)
Section 28.0: Petroleum Refinery Sources (Effective 01/11/1993)
Section 29.0: Leaks from Petroleum Refinery Equipment (Effective 11/29/1994)
Section 30.0: Petroleum Liquid Storage in External Floating Roof Tanks (Effective 11/29/1994)
Section 31.0: Petroleum Liquid Storage in Fixed Roof Tanks (Effective 11/29/1994)
Section 32.0: Leaks from Natural Gas/Gasoline Processing Equipment (Effective 11/29/1994)
Section 33.0: Solvent Cleaning and Drying (Effective 11/11/2001)
Section 34.0: Cutback and Emulsified Asphalt (Effective 01/11/1993)
Section 35.0: Manufacture of Synthesized Pharmaceutical Products (Effective 11/29/1994)
Section 36.0: Vapor Emission Control at Gasoline Dispensing Facilities (Effective 09/11/2015)
Section 37.0: Graphic Arts Systems (Effective 03/11/2011)
Section 38.0: Petroleum Solvent Dry Cleaners (Effective 01/11/1993)
Section 40.0: Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment (Effective 01/11/1993)
Section 41.0: Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins (Effective 01/11/1993)
Section 42.0: Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry (Effective 01/11/1993)
Section 43.0: Bulk Gasoline Marine Tank Vessel Loading Facilities (Effective 08/08/1994)
Section 44.0: Batch Processing Operations (Effective 11/29/1994)
Section 45.0: Industrial Cleaning Solvents (Effective 03/11/2011)
Section 46.0: Crude Oil Lightering Operations (Effective 05/11/2007)
Section 47.0: Offset Lithographic Printing (Effective 04/11/2011)
Section 48.0: Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry (Effective 11/29/1994)
Section 49.0: Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels (Effective 11/29/1994)
Section 50.0: Other Facilities that Emit Volatile Organic Compounds (VOCs) (Effective 11/29/1994)

7 DE Admin. Code 1124: Control of Organic Compound Emissions—Appendices

Appendix A General Provisions: Test Methods and Compliance Procedures (Effective 11/29/1994)
Appendix B: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks (Effective 11/29/1994)
Appendix C: Alternative Compliance Methods for Surface Coating (Effective 11/29/1994)
Appendix D: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements (Effective 11/29/1994)
Method 30: Criteria for and Verification of a Permanent or Temporary Total Enclosure (Effective 11/29/1994)
Method 30A: Volatile Organic Compounds Content in Liquid Input Stream (Effective 11/29/1994)
Method 30B: Volatile Organic Compounds Emissions in Captured Stream (Effective 11/29/1994)
Method 30C: Volatile Organic Compounds Emissions in Captured Stream (Dilution Technique) (Effective 11/29/1994)
Method 30D: Volatile Organic Compounds Emissions in Fugitive Stream from Temporary Total Enclosure (Effective 11/29/1994)
Method 30E: Volatile Organic Compounds Emissions in Fugitive Stream from Building Enclosure (Effective 11/29/1994)
Appendix E: Determining the Destruction or Removal Efficiency of a Control Device (Effective 11/29/1994)
Appendix F: Leak Detection Methods for Volatile Organic Compounds (VOCs) (Effective 11/29/1994)
Appendix G: Performance Specifications for Continuous Emissions Monitoring of Total Hydrocarbons (Effective 11/29/1994)
Appendix H: Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS) (Effective 11/29/1994)
Appendix I: Method to Determine Length of Rolling Period for Liquid/Liquid Material Balance (Effective 11/29/1994)
Appendix K: Emissions Estimation Methodologies (Effective 11/29/1994)
Appendix L: Method to Determine Total Organic Carbon for Offset Lithographic Solutions (Effective 11/29/1994)
Appendix M: Test Method for Determining the Performance of Alternative Cleaning Fluids (Effective 11/29/1994)

7 DE Admin. Code 1125: Requirements for Preconstruction Review

Section 1.0: General Provisions (Effective 12/11/2016)
Section 2.0: Emission Offset Provisions (EOP) (Effective 02/11/2012) [4]
Section 3.0: Prevention of Significant Deterioration of Air Quality (Effective 12/11/2016)
Section 4.0: Minor New Source Review (MNSR) (Effective 12/11/2016)

7 DE Admin. Code 1127: Stack Heights

Section 1.0: General Provisions (Effective 07/06/1982)
Section 2.0: Definitions Specific to this Regulation (Effective 12/07/1988)
Section 3.0: Requirements for Existing and New Sources (Effective 02/18/1987)
Section 4.0: Public Notification (Effective 02/18/1987)

7 DE Admin. Code 1129: Emissions From Incineration of Infectious Waste

Section 1.0: General Provisions (Effective 10/13/1989)
Section 2.0: Exemptions (Effective 10/13/1989)
Section 3.0: Permit Requirements (Effective 10/13/1989)
Section 4.0: Methods of Treatment and Disposal (Effective 10/13/1989)
Section 5.0: Recordkeeping and Reporting Requirements (Effective 10/13/1989)

[4] On October 20, 2016, EPA disapproved Delaware's emissions offset provisions. *See* 81 FR 72529. EPA last approved Regulation 1125, Section 2.0 for the Delaware SIP on October 2, 2012, these emission offset provisions address requirements in CAA 173(c)(1), 40 CFR 51.165, and part 51, appendix S, section IV.D. The State effective date of this version of Regulation 1125, Section 2.0, Emission Offset Provisions was February 11, 2012, and it is this version of Regulation 1125, Section 2.0 that Delaware is required to implement and EPA is proposing to incorporate by reference into 40 CFR part 55 in this rulemaking action. *See* 77 FR 60053.

Section 6.0: Evidence of Effectiveness of Treatment (Effective 10/13/1989)
Section 7.0: Incineration (Effective 10/13/1989)

7 DE Admin. Code 1130: Title V Operating Permit Program

Section 1.0: Program Overview (Effective 12/11/2010)
Section 2.0: Definitions (Effective 11/15/1993)
Section 3.0: Applicability (Effective 11/15/1993)
Section 5.0: Permit Applications (Effective 11/15/1993)
Section 6.0: Permit Contents (Effective 12/11/2000)
Section 7.0: Permit Issuance, Renewal, Reopening, and Revisions (Effective 12/11/2000)
Section 8.0: Permit Review by EPA and Affected States (Effective 11/15/1993)
Section 9.0: Permit Fees (Effective 11/15/1993)
Appendix A: Insignificant Activities (Effective 11/15/1993)

7 DE Admin. Code 1132: Transportation Conformity

Section 1.0: Purpose (Effective 11/11/2007)
Section 2.0: Definitions (Effective 11/11/2007)
Section 3.0: Consultation (Effective 11/11/2007)
Section 4.0: Written Commitments for Control and Mitigation Measures (Effective 11/11/2007)

7 DE Admin Code 1134: Emission Banking and Trading Program

Section 1.0: Program Overview (Effective 10/06/1997)
Section 2.0: Definitions (Effective 10/06/1997)
Section 3.0: Applicability (Effective 10/06/1997)
Section 4.0: Generating an Emission Reduction (Effective 10/06/1997)
Section 5.0: Application for Certification of an Emission Reduction as an ERC (Effective 10/06/1997)
Section 6.0: Source Baseline (Effective 10/06/1997)
Section 7.0: Post-Reduction Emission Rate (Effective 10/06/1997)
Section 8.0: Certification of an Emission Reduction (Effective 11/11/2018)
Section 9.0: Trading and Use of ERCs (Effective 10/06/1997)
Section 10.0: Record Keeping Requirements (Effective 10/06/1997)
Section 11.0: ERC Banking System (Effective 10/06/1997)
Section 12.0: Fees (Effective 10/06/1997)
Section 13.0: Enforcement (Effective 10/06/1997)
Section 14.0: Program Evaluation and Individual Audits (Effective 10/06/1997)

7 DE Admin. Code 1135: Conformity of General Federal Actions to the State Implementation Plans

Section 1.0: Purpose (Effective 08/14/1996)
Section 2.0: Definitions (Effective 08/14/1996)
Section 3.0: Applicability (Effective 08/14/1996)
Section 4.0: Conformity Analysis (Effective 08/14/1996)
Section 5.0: Reporting Requirements (Effective 08/14/1996)
Section 6.0: Public Participation and Consultation (Effective 08/14/1996)
Section 7.0: Frequency of Conformity Determinations (Effective 08/14/1996)
Section 8.0: Criteria for Determining Conformity of General Federal Actions (Effective 08/14/1996)
Section 9.0: Procedures for Conformity Determinations of General Federal Actions (Effective 08/14/1996)
Section 10.0: Mitigation of Airy Quality Impacts (Effective 08/14/1996)
Section 11.0: Savings Provision (Effective 08/14/1996)

7 DE Admin. Code 1140: Delaware Low Emission Vehicle Program

Section 1.0: Purpose (Effective 12/11/2013)
Section 2.0: Applicability (Effective 12/11/2013)
Section 3.0: Definitions (Effective 03/11/2018)
Section 4.0: Emission Certification Standards (Effective 12/11/2013)
Section 5.0: New Vehicle Emission Requirements (Effective 03/11/2018)
Section 6.0: Manufacturer Fleet Requirements (Effective 12/11/2013)
Section 7.0: Warranty (Effective 03/11/2018)
Section 8.0: Reporting and Record-Keeping Requirements (Effective 12/11/2013)
Section 9.0: Enforcement (Effective 12/11/2013)
Section 10.0: Incorporation by Reference (Effective 03/11/2018)
Section 11.0: Document Availability (Effective 03/11/2018)
Section 12.0: Severability (Effective 12/11/2013)

7 DE Admin. Code 1141: Limiting Emissions of Volatile Organic Compounds From Consumer and Commercial Products

Section 1.0: Architectural and Industrial Maintenance Coatings (Effective 12/11/2016)
Section 2.0: Consumer Products (Effective 02/11/2016)
Section 3.0: Portable Fuel Containers (Effective 04/11/2010)
Section 4.0: Adhesives and Sealants (Effective 04/11/2009)

7 DE Admin. Code 1142: Specific Emission Control Requirements

Section 1.0: Control of NO_X Emissions from Industrial Boilers (Effective 12/12/2001)

7 DE Admin. Code 1144: Control of Stationary Generator Emissions

Section 1.0: General (Effective 01/11/2006)
Section 2.0: Definitions (Effective 01/11/2006)
Section 3.0: Emissions (Effective 01/11/2006)
Section 4.0: Operating Requirements (Effective 01/11/2006)
Section 5.0: Fuel Requirements (Effective 01/11/2006)
Section 6.0: Record Keeping and Reporting (Effective 01/11/2006)
Section 7.0: Emissions Certification, Compliance, and Enforcement (Effective 01/11/2006)
Section 8.0: Credit for Concurrent Emissions Reductions (Effective 01/11/2006)
Section 9.0: DVFA Member Companies (Effective 01/11/12006)

7 DE Admin. Code 1145: Excessive Idling of Heavy Duty Vehicles

Section 1.0: Applicability (Effective 04/11/2005)
Section 2.0: Definitions (Effective 04/11/2005)
Section 3.0: Severability (Effective 04/11/2005)
Section 4.0: Operational Requirements for Heavy Duty Motor Vehicles (Effective 04/11/2005)
Section 5.0: Exemptions (Effective 04/11/2005)
Section 6.0: Enforcement and Penalty (Effective 04/11/2005)

7 DE Admin. Code 1146: Electric Generating Unit (EGU) Milti-Pollutant Regulation

Section 1.0: Preamble (Effective 12/11/2006)
Section 2.0: Applicability (Effective 12/11/2006)
Section 3.0: Definitions (Effective 12/11/2006)
Section 4.0: NO_X Emissions Limitations (Effective 12/11/2006)
Section 5.0: SO_2 Emissions Limitations (Effective 12/11/2006)
Section 6.0: Mercury Emissions Limitations (Effective 12/11/2006)
Section 7.0: Record Keeping and Reporting (Effective 12/11/2006)
Section 8.0: Compliance Plan (Effective 12/11/2006)
Section 9.0: Penalties (Effective 12/11/2006)

7 DE Admin. Code 1147: CO_2 Budget Trading Program

Section 1.0: CO_2 Budget Trading Program General Provisions (Effective 12/11/2013)
Section 2.0: CO_2 Authorized Account Representative for CO_2 Budget Source (Effective 11/11/2008)
Section 3.0: Permits (Effective 11/11/2018)
Section 4.0: Compliance Certification (Effective 12/11/2013)
Section 5.0: CO_2 Allowance Allocations (Effective 12/11/2013)
Section 6.0: CO_2 Allowance Tracking System (Effective 12/11/2013)
Section 7.0: CO_2 Allowance Transfers (Effective 12/11/2013)
Section 8.0: Monitoring and Reporting (Effective 12/11/2013)
Section 9.0: Auction of CO_2 CCR allowances (Effective 12/11/2013)
Section 10.0: CO_2 Emissions Offset Projects (Effective 12/11/2013)
Section 11.0: CO_2 Emissions Auction (Effective 12/11/2013)

7 DE Admin. Code 1148: Control of Stationary Combustion Turbine Electric Generating Unit Emissions

Section 1.0: Purpose (Effective 07/11/2007)
Section 2.0: Applicability (Effective 07/11/2007)
Section 3.0: Definitions (Effective 07/11/2007)
Section 4.0: NO_X Emissions Limitations (Effective 07/11/2007)

Section 5.0: Monitoring and Reporting (Effective 07/11/2007)
Section 6.0: Recordkeeping (Effective 07/11/2007)
Section 7.0: Penalties (Effective 07/11/2007)

(2) [Reserved]

* * * * *

[FR Doc. 2018–25886 Filed 11–30–18; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 83, No. 232
Monday, December 3, 2018

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

AGENCY FOR INTERNATIONAL DEVELOPMENT

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Submission for Review

AGENCY: U.S. Agency for International Development.

ACTION: 30-Day notice and request for comments.

SUMMARY: Under the provision of the Paperwork Reduction Act of 1995, the U.S. Agency for International Development (USAID) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection of the Contractor Employee Biographical Data Sheet. The purpose of this notice is to allow an additional 30 days for public comments. This information was previously published in the **Federal Register** on February 6, 2018. USAID received four comments during the 60 Day Notice comment period.

DATES: Comments are encouraged and will be accepted until January 2, 2019. This process is conducted in accordance with 5 CFR 1320.1.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Comments should be addressed to: Desk Officer for USAID, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington DC 20503 or be sent via email to *OIRA_Submission@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Jaqueline Lewis Taylor, Sr. Procurement Analyst, USAID, RRB, 1300 Pennsylvania Ave. NW, Washington, DC 20523; (202) 567–4673 or at *jltaylor@usaid.gov.* Copies of the data sheet may be obtained from Ms. Taylor.

SUPPLEMENTARY INFORMATION:

Title: Contractor Employee Biographical Data Sheet.

Analysis: Information Collection requirements for the pre-award stage are needed to ensure Agency contracting personnel can exercise prudent management in determining that an offeror either has or can obtain the ability to competently manage development assistance programs utilizing public funds.

OMB Number: OMB 0412–XXXX.

Agency Form No.: 1420–17.

Agency: U.S. Agency for International Development.

Federal Register: This information was previously published in the **Federal Register** on February 6, 2018 at Volume 83 FR 5235 allowing for a 60-day public comment period.

Affected Public: The Offerors and contractors that complete the form for employees and consultants who will be employed on the contract.

Number of Respondents: 36,467.

Frequency: 8 per year.

Estimated number of hours: 69,894 hours.

Paulette Murray,

Supervisor, Bureau for Management, Office of Management Services, Information and Records Division, U.S. Agency for International Development.

[FR Doc. 2018–26174 Filed 11–30–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Federal-State Supplemental Nutrition Programs Agreement (Form FNS–339)

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. The proposed information collection is a request for a revision of a currently approved collection of information relating to the reporting burden associated with completing and submitting form FNS–339, the Federal-State Supplemental Nutrition Programs Agreement for the administration of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the WIC Farmers' Market Nutrition Program (FMNP); and/or the Seniors Farmers' Market Nutrition Program (SFMNP).

DATES: Written comments must be received on or before February 1, 2019.

ADDRESSES: Comments may be sent to: Kurtria Watson, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 524, Alexandria, VA 22302. Comments may also be submitted via fax to the attention of Kurtria Watson at 703–305–2196 or via email to *Kurtria.Watson@fns.usda.gov.* Comments will also be accepted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov,* and follow the online instructions for submitting comments electronically.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to Kurtria Watson at 703–605–4387.

SUPPLEMENTARY INFORMATION: 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 of the proposed collection of information, including the validity of the methodology and assumptions that were used; (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 those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: Federal-State Supplemental Nutrition Programs Agreement.

Form Number: FNS–339.

OMB Number: 0584–0332.

Expiration Date: February 28, 2019.

Type of Request: Revision of a currently approved collection.

Abstract: The Federal-State Supplemental Nutrition Programs

Agreement (Form FNS–339) is an annual contract between the U.S. Department of Agriculture (USDA) and each State, Territory, and Indian Tribal Government agency seeking to operate one or more of the following programs: The Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the WIC Farmers' Market Nutrition Program (FMNP), and the Seniors Farmers' Market Nutrition Program (SFMNP). The Food and Nutrition Service (FNS), of the USDA, is authorized to administer the WIC and the FMNP Programs under the following authority: Section 17 of the Child Nutrition Act (CNA) of 1966, as amended, and the SFMNP under 7 U.S.C. 3007.

The FNS–339 requires the signature of the Chief State agency official and includes a certification/assurance regarding drug free workplace, a certification regarding lobbying, and a disclosure of lobbying activities. The signed agreement thereby authorizes USDA to make funds available to State agencies for the administration of the WIC, FMNP, and/or SFMNP Programs within the State, and in accordance with 7 Code of Federal Regulations (CFR) parts 246, 248, and 249. The State agency agrees to accept Federal funds for expenditure in accordance with applicable statutes and regulations and to comply with all the provisions of such statutes and regulations, and amendments thereto.

This information collection is requesting a revision in the burden hours due to Program adjustments that primarily reflect expected changes in the number of WIC, FMNP, and/or SFMNP State agencies from year to year. The number of respondents (agencies administering the WIC, FMNP and/or SFMNP Programs) has increased from 124 to 129. This adjustment increased the total annual burden from 31 hours to 32.25 hours. FNS also, has recordkeeping requirements and under-estimated the total annual responses for recordkeeping under the previous burden revision. Under this revision, there is an increase in the total annual responses from 124 to 258.

Affected Public: State, Territory, and Indian Tribal Government Agencies.

Estimated Number of Respondents: The total estimated number of respondents is 129 out of 191 in the possible respondents in the universe. This includes an unduplicated count of respondents that are responsible for the operation of 90 WIC Programs, 49 FMNP Programs, and 52 SFMNP Programs. 5 State agencies solely operate the FMNP program; 19 State agencies solely operate the SFMNP program; 15 State agencies operate both the FMNP and SFMNP programs; 59 State agencies solely operate the WIC program; 13 State agencies operate both the WIC and FMNP programs; 2 State agencies operate both the WIC and SFMNP programs; and 16 State agencies operate the WIC, FMNP, and SFMNP programs.

Estimated Number of Responses per Respondent: 2: There is one response per agency for the completion of the FNS–339 and one response per agency to photocopy and maintain a record of the FNS–339. The FNS–339 allows State agencies to select one or more of the Program(s) which they administer (WIC/FMNP/SFMNP).

Estimated Total Annual Responses: 258 responses; (129 for reporting and 129 for recordkeeping).

Estimated Time per Response: 7.5 minutes for reporting and 7.5 minutes for recordkeeping. The estimated time for each respondent to report and maintain records is 15 minutes (0.25 hours) combined. It takes respondents approximately 7.5 minutes (0.125 hours) to read and sign the required form. Additionally, respondents spend another 7.5 minutes (0.125 hours) making photocopies and filing each year. Therefore, the number of hours spent per each of the 129 reports per year is 0.25 hours totaling the requested 32.25 burden hours.

Estimated Total Annual Burden on Respondents: The total estimated annual burden for reporting is 16.125 and the total estimated annual burden for recordkeeping is 16.125 for a grand total estimate of 32.25 hours. See the table below for the estimated total annual burden for each type of respondent and each activity.

Respondents	Form	Estimated number of respondents	Responses annually per respondent	Total annual responses	Estimated average number of hours per response	Estimated total annual burden hours
Reporting Burden						
State, Territory, and Indian Tribal Government Agencies (Respondent types: WIC—90; FMNP—49; SFMNP—52).	FNS–339	129	1	129	0.125	16.125
Recordkeeping Burden						
State, Territory, and Indian Tribal Government Agencies (Respondent types: WIC—90; FMNP—49; SFMNP—52).	FNS–339	129	1	129	0.125	16.125
Total Reporting and Recordkeeping Burden.		*129	2	258	0.125	32.25

*This includes an unduplicated count of respondents that are responsible for the operation of 90 WIC Programs, 49 FMNP Programs, and 52 SFMNP Programs. 5 State agencies solely operate the FMNP program; 19 State agencies solely operate the SFMNP program; 15 State agencies operate both the FMNP and SFMNP programs; 59 State agencies solely operate the WIC program; 13 State agencies operate both the WIC and FMNP programs; 2 State agencies operate both the WIC and SFMNP programs; and 16 State agencies operate the WIC, FMNP, and SFMNP programs.

Dated: November 27, 2018.

Brandon Lipps,

Administrator, Food and Nutrition Service.

[FR Doc. 2018–26128 Filed 11–30–18; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Rural Business-Cooperative Service

Notice of Request for Extension of Currently Approved Information Collection

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Proposed collection; comments requested.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Rural Business-Cooperative Service's intention to request an extension for a currently approved information collection in support of the program for the Agriculture Innovation Demonstration Center.

DATES: Comments on this notice must be received by February 1, 2019.

FOR FURTHER INFORMATION CONTACT: Thomas P. Dickson, Rural Development Innovation Center—Regulatory Team 2, USDA, 1400 Independence Avenue SW, STOP 1522, Room 5164, South Building, Washington, DC 20250–1522. Telephone: (202) 690–4492. Email *Thomas.dickson@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Agriculture Innovation Centers.

OMB Number: 0570–0045.

Expiration Date of Approval: March 31, 2019.

Type of Request: Extension of currently approved information collection.

Abstract: USDA's Rural Business-Cooperative Service, Cooperative Programs administers the Agriculture Innovation Center Demonstration (AIC) Program. The primary objective of this program is to provide funds to Agriculture Innovation Centers (Centers) which provide agricultural producers with technical and business development assistance. Cooperative Programs collects information from applicants to confirm eligibility for the program and to evaluate the quality of the applications. Recipients of awards are required to submit reporting and payment request information to facilitate monitoring of the award and disbursement of funds.

Estimate of Burden: Public reporting burden for this collection is estimated to average 18 hours per response.

Estimated Number of Respondents: 25.

Estimated Number of Responses per Respondent: 2.3.

Estimated Number of Responses: 58.

Estimated Total Annual Burden on Respondents: 1,042 hours.

Copies of this information collection can be obtained from Diane M. Berger, Rural Development Innovation Center—Regulatory Team, (715) 619–3124.

Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Rural Business-Cooperative Service, including whether the information will have practical utility; (b) the accuracy of Rural Business-Cooperative Service's estimate of the burden to collect the required information, including the validity of the strategy used; (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 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 on the paperwork burden may be sent to: Thomas P. Dickson, Rural Development Innovation Center—Regulatory Team 2, USDA, 1400 Independence Avenue SW, STOP 1522, Room 5164, South Building, Washington, DC 20250–1522. Telephone: (202) 690–4492. Email *Thomas.dickson@usda.gov.* 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.

Dated: November 26, 2018.

Bette B. Brand,

Administrator, Rural Business-Cooperative Service.

[FR Doc. 2018–26184 Filed 11–30–18; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for January 2019

Pursuant to section 751(c) of the Act, the following Sunset Review is scheduled for initiation in January 2019 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
Antidumping Duty Proceedings	
Certain Hot-Rolled Carbon Steel Flat Products from China (A–570–865) (3rd Review)	Matthew Renkey, (202) 482–2312.
New Pneumatic Off-The-Road Tires from China (A–570–912) (2nd Review)	Joshua Poole, (202) 482–1293.
Non-Malleable Cast Iron Pipe Fitting from China (A–570–975) (3rd Review)	Joshua Poole, (202) 482–1293.
Raw Flexible Magnets from China (A–570–922) (2nd Review)	Joshua Poole, (202) 482–1293.
Sodium Nitrite from China (A–570–925) (2nd Review)	Joshua Poole, (202) 482–1293.
Sodium Nitrite from Germany (A–428–841) (2nd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from India (A–533–820) (3rd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from Indonesia (A–533–812) (3rd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from Taiwan (A–583–835) (3rd Review)	Jacqueline Arrowsmith, (202) 482–5255.
Raw Flexible Magnets from Taiwan (A–583–842) (2nd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from Thailand (A–549–817) (3rd Review)	Jacqueline Arrowsmith, (202) 482–5255.
Certain Hot-Rolled Carbon Steel Flat Products from Ukraine (A–823–811) (3rd Review)	Jacqueline Arrowsmith, (202) 482–5255.

	Department contact
Countervailing Duty Proceedings	
New Pneumatic Off-The-Road Tires from China (C–570–913) (2nd Review)	Jacqueline Arrowsmith, (202) 482–5255.
Raw Flexible Magnets from China (C–570–923) (2nd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from India (C–533–821) (3rd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from Indonesia (C–533–813) (3rd Review)	Joshua Poole, (202) 482–1293.
Certain Hot-Rolled Carbon Steel Flat Products from Thailand (C–549–818) (3rd Review)	Jacqueline Arrowsmith, (202) 482–5255.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled for initiation in January 2019.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute, but is published as a service to the international trading community.

Dated: November 27, 2018.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2018–26171 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review. We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 21 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, Commerce finds that determinations concerning whether particular companies should be ''collapsed'' (*i.e.,* treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of a review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.,* investigation, administrative review, new shipper review or changed circumstances review). For any company subject to a review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete a Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of

the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.[1] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial Section D responses.

Opportunity to Request a Review: Not later than the last day of December 2018,[2] interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in December for the following periods:

	Period of review
Antidumping duty proceedings	
BRAZIL: Carbon Steel Butt-Weld Pipe Fittings, A–351–602	12/1/17–11/30/18
CHILE: Certain Preserved Mushrooms, A–337–804	12/1/17–11/30/18
GERMANY: Non-Oriented Electrical Steel, A–428–843	12/1/17–11/30/18
INDIA:	
Carbazole Violet Pigment 23, A–533–838	12/1/17–11/30/18
Certain Hot-Rolled Carbon Steel Flat Products, A–533–820	12/1/17–11/30/18
Commodity Matchbooks, A–533–848	12/1/17–11/30/18
Stainless Steel Wire Rod, A–533–808	12/1/17–11/30/18
INDONESIA: Certain Hot-Rolled Carbon Steel Flat Products, A–560–812	12/1/17–11/30/18
JAPAN:	
Prestressed Concrete Steel Wire Strand, A–588–068	12/1/17–11/30/18
Non-Oriented Electrical Steel, A–588–872	12/1/17–11/30/18
Welded Large Diameter Line Pipe, A–588–857	12/1/17–11/30/18
OMAN: Circular Welded Carbon-Quality Steel Pipe, A–523–812	12/1/17–11/30/18
PAKISTAN: Circular Welded Carbon-Quality Steel Pipe, A–553–903	12/1/17–11/30/18
REPUBLIC OF KOREA:	
Non-Oriented Electrical Steel, A–580–872	12/1/17–11/30/18
Welded Astm A–312 Stainless Steel Pipe, A–580–810	12/1/17–11/30/18
Welded Line Pipe, A–580–876	12/1/17–11/30/18
RUSSIA: Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products, A–821–809	12/1/17–11/30/18
SOCIALIST REPUBLIC OF VIETNAM: Uncovered Innerspring Units, A–552–803	12/1/17–11/30/18
SOUTH AFRICA: Uncovered Innerspring Units, A–791–821	12/1/17–11/30/18
SWEDEN: Non-Oriented Electrical Steel, A–401–809	12/1/17–11/30/18
TAIWAN:	
Carbon Steel Butt-Weld Pipe Fittings, A–583–605	12/1/17–11/30/18
Non-Oriented Electrical Steel, A–583–851	12/1/17–11/30/18
Steel Wire Garment Hangers, A–583–849	12/1/17–11/30/18
Welded Astm A–312 Stainless Steel Pipe, A–583–815	12/1/17–11/30/18
THE PEOPLE'S REPUBLIC OF CHINA:	
Carbazole Violet Pigment 23, A–570–892	12/1/17–11/30/18
Cased Pencils, A–570–827	12/1/17–11/30/18
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, A–570–979	12/1/17–11/30/18
Hand Trucks and Certain Parts Thereof, A–570–891	12/1/17–11/30/18
Honey, A–570–863	12/1/17–11/30/18
Malleable Cast Iron Pipe Fittings, A–570–881	12/1/17–11/30/18
Melamine, A–570–020	12/1/17–11/30/18
Multilayered Wood Flooring, A–570–970	12/1/17–11/30/18
Non-Oriented Electrical Steel, A–570–996	12/1/17–11/30/18
Porcelain-On-Steel Cooking Ware, A–570–506	12/1/17–11/30/18
Silicomanganese, A–570–828	12/1/17–11/30/18
TURKEY: Welded Line Pipe, A–489–822	12/1/17–11/30/18
UNITED ARAB EMIRATES: Circular Welded Carbon-Quality Steel Pipe A–520–807	12/1/17–11/30/18
Countervailing Duty Proceedings	
INDIA:	
Carbazole Violet Pigment 23, C–533–839,	1/1/17–12/31/17
Certain Hot-Rolled Carbon Steel Flat Products, C–533–821	1/1/17–12/31/17

[1] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[2] Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when Commerce is closed.

	Period of review
Commodity Matchbooks, C–533–849	1/1/17–12/31/17
INDONESIA: Certain Hot-Rolled Carbon Steel Flat Products, C–560–813	1/1/17–12/31/17
TAIWAN: Non-Oriented Electrical Steel, C–583–852	1/1/17–12/31/17
THAILAND: Certain Hot-Rolled Carbon Steel Flat Products, C–549–818	1/1/17–12/31/17
THE PEOPLE'S REPUBLIC OF CHINA:	
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, C–570–980	1/1/17–12/31/17
Melamine, C–570–021	1/1/17–12/31/17
Non-Oriented Electrical Steel, C–570–997	1/1/17–12/31/17
Multilayered Wood Flooring, C–570–971	1/1/17–12/31/17
TURKEY: Welded Line Pipe, C–489–823	1/1/17–12/31/17
Suspension Agreements	
MEXICO:	
Sugar, A–201–845	12/1/17–11/30/18
Sugar, C–201–846	1/1/17–12/31/17

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.[3]

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative reviews.[4] Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.[5] In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an antidumping administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at *http://access.trade.gov.*[6] Further, in accordance with 19 CFR 351.303(f)(l)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

Commerce will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of December 2018. If Commerce does not receive, by the last day of December 2018, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse,

[3] *See also* the Enforcement and Compliance website at *http://trade.gov/enforcement/.*

[4] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[5] In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

[6] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

for consumption during the relevant provisional-measures ''gap'' period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: November 27, 2018.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2018–26169 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year (Sunset) Reviews

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: In accordance with the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) is automatically initiating the five-year reviews (Sunset Reviews) of the antidumping and countervailing duty (AD/CVD) order(s) listed below. The International Trade Commission (the Commission) is publishing concurrently with this notice its notice of *Institution of Five-Year Reviews* which covers the same order(s).

DATES: Applicable (December 1, 2018).

FOR FURTHER INFORMATION CONTACT: Commerce official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

Background

Commerce's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders,* 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to Commerce's conduct of Sunset Reviews is set forth in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012).

Initiation of Review

In accordance with section 751(c) of the Act and 19 CFR 351.218(c), we are initiating the Sunset Reviews of the following antidumping and countervailing duty order(s):

DOC case No.	ITC case No.	Country	Product	Commerce contact
A–570–909 ...	731–TA–1114 ...	China	Steel Nails (2nd Review)	Matthew Renkey (202) 482–2312.

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the pertinent statute and Commerce's regulations, Commerce's schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on Commerce's website at the following address: *http://enforcement.trade.gov/sunset/.* All submissions in these Sunset Reviews must be filed in accordance with Commerce's regulations regarding format, translation, and service of documents. These rules, including electronic filing requirements via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), can be found at 19 CFR 351.303.[1]

Any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information.[2] Parties must use the certification formats provided in 19 CFR 351.303(g).[3] Commerce intends to reject factual submissions if the submitting party does not comply with applicable revised certification requirements.

On April 10, 2013, Commerce modified two regulations related to AD/CVD proceedings: The definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301).[4] Parties are advised to review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt*, prior to submitting factual information in these segments. To the extent that other regulations govern the submission of factual information in a segment (such as 19 CFR 351.218), these time limits will continue to be applied. Parties are also advised to review the final rule concerning the extension of time limits for submissions in AD/CVD proceedings, available at *http://enforcement.trade.gov/frn/2013/1309frn/2013-22853.txt*, prior to submitting factual information in these segments.[5]

Letters of Appearance and Administrative Protective Orders

Pursuant to 19 CFR 351.103(d), Commerce will maintain and make available a public service list for these proceedings. Parties wishing to participate in any of these five-year reviews must file letters of appearance as discussed at 19 CFR 351.103(d)). To facilitate the timely preparation of the public service list, it is requested that those seeking recognition as interested parties to a proceeding submit an entry of appearance within 10 days of the publication of the Notice of Initiation. Because deadlines in Sunset Reviews can be very short, we urge interested parties who want access to proprietary information under administrative protective order (APO) to file an APO application immediately following publication in the **Federal Register** of this notice of initiation. Commerce's regulations on submission of proprietary information and eligibility to receive access to business proprietary

[1] *See also Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

[2] *See* section 782(b) of the Act.

[3] *See also Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*). Answers to frequently asked questions regarding the *Final Rule* are available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[4] *See Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013).

[5] *See Extension of Time Limits,* 78 FR 57790 (September 20, 2013).

information under APO can be found at 19 CFR 351.304–306.

Information Required From Interested Parties

Domestic interested parties, as defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b), wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with Commerce's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, Commerce will automatically revoke the order without further review.[6]

If we receive an order-specific notice of intent to participate from a domestic interested party, Commerce's regulations provide that *all parties* wishing to participate in a Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that Commerce's information requirements are distinct from the Commission's information requirements. Consult Commerce's regulations for information regarding Commerce's conduct of Sunset Reviews. Consult Commerce's regulations at 19 CFR part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at Commerce.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: November 28, 2018.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2018–26213 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–DS–P

[6] *See* 19 CFR 351.218(d)(1)(iii).

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–089]

Certain Steel Racks From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain steel racks (steel racks) from the People's Republic of China (China) for the period of investigation (POI) January 1, 2017 through December 31, 2017. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Eli Lovely, Aleksandras Nakutis or Robert Galantucci, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1593, (202) 482–3147 or (202) 482–2923, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on July 10, 2018.[1] On August 28, 2018, pursuant to a request from the Coalition for Fair Racks Imports (the petitioner),[2] Commerce postponed the preliminary determination of this investigation to November 19, 2018.[3] For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.[4] A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov*, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/*. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are steel racks from China. For a complete description of the scope of this investigation, see Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[5] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.* , scope).[6] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce intends to issue its preliminary decision regarding comments concerning the scope of the antidumping duty and countervailing duty investigations in the preliminary determination of the companion antidumping duty (AD) investigation.

Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.* , a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] In making these findings, Commerce relied, in part, on facts available and, because it finds that certain respondents did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse

[1] See Certain Steel Racks from the People's Republic of China: Initiation of Countervailing Duty Investigation, 83 FR 33201 (July 10, 2018) (Initiation Notice).

[2] See Letter, ''Certain Steel Racks from the People's Republic of China: Request to Postpone Preliminary Determination,'' dated August 9, 2018.

[3] See Countervailing Duty Investigation of Steel Racks from the People's Republic of China: Postponement of Preliminary Determination, 83 FR 43848 (August 28, 2018).

[4] See Memorandum, ''Decision Memorandum for the Preliminary Determination of the Countervailing Duty Investigation of Certain Steel Racks from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[6] *See Initiation Notice.*

[7] See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

inference where appropriate in selecting from among the facts otherwise available.[8] For further information, see ''Use of Facts Otherwise Available and Adverse Inferences'' in the Preliminary Decision Memorandum.

Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final countervailing duty determination in this investigation with the final determination in the companion antidumping duty investigation of steel racks from China based on a request made by the petitioner.[9] Consequently, the final countervailing duty determination will be issued on the same date as the final antidumping determination, which is currently scheduled to be issued no later than April 1, 2019, unless postponed.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act.

In this investigation, Commerce preliminarily assigned rates based entirely on facts available for Jiangsu Kingmore Storage Equipment Manufacturing Co., Ltd., Nanjing Huade Storage Equipment Manufacture Co., Ltd., Tangshan Apollo Energy Equipment Company, Ltd., and 13 companies that failed to respond to our quantity and value (Q&V) questionnaire.[10] Commerce calculated individual estimated countervailable subsidy rates for Nanjing Dongsheng Shelf Manufacturing Co., Ltd. (Nanjing Dongsheng) and Xiamen Aifei Metal Manufacturing Co., Ltd. (Aifeimetal). Therefore, Commerce calculated the all-others'' rate using a weighted average of the individual estimated subsidy rates calculated for Aifeimetal and Nanjing Dongsheng using each company's publicly-ranged values for the merchandise under consideration.[11]

Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent)
Designa Inc	150.49
Dongguan Baike Electronic Co., Ltd	150.49
Ezidone Display Corp. Ltd	150.49
Fenghua Huige Metal Products Co., Ltd	150.49
Formost Plastic Metal Works (Jiaxing) Co., Ltd	150.49
Jiangsu Kingmore Storage Equipment Manufacturing Co., Ltd	150.49
Nanjing Dongsheng Shelf Manufacturing Co., Ltd	5.04
Nanjing Huade Storage Equipment Manufacture Co., Ltd	150.49
Ningbo Bocheng Home Products Co., Ltd	150.49
Ningbo Joys Imp. & Exp. Co., Ltd	150.49
Ningbo Li Zhan Import & Export Co	150.49
Qingdao Haineng Hardware Products Co., Ltd	150.49
Qingdao Huatian Hand Truck Co., Ltd	150.49
Qingdao Zeal-Line Stainless Steel Products Co., Ltd	150.49
Seven Seas Furniture Industrial (Xiamen) Co., Ltd	150.49
Shijiazhuang Wells Trading & Mfg. Co., Ltd	150.49
Tangshan Apollo Energy Equipment Company	150.49
Xiamen Aifei Metal Manufacturing Co., Ltd[12]	10.45
All-Others	8.81

Suspension of Liquidation

In accordance with section 703(d)(1)(B) and (d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

[8] *See* sections 776(a) and (b) of the Act.

[9] *See* Letter, ''Certain Steel Racks from the People's Republic of China: Request to Align Final Countervailing Duty and Antidumping Determinations,'' dated October 31, 2018.

[10] The companies that did not respond to our Q&V questionnaire are: Designa Inc.; Dongguan Baike Electronic Co., Ltd.; Ezidone Display Corp. Ltd.; Fenghua Huige Metal Products Co., Ltd.; Formost Plastic Metal Works (Jiaxing) Co., Ltd.; Ningbo Bocheng Home Products Co., Ltd.; Ningbo Joys Imp. & Exp. Co., Ltd.; Ningbo Li Zhan Import & Export Co.; Qingdao Haineng Hardware Products Co., Ltd.; Qingdao Huatian Hand Truck Co., Ltd.; Qingdao Zeal-Line Stainless Steel Products Co., Ltd.; Seven Seas Furniture Industrial (Xiamen) Co., Ltd.; and Shijiazhuang Wells Trading & Mfg. Co., Ltd.

[11] With two respondents under examination, Commerce normally calculates (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g. , Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53663 (September 1, 2010). As complete publicly ranged sales data was available, Commerce based the all-others rate on the publicly ranged sales data of the mandatory respondents. For a complete analysis of the data, please see the All-Others'' Rate Calculation Memorandum.

[12] As discussed in the Preliminary Decision Memorandum, Commerce has found Xiamen Massive Joy Industry Co., Ltd. and Xiamen Aifei Health-Tech Co., Ltd. to be cross-owned with Xiamen Aifei Metal Manufacturing Co., Ltd.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.[13] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

International Trade Commission Notification

In accordance with section 703(f) of the Act, Commerce will notify the International Trade Commission (ITC) of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act and 19 CFR 351.205(c).

[13] *See* 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements).

Dated: November 19, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The merchandise covered by this investigation is steel racks and parts thereof, assembled, to any extent, or unassembled, including but not limited to, vertical components (*e.g.*, uprights, posts, or columns), horizontal or diagonal components (*e.g.*, arms or beams), braces, frames, locking devices (*i.e.*, end plates and beam connectors), and accessories (including, but not limited to, rails, skid channels, skid rails, drum/coil beds, fork clearance bars, pallet supports, column and post protectors, end row and end aisle protectors, corner guards, row spacers, and wall ties). Subject steel racks and parts thereof are made of steel, including, but not limited to, cold and/or hot-formed steel, regardless of the type of steel used to produce the components and may, or may not, include locking tabs, slots, or bolted, clamped, or welded connections.

Steel rack components can be assembled into structures of various dimensions and configurations by welding, bolting, clipping, or with the use of devices such as clips, end plates, and beam connectors, including, but not limited to the following configurations: (1) Racks with upright frames perpendicular to the aisles that are independently adjustable, with positive locking beams parallel to the aisle spanning the upright frames with braces; and (2) cantilever racks with vertical components parallel to the aisle and cantilever beams or arms connected to the vertical components perpendicular to the aisle. Steel racks may be referred to as pallet racks, storage racks, stacker racks, retail racks, pick modules, selective racks, or cantilever racks and may incorporate moving components and be referred to as pallet-flow racks, carton-flow racks, push-back racks, movable-shelf racks, drive-in racks, and drive-through racks. While steel racks may be made to ANSI MH16.l or ANSI MH16.3 standards, all steel racks and parts thereof meeting the description set out herein are covered by the scope of this investigation, whether or not produced according to a particular standard.

The scope includes all steel racks and parts thereof meeting the description above, regardless of

(1) Dimensions, weight, strength, gauge, or load rating;

(2) vertical components or frame type (including structural, roll-form, or other);

(3) horizontal support or beam/brace type (including but not limited to structural, roll-form, slotted, unslotted, Z-beam, C-beam, L-beam, step beam, and cantilever beam);

(4) number of supports;

(5) number of levels;

(6) surface coating, if any (including but not limited to paint, epoxy, powder coating, zinc, or other metallic coatings);

(7) shape (including but not limited to rectangular, square, corner, and cantilever);

(8) the method by which the vertical and horizontal supports connect (including but not limited to locking tabs or slots, bolting, clamping, and welding); and

(9) whether or not the steel rack has moving components (including but not limited to rails, wheels, rollers, tracks, channels, carts, and conveyors).

Subject merchandise includes merchandise matching the above description that has been finished or packaged in a third country. Finishing includes, but is not limited to, coating, painting, or assembly, including attaching the merchandise to another product, or any other finishing or assembly operation that would not remove the merchandise from the scope of the investigation if performed in the country of manufacture of the steel racks and parts thereof. Packaging includes packaging the merchandise with or without another product or any other packaging operation that would not remove the merchandise from the scope of the investigation if performed in the country of manufacture of the steel racks and parts thereof.

Steel racks and parts thereof are included in the scope of this investigation whether or not imported attached to, or included with, other parts or accessories such as wire decking, nuts, and bolts. If steel racks and parts thereof are imported attached to, or included with, such non-subject merchandise, only the steel racks and parts thereof are included in the scope.

The scope of this investigation does not cover: (1) Decks, *i.e.*, shelving that sits on or fits into the horizontal supports to provide the horizontal storage surface of the steel racks; (2) wire shelving units, *i.e.*, shelves made from wire that incorporate both a wire deck and wire horizontal supports (taking the place of the horizontal beams and braces) into a single piece with tubular collars that slide over the posts and onto plastic sleeves snapped on the posts to create a finished unit; (3) pins, nuts, bolts, washers, and clips used as connecting devices; and (4) non-steel components.

Specifically excluded from the scope of this investigation are any products covered by Commerce's existing antidumping and countervailing duty orders on boltless steel shelving units prepackaged for sale from the People's Republic of China. *See Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Antidumping Duty Order,* 80 Fed. Reg. 63,741 (October 21, 2017); *Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order,* 80 Fed. Reg. 63,745 (October 21, 2017). Also excluded from the scope of this investigation are bulk-packed parts or components of boltless steel shelving units that were specifically excluded from the scope of the *Boltless Steel Shelving Orders* because such bulk-packed parts or components do not contain the steel vertical supports (*i.e.*, uprights and posts) and steel horizontal supports (*i.e.*, beams, braces) packaged together for assembly into a completed boltless steel shelving unit.

Merchandise covered by this investigation is currently classified in the Harmonized

Tariff Schedule of the United States (HTSUS) under the following subheadings: 7326.90.8688, 9403.20.0080, and 9403.90.8041. Subject merchandise may also enter under subheadings 7308.90.3000, 7308.90.6000, 7308.90.9590, and 9403.20.0090. The HTSUS subheadings are provided for convenience and U.S. Customs purposes only. The written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope Comments
IV. Scope of the Investigation
V. Injury Test
VI. Application of the CVD Law to Imports From China
VII. Diversification of China's Economy
VIII. Use of Facts Otherwise Available and Adverse Inferences
IX. Subsidies Valuation
X. Benchmarks and Interest Rates
XI. Analysis of Programs
XII. Conclusion

[FR Doc. 2018–26172 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Board of Overseers of the Malcolm Baldrige National Quality Award

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The Board of Overseers of the Malcolm Baldrige National Quality Award (Board) will meet in open session on Tuesday, December 11, 2018. The purpose of this meeting is to review and discuss the work of the private sector contractor, which assists the Director of the National Institute of Standards and Technology (NIST) in administering the Malcolm Baldrige National Quality Award (Award), and information received from NIST and from the Chair of the Judges Panel of the Malcolm Baldrige National Quality Award in order to make such suggestions for the improvement of the Award process as the Board deems necessary. Details on the agenda are noted in the **SUPPLEMENTARY INFORMATION** section of this notice.

DATES: The meeting will be held on Tuesday, December 11, 2018, from 8:30 a.m. Eastern time until 4:00 p.m. Eastern time. The meeting will be open to the public.

ADDRESSES: The meeting will be held at the National Institute of Standards and Technology, 100 Bureau Drive, Building 101, Lecture Room A, Gaithersburg, Maryland 20899. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, telephone number (301) 975–2361, or by email at *robert.fangmeyer@nist.gov.*

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(2)(B) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the Board will meet in open session on Tuesday, December 11, 2018, from 8:30 a.m. Eastern time until 4:00 p.m. Eastern time. The Board is currently composed of eleven members selected for their preeminence in the field of organizational performance excellence and appointed by the Secretary of Commerce. The Board consists of a balanced representation from U.S. service, manufacturing, small business, nonprofit, education, and health care industries. The Board includes members familiar with the quality, performance improvement operations, and competitiveness issues of manufacturing companies, service companies, small businesses, nonprofits, health care providers, and educational institutions. The purpose of this meeting is to review and discuss the work of the private sector contractor, which assists the NIST Director in administering the Award, and information received from NIST and from the Chair of the Judges Panel of the Malcolm Baldrige National Quality Award in order to make such suggestions for the improvement of the Award process as the Board deems necessary. The Board shall make an annual report on the results of Award activities to the Director of NIST, along with its recommendations for the improvement of the Award process. The agenda will include: Report from the Judges Panel of the Malcolm Baldrige National Quality Award, Baldrige Program Business Plan Status Report, Baldrige Foundation Fundraising Update, Products and Services Update, and Recommendations for the NIST Director. The agenda may change to accommodate Board business. The final agenda will be posted on the NIST Baldrige Performance Excellence website at *http://www.nist.gov/baldrige/community/overseers.cfm.* The meeting will be open to the public.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Board's affairs are invited to request a place on the agenda. On December 11, 2018 approximately one-half hour will be reserved in the afternoon for public comments, and speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the Baldrige website at *http://www.nist.gov/baldrige/community/overseers.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the Baldrige Performance Excellence Program, NIST, 100 Bureau Drive, Mail Stop 1020, Gaithersburg, Maryland 20899–1020, via fax at 301–975–4967 or electronically by email to *robyn.verner@nist.gov.*

All visitors to the National Institute of Standards and Technology site must pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Robyn Verner no later than 8:00 a.m. Eastern Time, Tuesday, December 11, 2018 and she will provide you with instructions for admittance. Non-U.S. citizens must submit additional information and should contact Ms. Verner for instructions. Ms. Verner's email address is *robyn.verner@nist.gov* and her phone number is (301) 975–2361. Please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (Pub. L. 109–13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Ms. Verner or visit: *http://www.nist.gov/public_affairs/visitor/.*

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–26135 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Institute of Standards and Technology.

Title: Baldrige Executive Fellows Program.

OMB Control Number: 0693–0076.

Form Number(s): None.

Type of Request: Regular submission (revision and extension of a currently approved information collection).

Number of Respondents: 24 per year.

Average Hours per Response: 1 hour.

Burden Hours: 24 hours.

Needs and Uses: Collection needed to obtain information to select applicants for the Baldrige Performance Excellence Program.

Affected Public: Business, health care, education, or other for-profit organizations; health care, education, and other non-profit organizations; and individuals.

Frequency: Annual.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at *reginfo.gov*. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *OIRA_Submission@omb.eop.gov* or fax to (202) 395–5806.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2018–26152 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Workshop on Computational Models for Large Outdoor Fires

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of public meeting.

SUMMARY: NIST announces a workshop on Computational Models for Large Outdoor Fires to be held on Monday, March 04, 2019 to Tuesday, March 05, 2019. The workshop will be open to the public with portions available via web broadcasting. At this workshop, the attendees will discuss the current state of measurement science gaps in implementing computational tools to model large scale outdoor fires, such as those found in the Wildland and Wildland-Urban Interface (WUI) communities.

DATES: The workshop on Computational Models for Large Outdoor Fires will be held on Monday, March 04, 2019 from 9:00 a.m. until 5:00 p.m. Eastern Time, and Tuesday, March 05, 2019 from 9:00 a.m. until 4:30 p.m. Eastern Time. Please arrive at the NIST campus by 8:30 a.m. Eastern Time on both days. Attendees must register by 5:00 p.m. Eastern Time on Monday, February 25, 2019. Please note that the exact times are subject to change.

ADDRESSES: The workshop will be held in the West Square room of Building 101 at the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, Maryland 20899. For registration instructions refer to the meeting website: *https://www.nist.gov/news-events/events/2019/03/computational-models-large-outdoor-fires-workshop*.

FOR FURTHER INFORMATION CONTACT: Nelson Bryner, Engineering Laboratory, NIST, 100 Bureau Drive, Stop 8662, Gaithersburg, MD 20899–8662, Telephone: (301) 975–6868, Email address: *nelson.bryner@nist.gov.*

SUPPLEMENTARY INFORMATION: NIST announces a workshop on Computational Models for Large Outdoor Fires to be held on Monday, March 04, 2019 to Tuesday, March 05, 2019. The workshop will be open to the public and portions will be available via web broadcasting. At this workshop, the attendees will discuss the current state of measurement science gaps in implementing computational tools to model large scale outdoor fires, such as those found in the Wildland and Wildland-Urban Interface (WUI) communities.

The workshop agenda is expected to include the following discussion items:

- High-performance computing applied to outdoor fire modeling,
- incorporating micro- and macro-scale weather data,
- incorporating topography and terrain features,
- ember ignition physics,
- winddriven fire spread,
- large-scale prescribed burn experiments, and
- wind-tunnel experiments.

Note that the agenda may change without notice. Seating will be available for the public on a first-come, first-served basis and will be limited to 40 attendees. Portions of the workshop will be available via web broadcasting. Pre-registration is required to attend this workshop both in person and online. The final agenda, web broadcasting instructions, and other administrative information will be posted on the meeting website: *https://www.nist.gov/news-events/events/2019/03/computational-models-large-outdoor-fires-workshop*.

All visitors to the NIST site are required to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Karen Startsman by 5:00 p.m. Eastern Time, February 26, 2019. Non-U.S. citizens must submit additional information; please contact Karen Startsman. Ms. Startman's email address is *Karen.Startsman@nist.gov* and her phone number is 301–975–6602. For participants attending in person, please note that federal agencies, including NIST, can only accept a state-issued driver's license or identification card for access to federal facilities if such license or identification card is issued by a state that is compliant with the REAL ID Act of 2005 (Pub. L. 109–13), or by a state that has an extension for REAL ID compliance. NIST currently accepts other forms of federal-issued identification in lieu of a state-issued driver's license. For detailed information please contact Karen Startsman at *Karen.Startsman@nist.gov* or visit: *http://nist.gov/*public_affairs/visitor/.

Authority: 15 U.S.C. 278f.

Kevin A. Kimball,

Chief of Staff.

[FR Doc. 2018–26175 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Proposed Information Collection; Comment Request; NIST Entrance on Duty (EOD) System

AGENCY: National Institute of Standards and Technology, 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.

DATES: Written comments must be submitted on or before February 1, 2019.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 1401 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 Kellie Beall, NIST, 100 Bureau Drive, Gaithersburg, MD 20899, (301) 975–5643, *kbeall@nist.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

In an effort to streamline processes onboarding new employees and associates, the National Institute of Standards and Technology (NIST) is preparing to establish a new electronic based EOD (Enter on Duty) System to include automation of all of the necessary steps between applicant selection and reporting for duty, including completion of pre-employment and orientation paperwork by entering information through the EOD system. This EOD solution is intended to increase the efficiency with which new employees are hired by automating the provisioning process and alerting individuals as tasks are completed. The system will utilize an upfront information collection instrument which will subsequently populate information collection instrument(s) required of the incoming Federal employees and NIST Associates. Information requested will include personal identifying data including home address, date and place of birth, employer name and address, and basic security information. Once populated, the individual will be required to validate the information.

II. Method of Collection

Prior to entering on duty with NIST as a federal employee or associate, each new entrant will receive a communication from NIST requesting that he/she log in to the EOD system and verify/complete their personnel data. The communication will provide the relevant link and login information to the web based NIST EOD System.

The new entrant will log in to the EOD system and, based on the new entrant's federal employment or NIST associate category, will be presented with instructions and information regarding the data they will be required to supply. This initial information collection will then populate other required information collections which will be validated and electronically signed by the new entrant.

III. Data

OMB Control Number: New Collection. 0693–XXXX.

Form Number(s): None.

Type of Review: Regular submission.

Affected Public: Individuals seeking employment with NIST.

Estimated Number of Respondents: NIST estimates 4,300 new federal employees and NIST associates will be processed per year.

Estimated Time per Response: It is estimated that it will take 40 minutes to complete the data collection.

Estimated Total Annual Burden Hours: 4,300 × 40 minutes per responses = 2,866 burden hours.

Estimated Total Annual Cost to Public: There is no cost to the respondent.

IV. Request for Comments

NIST invites comments on: (a) 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; (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.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2018–26150 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG642

Fishing Capacity Reduction Program for the Southeast Alaska Purse Seine Salmon Fishery

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

ACTION: Notice of eligible voters; referendum voting period.

SUMMARY: NMFS issues this notice to inform persons of their eligibility to vote and the voting period for the proposed second fishing capacity reduction program loan in the Southeast Alaska Purse Seine Salmon Fishery. This notice informs the public of the permanent permit holders eligible to vote in the referendum. The referendum, if approved, will result in a loan of $10.1 million and permanently retire an additional 36 permits from the fishery.

DATES: Comments must be submitted on or before 5 p.m. EST January 2, 2019. The referendum voting period will start January 15, 2019 and end on February 14, 2019. Any votes not received by NMFS by 5 p.m. on February 14, 2019, will not be counted.

ADDRESSES: Send comments about this notice to Michael A. Sturtevant, Acting Chief, Financial Services Division, NMFS, Attn: SE Alaska Purse Seine Salmon Buyback, 1315 East-West Highway, Silver Spring, MD 20910 (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: Elaine Saiz at (301) 427–8752, fax (301) 713–1306, or *elaine.saiz@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Southeast Alaska purse seine salmon fishery is a commercial fishery in Alaska state waters and adjacent Federal waters. It encompasses the commercial taking of salmon with purse seine gear, and participation is limited to fishermen designated by the Alaska Commercial Fisheries Entry Commission (CFEC). Congress authorized a $23.5 million loan to finance a fishing capacity reduction program in the Southeast Alaska purse seine salmon fishery. NMFS published proposed program regulations on May 23, 2011 (76 FR 29707), and final program regulations on October 6, 2011 (76 FR 61986), to implement the reduction program. Interested persons should review these for further program details.

In 2012, NMFS conducted a referendum to determine the remaining fishermen's willingness to repay a $13.1 million fishing capacity reduction loan to remove 64 permits. After a majority of permit holders approved the loan, NMFS disbursed payments to the successful bidders and began collecting fees to repay the loan. Since only $13.1 million was expended from the total loan amount, $10.4 million remains available. This referendum, if approved, will result in a loan of $10.1 million and permanently retire an additional 36 permits from the fishery.

In June, 2018, the Southeast Revitalization Association submitted a capacity reduction plan to NMFS and NMFS approved the plan in November, 2018. The final regulations require NMFS to publish this notice before conducting a referendum to determine the industry's willingness to repay a fishing capacity reduction loan to purchase the permits identified in the reduction plan.

As of November 16, 2018, there are 315 permits in the fishery designated as S01A by CFEC. These permanent permit holders are eligible to vote in the referendum.

Comments may address: (1) Persons who appear on the list below but should not; (2) persons who do not appear on the list but should; (3) persons whose names and/or business mailing addresses are incorrect; and (4)any other pertinent matter. NMFS will update the list, as necessary, immediately before mailing referendum ballots. Mailed ballots will be accompanied by NMFS' detailed voting guidance.

II. Referendum Voting Period

The referendum voting period will start January 15, 2019 and end on February 14, 2019. Any votes not received by NMFS by 5 p.m. on February 14, 2019, will not be counted. The following list of eligible voters was provided by CFEC on November 13, 2018:

BILLING CODE 3510–22–P

Table 1: List of Eligible Voters

	Permit Holder Name	Permit Serial Number	Street	City	State	Zip Code	Country
1	ALBER, NINA L.	56173	BOX 111	CORDOVA	AK	99574	USA
2	ALEX, WAYNE E.	56609	BOX 20095	JUNEAU	AK	99802	USA
3	ALFIERI, MICHAEL JR.	59221	18120 196TH AVE SE	RENTON	WA	98058	USA
4	ALLBRETT, JASPER	56833	BOX 2223	SITKA	AK	99835	USA
5	ANDERSON, MARK T.	55435	49 NORTH STAR LN	FRIDAY HARBOR	WA	98250	USA
6	ANDERSON, NANCY	59997	BOX 34	CHEHALIS	WA	98532	USA
7	ANK, ROBERT	56299	19316 133RD PL SE	RENTON	WA	98058	USA
8	BABICH, ANDREW P.	56801	8306 25TH AVE CT NW	GIG HARBOR	WA	98332	USA
9	BABICH, MICHAEL	60873	13510 GOODNOUGH DR NW	GIG HARBOR	WA	98332	USA
10	BABICH, NICK A. JR.	55452	13310 PURDY DR NW	GIG HARBOR	WA	98332	USA
11	BACON, JAMES E.	58921	3357 S TONGASS HWY	KETCHIKAN	AK	99901	USA
12	BALOVICH, FRANK L.	58602	BOX 1396	SITKA	AK	99835	USA
13	BARKHOEFER, TY	56496	103 SCARLETT WAY	SITKA	AK	99835	USA
14	BARRY, DAVID	61628	BOX 6276	SITKA	AK	99835	USA
15	BARRY, JOHN W.	63280	800 HALIBUT POINT RD #C	SITKA	AK	99835	USA
16	BARTELDS, DALE A.	56507	301 WORTMAN LP	SITKA	AK	99835	USA
17	BEAUDIN, DAVID L.	55603	430 S BLACK AVE	BOZEMAN	MT	59715	USA
18	BECK, GLENN	56729	127 CLARKS FALL RD	ASHAWAY	RI	02804	USA
19	BECKER, ROBERT J.	56206	BOX 240238	DOUGLAS	AK	99824	USA
20	BENKMAN, WALTER	55659	10533 14TH AVE NW	SEATTLE	WA	98177	USA
21	BERITICH, GREGORY N.	56054	1810 23RD AVE CT SE	PUYALLUP	WA	98374	USA
22	BEZMALINOVIC, IVO R.	59235	1916 PIKE PL #1255	SEATTLE	WA	98101	USA
23	BLANDOV, BRIAN J. SR.	57897	BOX 436	METLAKATLA	AK	99926	USA
24	BLANKENSHIP, BRIAN V.	64176	4316 VALLHALLA DR	SITKA	AK	99835	USA
25	BLANKENSHIP, ERIC	56922	1808 EDGECUMBE DR	SITKA	AK	99835	USA
26	BLANKENSHIP, JEFF S.	56268	1709 HALIBUT POINT RD #12	SITKA	AK	99835	USA
27	BLANKENSHIP, PAUL V.	56055	500 LINCOLN ST #B6	SITKA	AK	99835	USA
28	BOROVINA, MICHAEL J.	57667	3616 COLBY #731	EVERETT	WA	98201	USA
29	BRANTUAS, JOHN C.	57940	BOX 1365	PETERSBURG	AK	99833	USA
30	BRIGHT, JARED	60484	BOX 61	PETERSBURG	AK	99833	USA
31	BRIGHT, TOBIAS N.	58105	BOX 2097	PETERSBURG	AK	99833	USA
32	BRISCOE, JIM	56245	1714 WILSON AVE	BELLINGHAM	WA	98225	USA
33	BRISCOE, ROBERT J. JR.	56014	1043 PEACE PORTAL DR	BLAINE	WA	98230	USA
34	BROADHEAD, WILLIAM T.	59507	BOX 221	WILSON	WY	83014	USA
35	BRUNSMAN, JAMES P.	62650	BOX 105	DAYVILLE	OR	97825	USA
36	BUECHE, JAKOB	63230	2023 E SIMS WAY #207	PORT TOWNSEND	WA	98368	USA
37	BUSCHMANN, CHRISTIAN	60001	BOX 898	PETERSBURG	AK	99833	USA
38	CANNON, TODD	58593	7612 190TH NE	ARLINGTON	WA	98271	USA
39	CARLE, ARLENE	58580	BOX 32	HYDABURG	AK	99922	USA
40	CARLE, JAN M.	60076	BOX 1	HYDABURG	AK	99922	USA
41	CARLE, JOHN	60110	BOX 1	HYDABURG	AK	99922	USA
42	CARLE, MATTHEW J. SR.	56070	BOX 32	HYDABURG	AK	99922	USA
43	CARROLL, WESTON J.	56359	BOX 3013	HOMER	AK	99603	USA
44	CASTLE, DANIEL F.	57678	4430 S TONGASS HWY	KETCHIKAN	AK	99901	USA
45	CASTLE, JAMES W.	56409	87 SHOUP ST	KETCHIKAN	AK	99901	USA
46	CHANEY, DOUGLAS W.	57153	11719 MADERA DR SW	LAKEWOOD	WA	98499	USA
47	CHENEY, SCOTT W.	61619	3512 FIDALGO BAY RD	ANACORTES	WA	98221	USA
48	CHRISTENSEN, CHARLES L.	56722	BOX 824	PETERSBURG	AK	99833	USA
49	CHRISTENSEN, DAVID B.	57498	7301 164TH PL SW	EDMONDS	WA	98026	USA
50	CISNEY, JOE A.	55657	994 REHBERG RD	GREENBANK	WA	98253	USA
51	CLIFTON, JAY	57906	3802 HALIBUT POINT RD	SITKA	AK	99835	USA
52	COCKRUM, RUSSELL L.	61617	5791 N TONGASS HWY	KETCHIKAN	AK	99901	USA
53	COLE, RALPH W.	56327	14084 MADRONA DR	ANACORTES	WA	98221	USA
54	CONNOR, WILLIAM H. JR.	61566	BOX 1124	PETERSBURG	AK	99833	USA
55	CORNWELL, CHRIS	55501	4220 CRYSTAL SPRINGS DR	BAINBRIDGE ISLAND	WA	98110	USA
56	COUNCILMAN, CRAIG L.	65483	11029 33RD DR SE	EVERETT	WA	98208	USA
57	CRANE, VERNON M.	61736	BOX 15368	FRITZ CREEK	AK	99603	USA
58	CROME, DANIEL J.	62606	BOX 1243	PETERSBURG	AK	99833	USA
59	CURRALL, TIMOTHY H.	58507	433 FRONT ST	KETCHIKAN	AK	99901	USA
60	CURRY, CLYDE	55389	BOX 572	PETERSBURG	AK	99833	USA
61	CURRY, JOHN H. JR.	56854	444 S STATE ST #409	BELLINGHAM	WA	98225	USA
62	CURRY, JULIANNE	55230	BOX 2182	PETERSBURG	AK	99833	USA
63	CURRY, LANCE E.	61174	2198 FERNDALE TER	FERNDALE	WA	98248	USA

	Permit Holder Name	Permit Serial Number	Street	City	State	Zip Code	Country
64	DAHL, JEROME E. JR.	57112	BOX 1275	PETERSBURG	AK	99833	USA
65	DEMMERT, ARCHIE W. III	57270	BOX 223	KLAWOCK	AK	99925	USA
66	DEMMERT, ARTHUR J. JR.	57741	BOX 125	CRAIG	AK	99921	USA
67	DEMMERT, CURTIS	60176	BOX 223	KLAWOCK	AK	99925	USA
68	DEMMERT, DAVID R. JR.	56339	BOX 6097	EDMONDS	WA	98026	USA
69	DEMMERT, KARL W.	57115	BOX 556	CRAIG	AK	99921	USA
70	DEMMERT, LAWRENCE E. JR.	57796	19425 27TH AVE NW	SHORELINE	WA	98177	USA
71	DEMMERT, LONNIE E. JR.	59987	BOX 2683	STANWOOD	WA	98292	USA
72	DEMMERT, MICHAEL	55660	BOX 391	CRAIG	AK	99921	USA
73	DEMMERT, NICHOLAS J.	58248	BOX 1132	CRAIG	AK	99921	USA
74	DEMMERT, STEVEN L.	59391	11700 MUKILTEO SPEEDWAY 201-1(	MUKILTEO	WA	98275	USA
75	DENKINGER, TROY	56193	2221 HALIBUT POINT RD	SITKA	AK	99835	USA
76	DENKINGER, TROY	58973	2221 HALIBUT POINT RD	SITKA	AK	99835	USA
77	DOBRYDNIA, RANDALL	59224	69 W MATTLE RD	KETCHIKAN	AK	99901	USA
78	DOBSZINSKY, KURT D.	58537	1989 DRAKE AVE	POINT ROBERTS	WA	98281	USA
79	DOBSZINSKY, LEIF	56403	BOX 752	FOX ISLAND	WA	98333	USA
80	DOBSZINSKY, MARK	60416	17002 12TH AVE SW	NORMANDY PARK	WA	98166	USA
81	DURGAN, RONALD C.	56278	BOX 340	CRAIG	AK	99921	USA
82	EDENSHAW, SIDNEY C.	55830	BOX 352	HYDABURG	AK	99922	USA
83	EICHNER, KEN	56262	5166 SHORELINE DR N	KETCHIKAN	AK	99901	USA
84	EIDE, L R.	61632	BOX 15	PETERSBURG	AK	99833	USA
85	EIDE, LANSING	60511	BOX 15	PETERSBURG	AK	99833	USA
86	EIDE, MITCHELL L.	55243	BOX 981	PETERSBURG	AK	99833	USA
87	EINARSON, ED	56252	9311 VALLEY VIEW RD	BLAINE	WA	98230	USA
88	ENLOE, GLENDA	58238	2609 HALIBUT POINT RD	SITKA	AK	99835	USA
89	ERICKSON, JEFF	55396	BOX 53	PETERSBURG	AK	99833	USA
90	ERTZBERGER, ROCKY L.	56309	BOX 298706	WASILLA	AK	99629	USA
91	ESQUIRO, GEORGE C.	60721	BOX 1993	PORT TOWNSEND	WA	98368	USA
92	ESQUIRO, IZAAK J.	60528	BOX 984	WARM SPRINGS	OR	97761	USA
93	EVENS, CHRIS R.	57894	BOX 886	PETERSBURG	AK	99833	USA
94	EVENS, CRAIG J.	60558	BOX 585	PETERSBURG	AK	99833	USA
95	EVENS, ERIC	55898	BOX 1412	PETERSBURG	AK	99833	USA
96	FARMER, JIM L.	57718	BOX 692	CRAIG	AK	99921	USA
97	FELLOWS, ROBERT E.	55228	266 E BAYVIEW AVE	HOMER	AK	99603	USA
98	FILE, MICHAEL A.	58928	BOX 1666	PETERSBURG	AK	99833	USA
99	FILE, SCOTT	55392	4515 TRAFALGAR	JUNEAU	AK	99801	USA
100	FLINN, CHRIS P.	65398	927 15TH ST	BELLINGHAM	WA	98225	USA
101	FOGLE, CHARLES P.	58044	5722 CAMPBELL LAKE RD	ANACORTES	WA	98221	USA
102	FRANKLIN, C.DAVID	59066	3401 W LAWTON ST	SEATTLE	WA	98199	USA
103	FRANKLIN, KYLE	58247	BOX 62	PETERSBURG	AK	99833	USA
104	FRANULOVICH, ANTHONY G.	56785	1302 N AVE	ANACORTES	WA	98221	USA
105	GAMBLE, GERALD M.	56099	3602 ENTRADA DR NE	OLYMPIA	WA	98506	USA
106	GEIST, RICHARD J.	56244	3401 W LAWTON ST	SEATTLE	WA	98199	USA
107	GENTHER, CYNTHIA	55457	3214 LILLY LAKE RD	BOW	WA	98232	USA
108	GEORGE, ANTHONY	57062	1916 LARRABEE AVE #B	BELLINGHAM	WA	98225	USA
109	GIAMBRONE, MATTHEW	57070	14775 VALLEY CREEK TRAIL S	AFTON	MN	55001	USA
110	GIBB, DEREK M.	55903	BOX 1845	PETERSBURG	AK	99833	USA
111	GIERARD, BRIAN M.	58386	BOX 7343	KETCHIKAN	AK	99901	USA
112	GILBERTSEN, MICHELLE D.	55317	19128 TRILOGY PARKWAY E	BONNEY LAKE	WA	98391	USA
113	GLAAB, GENE P.	56164	609 OJA ST	SITKA	AK	99835	USA
114	GLENOVICH, JAMES A.	58476	818 17TH ST	BELLINGHAM	WA	98225	USA
115	GLENOVICH, ROBERT P.	59601	480 S STATE ST #102	BELLINGHAM	WA	98225	USA
116	GOLDEN, JEFFREY J.	59571	8322 SILVER LAKE RD	MAPLE FALLS	WA	98266	USA
117	GOOD, STEVEN E.	60710	BOX 85540	SEATTLE	WA	98145	USA
118	GOSPODINOVIC, DENNIS	61548	5087 ZANDER DR	BELLINGHAM	WA	98226	USA
119	GRANBERG, KEVIN M.	59394	BOX 2002	PETERSBURG	AK	99833	USA
120	GREEN, KIRBY B.	57925	418 HIGHLAND DR #3	SEATTLE	WA	98109	USA
121	GREGG, RANDAL J.	59331	BOX 20373	JUNEAU	AK	99802	USA
122	GRIN, JEFFREY P.	56621	BOX 397	WRANGELL	AK	99929	USA
123	GROSS, BEN	58987	8012 POPPY CT	JUNEAU	AK	99801	USA
124	HALTINER, DEAN R.	60762	BOX 443	PETERSBURG	AK	99833	USA
125	HALTINER, ROBERT G.	56408	BOX 808	PETERSBURG	AK	99833	USA
126	HANSEN, KURT N.	55801	5266 35TH AVE NE	SEATTLE	WA	98105	USA
127	HANSON, BRET	56915	2916 ST CLAIR ST	BELLINGHAM	WA	98226	USA
128	HAYNES, BRADLEY S.	60572	243 W MATTLE RD	KETCHIKAN	AK	99901	USA
129	HAYNES, DANNY J.	56454	BOX 7036	KETCHIKAN	AK	99901	USA
130	HAYNES, GARY L.	55828	625 SUNSET DR	KETCHIKAN	AK	99901	USA
131	HAYWARD, BLAINE	57300	BOX 256	METLAKATLA	AK	99926	USA
132	HAYWARD, ROYCE L.	57901	BOX 161	METLAKATLA	AK	99926	USA
133	HENRY, RONALD R.	55833	2417 TONGASS AVE #111-141	KETCHIKAN	AK	99901	USA
134	HOFSTAD, ALBERT J.	55939	BOX 1030	PETERSBURG	AK	99833	USA
135	HOLMSTROM, MICHAEL G.	58862	17952 MCLEAN RD	MOUNT VERNON	WA	98273	USA
136	HUESTIS, STEPHEN B.	61590	12704 471ST AVE SE	NORTH BEND	WA	98045	USA
137	INGMAN, ROGER L.	57529	BOX 1155	SITKA	AK	99835	USA

	Permit Holder Name	Permit Serial Number	Street	City	State	Zip Code	Country
138	JACKINSKY, SARA L.	57345	BOX 1044	HOMER	AK	99603	USA
139	JACKLET, ALAN C.	58062	4521 325TH AVE NE	CARNATION	WA	98014	USA
140	JACKSON, JEFFREY S.	59496	3803 MCGINNIS DR	JUNEAU	AK	99803	USA
141	JAMES, GEORGE S. JR.	58513	13622 N 98TH AVE #K LIMA COURT	SUN CITY	AZ	85351	USA
142	JENNINGS, HOLLIS	57025	1900 W NICKERSON ST #116-7	SEATTLE	WA	98119	USA
143	JENSEN, BRAD A.	56400	813 52ND ST	PORT TOWNSEND	WA	98368	USA
144	JENSEN, ERIC D.	56143	17403 COLONY RD	BOW	WA	98232	USA
145	JENSEN, JEREMY C.	55611	2900 JACKSON RD	JUNEAU	AK	99801	USA
146	JERKOVICH, MARC E.	56607	3710 HARBORVIEW DR	GIG HARBOR	WA	98332	USA
147	JERKOVICH, NICK J. JR.	56659	3710 HARBORVIEW DR	GIG HARBOR	WA	98332	USA
148	JOHANSON, JOHN M.	58267	BOX 276	KLAWOCK	AK	99925	USA
149	JOHANSON, NICHOLAS C.	56347	1900 W NICKERSON ST #213	SEATTLE	WA	98119	USA
150	JOHANSON, RUDOLPH K.	56161	411 FRONT ST	KETCHIKAN	AK	99901	USA
151	JOHANSON, RUDY M.	57681	BOX 5120	KETCHIKAN	AK	99901	USA
152	JOHNS, LEROY E.	56434	BOX 1126	SISTERS	OR	97759	USA
153	JOHNSON, HANS A.	57756	520 14TH ST	BOULDER	CO	80302	USA
154	JOHNSON, JOSH	57699	103 HORIZON WAY	SITKA	AK	99835	USA
155	JOHNSON, MOSES P.	55404	1413 HALIBUT POINT RD	SITKA	AK	99835	USA
156	JOHNSON, RONALD C.	61616	BOX 2232	WRANGELL	AK	99929	USA
157	JONES, DAVID C.	59142	BOX 64	WINTHROP	WA	98862	USA
158	JONES, KENNETH G.	64527	4092 GINNETT RD	ANACORTES	WA	98221	USA
159	JURLIN, NICK JR.	60158	4622 E BRADFORD AVE	ORANGE	CA	92867	USA
160	KADAKE, DELBERT B. JR.	57725	BOX 554	KAKE	AK	99830	USA
161	KALK, ANDREW	56399	415 COLEMAN ST	JUNEAU	AK	99801	USA
162	KANDOLL, BRIAN W.	59192	BOX 1363	PETERSBURG	AK	99833	USA
163	KAPP, DARRELL G.	55673	338 BAYSIDE RD	BELLINGHAM	WA	98225	USA
164	KAPP, RYAN	58391	2202 TEAL CT	BELLINGHAM	WA	98229	USA
165	KAPP, TRAVIS	64528	4723 S PONDEROSA PK RD	PRESCOTT	AZ	86303	USA
166	KESTERSON, AARON	56995	8235 LUSK RD	CONCRETE	WA	98292	USA
167	KINNEY, MATTHEW Q.	55989	103 KRAMER AVE	SITKA	AK	99835	USA
168	KITTAMS, ANDREW W.	55341	BOX 1544	PETERSBURG	AK	99833	USA
169	KOETJE, JEFFREY A.	58557	18180 DUNBAR RD	MOUNT VERNON	WA	98273	USA
170	KOHLHASE, JASON	57333	10753 HORIZON DR	JUNEAU	AK	99801	USA
171	KVERNVIK, ADANNA	58048	BOX 1081	PETERSBURG	AK	99833	USA
172	KYLE, BEN A.	55813	2817 MARTIN ST	BELLINGHAM	WA	98226	USA
173	LANDON, SHON M.	57724	BOX 22	TOLEDO	WA	98511	USA
174	LEACH, LAUCHLIN	56330	2318 NE 105TH ST	SEATTLE	WA	98125	USA
175	LEEKLEY, ROBERT J.	60299	BOX 217	PETERSBURG	AK	99833	USA
176	LEESE, WILLIAM C.	56794	1014 HOYT AVE	EVERETT	WA	98201	USA
177	LIDDICOAT, JOHN	59395	4115 BAKER AVE NW	SEATTLE	WA	98107	USA
178	LINDBLOM, RICHARD L.	56144	2971 TILLICUM BEACH DR	CAMANO ISLAND	WA	98282	USA
179	LINDEMUTH, LONNIE M.	57282	BOX 2069	SNOHOMISH	WA	98291	USA
180	LOCKABEY, MICHAEL J.	57244	BOX 1542	WRANGELL	AK	99929	USA
181	LOVROVICH, GREGG	60719	5310 72ND AVE NW	GIG HARBOR	WA	98335	USA
182	LOVROVICH, TIM	61459	7021 120TH ST CT NW	GIG HARBOR	WA	98332	USA
183	LOVROVICH, TOM A.	58510	9705 JACOBSEN LN	GIG HARBOR	WA	98332	USA
184	LUNDQUIST, LOREN D.	58350	BOX 244	EASTSOUND	WA	98254	USA
185	MACIAS, ERIC	56397	1900 W NICKERSON ST # 116-82	SEATTLE	WA	98119	USA
186	MAGILL, FREDERICK S.	55299	BOX 444	PETERSBURG	AK	99833	USA
187	MAJORS, DANIEL A. JR.	57950	BOX 5358	KETCHIKAN	AK	99901	USA
188	MALICH, JOHN	58564	7809 OLYMPIC VIEW DR	GIG HARBOR	WA	98335	USA
189	MANDICH, VIC	61404	2800 MORAINE WAY	OXNARD	CA	93030	USA
190	MANNING, EDWARD N. JR.	57795	11170 RIDGERIM TRAIL SE	PORT ORCHARD	WA	98367	USA
191	MANOS, WILLIAM J.	56564	1566 KEKAULIKE AVE	KULA	HI	96790	USA
192	MARIFERN, BRUCE E.	57277	BOX 917	PETERSBURG	AK	99833	USA
193	MARKUSEN, JEFF	58500	9653 RONALD DR	BLAINE	WA	98230	USA
194	MARRESE, ANDREW B. JR.	58486	2442 NW MARKET ST PMB #411	SEATTLE	WA	98107	USA
195	MARSDEN, DANIEL M.	58512	BOX 15	METLAKATLA	AK	99926	USA
196	MARSH, KIRT O.	60058	BOX 1421	PETERSBURG	AK	99833	USA
197	MARTENS, J.CHERIE	55367	BOX 623	PETERSBURG	AK	99833	USA
198	MARTINEZ, MARTY J. JR.	57896	BOX 513	METLAKATLA	AK	99926	USA
199	MATHISEN, SIGURD R.	56389	BOX 1460	PETERSBURG	AK	99833	USA

	Permit Holder Name	Permit Serial Number	Street	City	State	Zip Code	Country
200	MATHISEN, WAYNE T.	57991	BOX 671	PETERSBURG	AK	99833	USA
201	MATSON, PAUL H.	56976	1752 NW MARKET ST #800	SEATTLE	WA	98107	USA
202	MCCAY, RODERICK D.	57722	BOX 161	PETERSBURG	AK	99833	USA
203	MCCOLLUM, KENT	57755	BOX 2096	PETERSBURG	AK	99833	USA
204	MCCULLOUGH, CHARLES	60545	BOX 707	PETERSBURG	AK	99833	USA
205	MCFADYEN, JEFFREY J.	55737	BOX 592	PETERSBURG	AK	99833	USA
206	MCILRAITH, ROBERT W.	57080	BOX 1515	EATONVILLE	WA	98328	USA
207	MEINERS, THOMAS M.	60652	BOX 21843	JUNEAU	AK	99802	USA
208	MILLER, AARON L.	60175	BOX 2144	PETERSBURG	AK	99833	USA
209	MILLER, JAMES L.	56708	BOX 1184	PETERSBURG	AK	99833	USA
210	MILLER, JASON L.	58789	BOX 1473	PETERSBURG	AK	99833	USA
211	MILLER, SPENCER G.	57905	241 W HAMPTON LN	OLYMPIA	WA	98512	USA
212	MOLLER, RICHARD D.	64994	BOX 1081	GIG HARBOR	WA	98332	USA
213	MOROVIC, DARKO L.	58355	BOX 756	WESTPORT	WA	98595	USA
214	MUNKRES, MATTHEW J.	56853	9508 N HARBORVIEW DR	GIG HARBOR	WA	98332	USA
215	MURPHY, KEVIN C.	55505	4492 S TONGASS	KETCHIKAN	AK	99901	USA
216	NAGAMINE, ROSS N.	58246	213 GARDEN LANE	KETCHIKAN	AK	99901	USA
217	NEBL, NIKOULAS A.	60054	3828 EVERGREEN AVE	KETCHIKAN	AK	99901	USA
218	NELSON, NORVAL E. JR.	58899	1625 FRITZ COVE RD	JUNEAU	AK	99801	USA
219	NEVERS, TODD	61134	712 SIRSTAD ST	SITKA	AK	99835	USA
220	NEWMAN, DONALD J.	58505	415 NW 120TH	SEATTLE	WA	98177	USA
221	NILSEN, YANCEY L.	55523	BOX 1822	PETERSBURG	AK	99833	USA
222	NUGENT, MARK J.	60509	BOX 5382	KETCHIKAN	AK	99901	USA
223	OLNEY.MILLER, BAE	57638	505 OCAIN ST	SITKA	AK	99835	USA
224	OLNEY.MILLER, NICK	55730	3006 BARKER ST	SITKA	AK	99835	USA
225	OLSON, NELS	58999	80872 S VALLEY RD	DUFUR	OR	97021	USA
226	ONEIL, DENNIS J.	57990	BOX 1083	PETERSBURG	AK	99833	USA
227	ONEIL, PATRICK	55388	349 RAVEN HILL RD	LOPEZ ISLAND	WA	98261	USA
228	OTNESS, ALAN D.	61440	BOX 317	PETERSBURG	AK	99833	USA
229	OTNESS, NELS K. III	56304	BOX 2058	PETERSBURG	AK	99833	USA
230	PATRICK, KELLAN	57194	521B 20TH AVE	SEATTLE	WA	98122	USA
231	PATRICK, KEVIN C.	56423	2888 S 355TH ST	FEDERAL WAY	WA	98003	USA
232	PATTERSON, DREW	57717	BOX 897	CRAIG	AK	99921	USA
233	PAWLAK, THOMAS R.	57669	1900 W NICKERSON #116-203	SEATTLE	WA	98119	USA
234	PECKHAM, JOHN P.	55481	BOX 8394	KETCHIKAN	AK	99901	USA
235	PEELER, ALFRED W.	60605	BOX 761	PETERSBURG	AK	99833	USA
236	PEELER, JUSTIN	56148	BOX 184	SITKA	AK	99835	USA
237	PETERMAN, BRUCE	59306	4139 WOODLAND ST	SANTA MARIA	CA	93455	USA
238	PETERSON, MCKENNA	61414	BOX 3982	KETCHUM	ID	83340	USA
239	PETERSON, STEVE E.	55395	BOX 550	VASHON	WA	98070	USA
240	PETTICREW, CHARLES J. SR.	60800	BOX 971	WRANGELL	AK	99929	USA
241	PFUNDT, ALEC	57851	BOX 1342	PETERSBURG	AK	99833	USA
242	PFUNDT, BRYON	58936	BOX 1162	PETERSBURG	AK	99833	USA
243	PHILLIPS, JEB	61551	BOX 1253	PETERSBURG	AK	99833	USA
244	PHIPPEN, KENNETH S.	57895	312 TILSON ST	SITKA	AK	99835	USA
245	PIECUCH, CHARLES R.	56077	4737 4TH AVE NE	SEATTLE	WA	98105	USA
246	PIECUCH, JUSTIN J.	60056	1923 NE LAURIE VIEW	POULSBO	WA	98370	USA
247	PIPES, JACOB E.	56391	2442 NW MARKET ST PMB 527	SEATTE	WA	98107	USA
248	PORTER, RONALD F.	55937	BOX 957	WARD COVE	AK	99928	USA
249	PURATICH, JOSEPH M.	55385	BOX 272	GIG HARBOR	WA	98335	USA
250	PURATICH, ROBERT J.	59736	BOX 1223	GIG HARBOR	WA	98335	USA
251	PYLE, DAVID P.	60282	17423 SCHALIT WAY	LAKE OSWEGO	OR	97035	USA
252	RABB, IAN	58318	753 1/2 ST. ANNS AVE	DOUGLAS	AK	99824	USA
253	RAMSEY, JAMISON T.	63735	BOX 9631	KETCHIKAN	AK	99901	USA
254	RECORDS, RONALD J. JR.	57723	BOX 1345	CRAIG	AK	99921	USA
255	ROBERTS, DARREN W.	59248	111 S 44TH ST	BELLINGHAM	WA	98229	USA
256	ROBERTS, RALPH W.	60693	BOX 1957	PORT HARDY	BC	V0N2P0	Canada
257	ROCHELEAU, RICK B.	59031	BOX 631	SITKA	AK	99835	USA
258	ROOD, RICHARD C.	55955	BOX 3466	LYNNWOOD	WA	98046	USA
259	ROONEY, JASON M.	55588	BOX 307	WRANGELL	AK	99929	USA
260	ROSTAD, PAUL D.	55338	BOX 183	KAKE	AK	99830	USA
261	ROSVOLD, ERIC O.	59035	BOX 1144	PETERSBURG	AK	99833	USA
262	SAVLAND, STANLEY J.	60512	BOX 621	HOONAH	AK	99829	USA
263	SCHAUB, AMY	58836	500 BAWDEN ST	KETCHIKAN	AK	99901	USA
264	SCHWANTES, J.CARLOS	58197	BOX 2335	SITKA	AK	99835	USA
265	SEABECK, KEVIN J.	61447	8555 30TH NW	SEATTLE	WA	98117	USA
266	SEVERSON, AARON	60508	BOX 507	PETERSBURG	AK	99833	USA
267	SEVERSON, MARK	60655	BOX 1502	PETERSBURG	AK	99833	USA
268	SIMERKA, JAY	65418	1929 SHERIDAN ST	PORT TOWNSEND	WA	98368	USA
269	SIMPSON, BRIAN	59362	3104 PLYMOUTH DR	BELLINGHAM	WA	98225	USA
270	SLAVEN, GARY A.	60374	BOX 205	PETERSBURG	AK	99833	USA
271	SORENSEN, DAVID E.	55233	9825 SUNRISE BEACH DR NW	GIG HARBOR	WA	98332	USA
272	STEVENS, MARK C.	60488	BOX 863	WRANGELL	AK	99929	USA
273	STEWART, RANDY L.	56672	11374 WALKER RD	MOUNT VERNON	WA	98273	USA
274	STROOSMA, SVEN	58503	18273 W BIG LAKE BLVD	MOUNT VERNON	WA	98274	USA
275	SVENSON, MICHAEL W. JR.	63826	104 SHARON DR	SITKA	AK	99835	USA

Permit Holder Name	Permit Serial Number	Street	City	State	Zip Code	Country
276 SVENSON, MIKE W.	56237	104 SHARON DR	SITKA	AK	99835	USA
277 SWANSON, JOHN R.	55928	BOX 1546	PETERSBURG	AK	99833	USA
278 SWANSON, ROBERT L.	56940	BOX 924	PETERSBURG	AK	99833	USA
279 SWEIGERT, JONATHAN N.	58109	4305 SE COOPER	PORTLAND	OR	97206	USA
280 TANAKA, RICHARD D.	57716	BOX 2345	PORT HARDY	BC	V0N2P0	Canada
281 THAIN, TANNER	63109	BOX 824	CRAIG	AK	99921	USA
282 THOMAS, NYLE D.	57862	BOX 1744	PETERSBURG	AK	99833	USA
283 THOMASSEN, JAY R.	60201	BOX 1451	PETERSBURG	AK	99833	USA
284 THOMASSEN, STEVEN H. JR.	55967	BOX 424	WRANGELL	AK	99929	USA
285 THOMASSEN, TROY R.	55489	BOX 152	PETERSBURG	AK	99833	USA
286 THORSTENSON, MAGNUS	55974	829 GOLDBELT AVE	JUNEAU	AK	99801	USA
287 THORSTENSON, ROBERT M. JR.	55582	410 CALHOUN AVE	JUNEAU	AK	99801	USA
288 THYNES, DEREK M.	56788	BOX 1624	PETERSBURG	AK	99833	USA
289 TISSYCHY, JAMES A.	56504	554 EAST ST	KETCHIKAN	AK	99901	USA
290 TREINEN, CHARLES W.	60055	2054 ARLINGTON DR	ANCHORAGE	AK	99517	USA
291 TROKA, PAUL J.	59203	8602 SOBEK LN	CONCRETE	WA	98237	USA
292 UNDERHILL, JOHN E.	58297	BOX 1012	SITKA	AK	99835	USA
293 VAUGHAN, HOUSTON	57719	BOX 770	CRAIG	AK	99921	USA
294 VAUGHAN, JAMES	58807	BOX 770	CRAIG	AK	99921	USA
295 VAUGHAN, KELVIN	56619	BOX 1256	CRAIG	AK	99921	USA
296 VEITEHANS, GREGORY K.	57703	210 24TH ST	PORT TOWNSEND	WA	98368	USA
297 VELER, WILLIAM	58051	BOX 387	HOONAH	AK	99829	USA
298 VERSTEEG, KORY	56296	BOX 1775	PETERSBURG	AK	99833	USA
299 VINCENTZ, GARRET T.	56147	BOX 1572	WARD COVE	AK	99928	USA
300 WALTZ, JAMES T.	57898	1418 191ST DR SE	SNOHOMISH	WA	98290	USA
301 WARFEL, FRANK W.	56371	BOX 1512	WRANGELL	AK	99929	USA
302 WARTMAN, ADAM	57228	2144 NW 204TH ST	SHORELINE	WA	98177	USA
303 WEYNANDS, MICHAEL	55723	13090 BRIDGEVIEW WAY	MOUNT VERNON	WA	98273	USA
304 WHITETHORN, LUKE J.	60267	BOX 1716	PETERSBURG	AK	99833	USA
305 WILLIAMS, MARY A.	57721	BOX 103	KAKE	AK	99830	USA
306 WINROD, NOE	60180	BOX 1056	CRAIG	AK	99921	USA
307 WINROD, TITUS	58045	BOX 1291	CRAIG	AK	99921	USA
308 WRIGHT, FRANK JR.	55964	BOX 497	HOONAH	AK	99829	USA
309 WYMAN, PHILLIP R.	55164	BOX 2507	SITKA	AK	99835	USA
310 WYMAN, SETH K.	59640	5024 ROBINWOOD LN	BOW	WA	98232	USA
311 YOUNG, LAWRENCE	55663	224 MAKA HOU LP	WAILUKU	HI	96793	USA
312 YOUNG, MARK N.	58490	BOX 2016	SITKA	AK	99835	USA
313 YSTAD, CHRIS	60177	104 CHIRIKOV DR	SITKA	AK	99835	USA
314 ZUANICH, ANDY	57288	812 W CONNECTICUT ST	BELLINGHAM	WA	98225	USA
315 ZUANICH, SHIRLEY	58102	812 W CONNECTICUT ST	BELLINGHAM	WA	98225	USA

Dated: November 27, 2018.

Brian T. Pawlak,

CFO/Director, Office of Management and Budget, National Marine Fisheries Service.

[FR Doc. 2018–26178 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–22–C

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG641

Fishing Capacity Reduction Program for the Pacific Coast Groundfish Fishery

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

ACTION: Notice of fee rate adjustment.

SUMMARY: NMFS issues this notice to decrease the fee rate to 4.0 percent for the Pacific Coast Groundfish fee-share fishery to repay the $28,428,719 groundfish sub-loan of the $35,662,471 reduction loan that financed the Pacific Coast Groundfish fishing capacity reduction program. NMFS annually recalculates the fee rate that will be reasonably necessary to ensure reduction loan repayment within the specified 30-year term. NMFS has determined that the current fee rate of 4.5 percent for the groundfish fishery is projected to collect more than the annual amortization amount needed for 2019.

DATES: The fee rate decrease for The Pacific Coast Groundfish Fishery program will begin on landings starting January 1, 2019. The first due date for fee payments with the decreased rate will be February 14, 2019.

ADDRESSES: Send questions about this notice to Michael A. Sturtevant, Acting Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910–3282.

FOR FURTHER INFORMATION CONTACT: Elaine Saiz, (301) 427–8752 or *elaine.saiz@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Background Sections 312(b) through (e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(b) through (e)) generally authorizes fishing capacity reduction programs. In particular, section 312(d) authorizes industry fee systems for repaying reduction loans that finance reduction program. Subpart L of 50 CFR part 600 is the framework rule generally implementing section 312(b) through (e). Sections 1111 and 1112 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1279f and 1279g) generally authorizes reduction loans.

Enacted on February 20, 2003, section 212 of Division B, Title II, of Public Law 108–7 (section 212) specifically authorizes a fishing capacity reduction program for the limited entry trawl fishery under the Pacific Coast Groundfish Fishery Management Plan whose permits, excluding those registered to whiting catcher-processors, are endorsed for trawl gear operation (reduction fishery).

The objective of the reduction program was to reduce the number of vessels and permits endorsed for the operation of groundfish trawl gear. The program also involved corollary fishing capacity reduction in the California, Oregon, and Washington fisheries for Dungeness crab and pink shrimp and the sub-loans for these state fisheries have all been repaid.

NMFS proposed the implementing notice on May 28, 2003 (68 FR 31653) and published the final notice on July 18, 2003 (68 FR 42613). NMFS disbursed a $28,428,719 reduction loan

repayable by fees from the groundfish fishery. NMFS published in the **Federal Register** on July 13, 2005 (70 FR 40225), the final rule to implement the industry fee system for repaying the program's reduction loan. The regulations implementing the program are located at § 600.1012 of 50 CFR part 600 subpart M. On August 8, 2005, NMFS published, in the **Federal Register** (70 FR 45695), a notice of the fee effective date and established September 8, 2005 as the effective date when fee collection and loan repayment began.

II. Purpose

The purpose of this notice is to adjust, in accordance with § 600.1013(b), the fee rate for the groundfish fishery. Section 600.1013(b) directs NMFS to recalculate the fee rate that will be reasonably necessary to ensure reduction loan repayment within the specified 30-year term. NMFS has determined that the current fee rate of 4.5 percent for the groundfish fishery is projected to collect more than the annual amortization amount needed for 2019. Therefore, NMFS is decreasing the fee rate to 4.0 percent for all landings beginning January 1, 2019. As of November 16, 2018, the outstanding balance on the groundfish fishery sub-loan was $21,075,537.

Fish buyers may continue to disburse collected fee deposits to NMFS by using *www.pay.gov (http://www.pay.gov)* or mail payments to NOAA Fisheries Pacific Coast Groundfish Buyback, P.O. Box 979059, St. Louis, MO 63197–9000. Fish buyers must include the fee collection report with the fee payment. Fish buyers using *www.pay.gov (http://www.pay.gov* will find an electronic fee collection report form. Fish buyers not using *www.pay.gov* may also access the NMFS website for a copy of the fee collection report at: *https://www.fisheries.noaa.gov/national/funding-and-financial-services/pacific-coast-groundfish-buyback.*

III. Notice

The new 4.0 percent fee rate for the groundfish fishery will begin for all landings starting January 1, 2019. After this date, all groundfish-program fish sellers paying fees fishery shall begin paying groundfish program fees at the revised rate. After this date, all fees received by NMFS for the groundfish fishery shall be subject to the new fee rates regardless of the applicable fee month. The first due date for fee payments with the decreased rate will be February 14, 2019.

Fee collection and submission shall follow previously established methods in § 600.1013 of the framework rule and in the final fee rule published in the **Federal Register** on July 13, 2005 (70 FR 40225).

Authority: The authority for this action is Pub. L. 107 206, Pub. L. 108 7, 16 U.S.C. 1861a (b) through (e), and 50 CFR 600.1000 *et seq.*

Dated: November 28, 2018.

Samuel D. Rauch III,

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

[FR Doc. 2018–26207 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG649

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting (webinar).

SUMMARY: The Pacific Fishery Management Council's (Pacific Council) Ad Hoc Ecosystem Workgroup (EWG) will hold a webinar, which is open to the public.

DATES: The webinar meeting will be held on Tuesday, December 18, 2018, starting at 9:30 a.m. and will continue until 11:30 a.m.

ADDRESSES: The meeting will be held via webinar. A public listening station is available at the Pacific Council office (address below). To attend the webinar (1) join the meeting by visiting this link *http://www.gotomeeting.com/online/webinar/join-webinar,* (2) enter the Webinar ID: 543–769–955, and (3) enter your name and email address (required). After logging in to the webinar, please (1) dial this TOLL number 1–415–655–0060 (not a toll-free number), (2) enter the attendee phone audio access code 360–408–262, and (3) then enter your audio phone pin (shown after joining the webinar). NOTE: We have disabled Mic/Speakers as an option and require all participants to use a telephone or cell phone to participate. Technical Information and system requirements: PC-based attendees are required to use Windows® 7, 8, 10, Vista, or XP; Mac®-based attendees are required to use Mac OS® X 10.5 or newer; Mobile attendees are required to use iPhone®, iPad®, Android™ phone or Android tablet (See *https://www.gotomeeting.com/webinar/ipad-iphone-android-webinar-apps*). You may send an email to Mr. Kris Kleinschmidt at *Kris.Kleinschmidt@noaa.gov* or contact him at 503–820–2280, extension 411 for technical assistance.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: Dr. Kit Dahl, Pacific Council; telephone: (503) 820–2422.

SUPPLEMENTARY INFORMATION: The purpose of this webinar is for the EWG to receive presentations on completed climate change scenario planning exercises and discuss application of these methods as part of the Pacific Council's Climate and Communities Initiative.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt, (503) 820–2411, at least 10 business days prior to the meeting date.

Dated: November 28, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–26186 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG650

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will

hold its 175th Council meeting by teleconference and webinar to take actions on fishery management issues in the Western Pacific Region. The Council will also hold a meeting of the Protected Species Advisory Committee (PSAC) by teleconference and webinar.

DATES: The meetings will be held on December 17, 2018. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meetings will be held by teleconference and webinar. The teleconference numbers are: U.S. toll-free: (888) 482–3560 or International Access: +1(647) 723–3959, and Access Code: 5228220; the webinar can be accessed at: *https://wprfmc.webex.com/join/info.wpcouncilnoaa.gov.* The following venue also will be a host site for the PSAC meeting teleconference: Council Conference Room, 1164 Bishop Street, Suite 1400, Honolulu, HI. The following venues will also be host sites for the 175th Council Meeting teleconference: Council Conference Room, 1164 Bishop Street, Suite 1400, Honolulu, HI; Native American Samoa Advisory Council Office Conference Room, Pava'ia'i Village, Pago Pago, American Samoa; Guam Hilton Resort and SPA, 202 Hilton Road, Tumon Bay, Guam; Department of Land and Natural Resources Conference Room, Lower Base Drive, Saipan, MP.

FOR FURTHER INFORMATION CONTACT: Contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The PSAC meeting will be held between 9 a.m. and 11 a.m. on December 17, 2018 (Hawaii Standard Time (HST)). The 175th Council Meeting will be held on December 17, 2018, between 12 p.m. and 2 p.m. (HST); 11 a.m. and 1 p.m. (American Samoa Standard Time (ASST)); and December 18, 2018, between 8 a.m. and 10 a.m. (Marianas Standard Time (MST)). Agenda items noted as ''Final Action Items'' refer to actions that result in Council transmittal of a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under sections 304 or 305 of the MSA. Opportunities to present oral public comment will be provided throughout the agendas. The order in which agenda items is addressed may change and will be announced in advance at the meetings. The meetings may run past the scheduled times noted above to complete scheduled business.

Background documents for the 175th Council meeting will be available at *http://www.wpcouncil.org.* Written public comments for the 175th Council meeting should be received at the Council office by 5 p.m. (HST), December 13, 2018, and should be sent to Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813; fax: (808) 522–8226; or email: *info.wpcouncil@noaa.gov.*

Agenda for the PSAC Meeting

Monday, December 17, 2018, 9 a.m. to 11 a.m. (HST)

1. Welcome and Introductions
2. Approval of Agenda
3. Status of the Fifth Protected Species Advisory Committee Meeting Recommendations
4. Managing Loggerhead and Leatherback Sea Turtle Interactions in the Hawaii-based Shallow-set Longline Fishery
5. 2020–24 Research Priorities
6. Public Comment
7. Committee Discussion and Recommendations
8. Other Business and Next Meeting

Agenda for 175th Council Meeting

Monday, December 17, 2018, 12 p.m.–2 p.m. (HST); Monday, December 17, 2018, 11 a.m.–1 p.m. (ASST); Tuesday, December 18, 2018, 8 a.m.–10 a.m. (MST)

1. Welcome and Introductions
2. Approval of the 175th Agenda
3. Managing Loggerhead and Leatherback Sea Turtle Interactions in the Hawaii-based Shallow-set Longline Fishery (Final Action Item)
4. Protected Species Advisory Committee Report and Recommendations
5. Public Comment
6. Council Discussion and Recommendations
7. Other Business

Non-emergency issues not contained in this agenda may come before the Council for discussion and formal Council action during the 175th meeting. However, Council action on regulatory issues will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: November 28, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–26185 Filed 11–30–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Uniform Formulary Beneficiary Advisory Panel; Notice of Federal Advisory Committee Meeting

AGENCY: Under Secretary of Defense for Personnel and Readiness, Uniform Formulary Beneficiary Advisory Panel, Department of Defense.

ACTION: Notice of federal advisory committee meeting.

SUMMARY: The Department of Defense (DoD) is publishing this notice to announce that the following Federal Advisory Committee meeting of the Uniform Formulary Beneficiary Advisory Panel will take place.

DATES: Open to the public Thursday January 10, 2019 from 9:00 a.m. to 12:00 p.m.

ADDRESSES: The address of the open meeting is the Naval Heritage Center Theater, 701 Pennsylvania Avenue NW, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Colonel Paul J. Hoerner, USAF, 703–681–2890 (Voice); None (Facsimile); dha.ncr.j-6.mbx.baprequests@mail.mil (Email). Mailing address is 7700 Arlington Boulevard, Suite 5101, Falls Church, VA 22042–5101. Website: *https://health.mil/bap.* The most up-to-date changes to the meeting agenda can be found on the website.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.140 and 102–3.150.

The Panel will review and comment on recommendations made to the Director of the Defense Health Agency, by the Pharmacy and Therapeutics Committee, regarding the Uniform Formulary.

Purpose of the Meeting: The Department of Defense is publishing

this notice to announce a Federal Advisory Committee meeting of the Uniform Formulary Beneficiary Advisory Panel (hereafter referred to as the Panel) will take place.

Agenda:

1. Sign-In
2. Welcome and Opening Remarks
3. Scheduled Therapeutic Class Reviews (Comments will follow each agenda item)
   a. Neurological Agents Miscellaneous—Movement Disorders
   b. Gastrointestinal-2 Agents—Miscellaneous
   c. Gastrointestinal-2 Agents—CIC and IBS–C
4. Newly Approved Drugs Review
5. Pertinent Utilization Management Issues
6. Panel Discussions and Vote

Meeting Accessibility: Pursuant to 5 U.S.C. 552b, as amended, and 41 Code of Federal Regulations (CFR) 102–3.140 through 102–3.165, and the availability of space, this meeting is open to the public. Seating is limited and will be provided only to the first 220 people signing-in. All persons must sign-in legibly.

Written Statements: Pursuant to 41 CFR 102–3.140, the public or interested organizations may submit written statements to the membership of the Panel about its mission and/or the agenda to be addressed in this public meeting. Written statements should be submitted to the Panel's Designated Federal Officer (DFO). The DFO's contact information can be obtained previously in this announcement. Written comments or statements 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 Panel for its consideration prior to the meeting. The DFO will review all submitted written statements and provide copies to all the committee members.

Dated: November 28, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–26188 Filed 11–30–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Grant Exclusive Patent License; Vedevo, Inc

AGENCY: Department of the Navy, DoD.

ACTION: Notice of intent to grant license.

SUMMARY: The Department of the Navy hereby gives notice of its intent to grant to Vedevo, Inc. (Capitola, CA) a revocable, nonassignable, exclusive license to practice in the field of use of data compression method for use in still images, in the field of use of data compression method for use in video streaming, in the field of use of data compression method for use in digital signal processing, in the field of use of data compression method for use in computer graphics, in the field of use of data compression method for use in video games, in the field of use of data compression method for use in virtual reality, in the field of use of data compression method for use in medical imaging & diagnostics, in the field of use of data compression method for use in data storage, in the field of use of data compression method for use in security systems, and in the field of use of data compression method for use in numerical methods, the Government-Owned invention described in U.S. Patent No. 8,526,746 issued September 3, 2013 titled ''NEAR-LOSSLESS DATA COMPRESSION METHOD USING NONUNIFORM SAMPLING.''

DATES: Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than December 18, 2018.

ADDRESSES: Written objections are to be filed with the Office of Research and Technology Applications, Naval Postgraduate School, Research and Sponsored Programs Office, NPS Code 41, 699 Dyer Road, Bldg. HA, Room 226, Monterey, CA 93943.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah Buettner, Director, Research and Sponsored Programs Office, NPS Code 41, 699 Dyer Road, Bldg. HA, Room 226, Monterey, CA 93943, telephone 831–656–7893. Due to U.S. Postal delays, please fax 831–656–2038, email: *dbuettne@nps.edu* or use courier delivery to expedite response.

Authority: 35 U.S.C. 209(e); 37 CFR 404.7

Dated: November 28, 2018.

Meredith Steingold Werner,

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

[FR Doc. 2018–26212 Filed 11–30–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0125]

Agency Information Collection Activities; Comment Request; Study of State Implementation of the Unsafe School Choice Option

AGENCY: Office of Planning, Evaluation, and Policy Development (OPEPD), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before February 1, 2019.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2018–ICCD–0125. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 550 12th Street SW, PCP, Room 9089, Washington, DC 20202–0023.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Erica Lee, 202–260–1463.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection

necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Study of State Implementation of the Unsafe School Choice Option.

OMB Control Number: 1875–NEW.

Type of Review: A new information collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 56.

Total Estimated Number of Annual Burden Hours: 98.

Abstract: The purpose of this study is to examine state implementation of federal requirements to provide an Unsafe School Choice Option (USCO) that permits students attending a persistently dangerous public elementary or secondary school, or students who become victims of a violent criminal offense while in or on the grounds of a public school that they attend, be allowed to attend a safe public school within the school district, including a public charter school. The U.S. Department of Education (Department) has never conducted such a study. Given ongoing, cross-Federal-agency efforts to help ensure students are safe in school, it is essential for the Department to understand how State Educational Agencies (SEAs) are implementing the USCO requirements.

Dated: November 28, 2018.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–26163 Filed 11–30–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0127]

Agency Information Collection Activities; Comment Request; National Longitudinal Transition Study 2012 Phase II

AGENCY: Institute of Education Sciences (IES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before February 1, 2019.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2018–ICCD–0127. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 550 12th Street SW, PCP, Room 9089, Washington, DC 20202–0023.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Yumiko Sekino, 202–374–0936.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: National Longitudinal Transition Study 2012 Phase II.

OMB Control Number: 1850–0882.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 21,757.

Total Estimated Number of Annual Burden Hours: 13,345.

Abstract: The National Longitudinal Transition Study 2012 (NLTS 2012) is the third in a series of studies being conducted by the U.S. Department of Education (ED), with the goal of describing the characteristics, secondary school experiences, transition, and outcomes of youth who receive special education services under IDEA. Phase II of NLTS 2012 will utilize high school and post-high school administrative records data to collect information in three broad areas important to understanding outcomes for youth with disabilities: (1) High school course-taking and completion (2) post-secondary education and training, and (3) employment and earnings after high school. Phase II collected information will build on a survey of a nationally representative set of students with and without IEPs from Phase I of the study to address the following questions:

- To what extent do youth with disabilities who receive special education services under IDEA make progress through high school compared with other youth, including those identified for services under Section 504 of the Rehabilitation Act? For students with disabilities, has high school course taking and completion rates changed over the past few decades?
- Are youth with disabilities achieving the post-high school outcomes envisioned by IDEA, and how do their college, training, and employment rates compare with those of other youth?
- How do these high school and postsecondary experiences and outcomes vary by student characteristics, including their disability category, age, sex, race/ethnicity, English Learner status, income status, and type of high school attended (including regular public school, charter school, career/technical school, special education school, or other State or Federally-operated institution)?

The NLTS 2012 sample includes 21,959 students ranging in age from 13 to 21 in December 2011. The sample was selected to include sufficient number of students in each of the 12

federally defined disability categories, and adequate number of students without disabilities, including both students with a Section 504 plan and students with neither an IEP nor a Section 504 plan. To meet the study's objective, data will be collected from the following sources: (1) School district administrative records, including transcripts, from districts participating in NLTS 2012; (2) postsecondary enrollment information through the National Student Clearinghouse, (3) student financial aid data from ED's Federal Student Aid Office (FSA), (4) employment and earnings data from the Social Security Administration (SSA); and (5) information about vocational rehabilitative services and supports youth received from ED's Rehabilitative Services Administration (RSA). Data collection activities expected to result in public burden are the collection of administrative data from school districts and requests for consent from sample members and their parents.

Dated: November 28, 2018.

Stephanie Valentine,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–26197 Filed 11–30–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5867–053]

Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process: Alice Falls Hydro, LLC

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 5867–053.

c. *Date Filed:* September 28, 2018.

d. *Submitted By:* Alice Falls Hydro, LLC.

e. *Name of Project:* Alice Falls Hydroelectric Project.

f. *Location:* On the Ausable River, in Clinton and Essex Counties, New York. The project does not occupy federal lands.

g. *Filed Pursuant to:* 18 CFR 5.3 of the Commission's regulations.

h. *Applicant Contact:* Michael Scarzello, Eagle Creek Renewable Energy, LLC, 116 N State Street, Neshkoro, WI 54960–0167; (973) 998–8400; email—*michael.scarzello@eaglecreekre.com.*

i. *FERC Contact:* Monir Chowdhury at (202) 502–6736; or email at *monir.chowdhury@ferc.gov.*

j. Alice Falls Hydro, LLC (Alice Falls Hydro) filed its request to use the Traditional Licensing Process on September 28, 2018. Alice Falls Hydro provided public notice of its request on September 22, 2018. In a letter dated November 27, 2018, the Director of the Division of Hydropower Licensing approved Alice Falls Hydro's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; and NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery and Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the New York State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Alice Falls Hydro as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act; and consultation pursuant to section 106 of the National Historic Preservation Act.

m. Alice Falls Hydro filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the Keeseville Free Library, 1721 Front Street, Keeseville, NY 12944.

o. Alice Falls Hydro states its unequivocal intent to submit an application for a new license for Project No. 5867. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by September 30, 2021.

p. Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: November 27, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26200 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER19–396–000]

AES Shady Point, LLC; Supplemental Notice That Initial Market-Based Rate Filing Includes Request for Blanket Section 204 Authorization

This is a supplemental notice in the above-referenced proceeding of AES Shady Point, LLC's application for market-based rate authority, with an accompanying rate tariff, noting that such application includes a request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability.

Any person desiring to intervene or to protest should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

Notice is hereby given that the deadline for filing protests with regard to the applicant's request for blanket authorization, under 18 CFR part 34, of future issuances of securities and assumptions of liability, is December 17, 2018.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling

link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The filings in the above-referenced proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: November 27, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–26155 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. EL19–22–000]

Missouri Basin Municipal Power Agency; Notice of Request for Waiver

Take notice that on November 21, 2018, pursuant to section 292.402(a) of the Federal Energy Regulatory Commission's (Commission) regulations, 18 CFR 292.402(a)(2018), Missouri Basin Municipal Power Agency submitted a request for waiver of certain obligations imposed by sections 292.303(a) and 292.303(b) of the Commission's regulations, implementing section 210 of the Public Utility Regulatory Policies Act of 1978, as amended.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible online at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5:00 p.m. Eastern time on December 12, 2018.

Dated: November 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26120 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

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

Docket Numbers: EC19–30–000.
Applicants: Energia Sierra Juarez 2 U.S., LLC, Energia Sierra Juarez U.S., LLC.
Description: Application for Authorization Under Section 203 of the Federal Power Act, et al. of Energia Sierra Juarez 2 U.S., LLC, et al.
Filed Date: 11/26/18.
Accession Number: 20181126–5114.
Comments Due: 5 p.m. ET 12/17/18.

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

Docket Numbers: ER10–1626–009.
Applicants: Tenaska Virginia Partners, L.P.
Description: Notification of Change in Status of Tenaska Virginia Partners, L.P.
Filed Date: 11/26/18.
Accession Number: 20181126–5124.
Comments Due: 5 p.m. ET 12/17/18.

Docket Numbers: ER11–3980–004; ER10–2294–005; ER11–3808–004; ER13–2103–002; ER13–2414–001; ER13–413–005; ER13–534–004; ER15–2330–001; ER16–131–001; ER17–2471–002; ER17–2472–002; ER18–301–001; ER18–664–001.
Applicants: ORNI 14 LLC, ORNI 18 LLC, ORNI 39 LLC, Mammoth One, LLC, ORNI 47 LLC, Mammoth Three LLC, ORNI 37 LLC, Heber Geothermal Company LLC, ONGP LLC, ORNI 43 LLC, Ormesa LLC, Steamboat Hills LLC, USG Oregon LLC.
Description: Notice of Change-in-Status of the Ormat Technologies, Inc. subsidiaries.
Filed Date: 11/21/18.
Accession Number: 20181121–5133.
Comments Due: 5 p.m. ET 12/12/18.

Docket Numbers: ER18–2342–001.
Applicants: GridLiance Heartland LLC.
Description: Tariff Amendment: GridLiance Heartland LLC—ER18–2342. Deficiency Filing to be effective 11/26/2018.
Filed Date: 11/26/18.
Accession Number: 20181126–5052.
Comments Due: 5 p.m. ET 12/17/18.

Docket Numbers: ER19–246–001.
Applicants: Llano Estacado Wind, LLC.
Description: Tariff Amendment: LEW MBR Tariff Addl Changes 2018.11.26 to be effective 11/1/2018.
Filed Date: 11/26/18.
Accession Number: 20181126–5093.
Comments Due: 5 p.m. ET 12/17/18.

Docket Numbers: ER19–397–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1893R8 Westar Energy, Inc. NITSA NOA to be effective 11/1/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5044.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–398–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1897R8 Westar Energy, Inc. NITSA NOA to be effective 11/1/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5059.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–399–000.
Applicants: Midcontinent Independent System Operator, Inc., Ameren Illinois Company.
Description: § 205(d) Rate Filing: 2018–11–27_SA 2027 Ameren-Marceline 1st Rev WDS to be effective 2/1/2019.
Filed Date: 11/27/18.
Accession Number: 20181127–5080.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–400–000.
Applicants: Alabama Power Company.
Description: § 205(d) Rate Filing: Jefferson County Solar LGIA Filing to be effective 11/12/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5081.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–401–000.
Applicants: Alabama Power Company.
Description: § 205(d) Rate Filing: Wadley Solar LGIA Filing to be effective 11/12/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5082.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–402–000.
Applicants: Alabama Power Company.

Description: § 205(d) Rate Filing: Sycamore Solar LGIA Filing to be effective 11/12/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5083.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–403–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 2013, Queue No. AC2–018 re: Assignment to be effective 4/11/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5088.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–404–000.
Applicants: Public Service Company of Colorado.
Description: § 205(d) Rate Filing: OATT Attachment O–SPS Depr-ADIT Filing to be effective 2/1/2019.
Filed Date: 11/27/18.
Accession Number: 20181127–5093.
Comments Due: 5 p.m. ET 12/18/18.

Docket Numbers: ER19–405–000.
Applicants: Southern California Edison Company.
Description: § 205(d) Rate Filing: City of Long Beach GIA and Distribution Service Agreement—SERRF to be effective 12/8/2018.
Filed Date: 11/27/18.
Accession Number: 20181127–5095.
Comments Due: 5 p.m. ET 12/18/18.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF18–452–000.
Applicants: North American Natural Resources, Inc.
Description: Second Supplement to November 20, 2018 Refund Report of North American Natural Resources, Inc.
Filed Date: 11/26/18.
Accession Number: 20181126–5132.
Comments Due: 5 p.m. ET 12/17/18.

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

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

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

Dated: November 27, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–26157 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AC19–24–000]

Notice of Filing: Empire Pipeline, Inc.

Take notice that on November 14, 2018, Empire Pipeline, Inc. filed a Request for Waiver of Calendar Year Certified Public Accountant Certification for the 2018 FERC Form 2.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comments: 5:00 p.m. Eastern Time on December 27, 2018.

Dated: November 27, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26204 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19–18–000]

Southern Star Central Gas Pipeline, Inc.; Notice of Request Under Blanket Authorization

Take notice that on November 15, 2018, Southern Star Central Gas Pipeline, Inc. (Southern Star), 4700 Highway 56, Owensboro, Kentucky 42301, filed in the above referenced docket a prior notice request pursuant sections 157.205, 157.208, and 157.210 of the Commission's regulations under the Natural Gas Act (NGA) and its blanket certificate issued in Docket No. CP82–479–000 for authorization to construct, operate, and maintain its proposed Blackwell Redundant Compression Project. Southern Star proposes to install a new 4,760 horsepower (hp) gas-fired, turbine-driven compressor unit, along with appurtenant and ancillary facilities, all located at its Blackwell Compressor Station in Kay County, Oklahoma. Southern Star states that the Blackwell Redundant Compression Project is designed to create redundant compression at its Blackwell Compressor Station to maintain reliability in case routine maintenance or unexpected outages. Southern Star avers that it will limit the compression used at the Blackwell Compressor Station so that it does not exceed the certificated horsepower of 8,400 hp. Southern Star estimates the cost of the proposed project to be $28,496,850, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

The filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (886) 208–3676 or TYY, (202) 502–8659.

Any questions regarding this application should be directed to Cindy Thompson, Manager, Regulatory, Southern Star Central Gas Pipeline, Inc., 4700 Highway 56, Owensboro, Kentucky 42301, by phone at (270) 852–4655 or by email at *Cindy.C.Thompson@sscgp.com.*

Any person or the Commission's staff may, within 60 days after issuance of the instant notice by the Commission,

file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to section 157.205 of the regulations under the NGA (18 CFR 157.205), a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the allowed time for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the NGA.

Pursuant to section 157.9 of the Commission's rules, 18 CFR 157.9, within 90 days of this Notice the Commission staff will either: Complete its environmental assessment (EA) and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the EA for this proposal. The filing of the EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's EA.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list and will be notified of any meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission and will not have the right to seek court review of the Commission's final order.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 3 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

Dated: November 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26119 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19–20–000]

Notice of Application To Amend Section 3 Authorizations: Golden Pass Products LLC and Golden Pass LNG Terminal LLC

Take notice that on November 16, 2018, Golden Pass LNG Terminal LLC (Golden Pass LNG) and Golden Pass Products, LLC (GP Products), Three Allen Center, 333 Clay Street, Houston, Texas 77002, filed in Docket No.CP19–20–000 an application pursuant to section 3 of the Natural Gas Act (NGA) and Part 153 of the Commission's regulations for authority to transfer GP Product's existing authorization under NGA Section 3 to site, construct and operate liquefied natural Gas (LNG) export facilities [1] to Golden Pass LNG, which currently owns and operates LNG import facilities [2] that will be contiguous to and interconnected with the LNG export facilities.

Questions regarding this filing may be directed to Blaine Yamagata, Vice President and General Counsel, Golden Pass LNG, Three Allen Center, Suite 802, 333 Clay Street, Houston, Texas 77002; or to Kevin M. Sweeney, Law Office of Kevin M. Sweeney, 1625 K Street NW, Washington, DC 20006, phone: (202) 609–7709.

This filing is available for review at the Commission's Washington, DC offices, or may be viewed on the Commission's website at *http://www.ferc.gov* using the ''e-Library'' link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* or call toll-free at (866) 208–3676, or for TTY, contact (202) 502–8659.

There are two ways to become involved in the Commission's review of this Project. First, any person wishing to obtain legal status by becoming a party to the proceeding for this project should file with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR 385.214, 385.211 (2016), by the comment date below. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission, and will receive copies of all documents filed by the applicant and by all other parties. A party must submit filings made with the Commission by mail, hand delivery, or internet, in accordance with Rule 2001 of the Commission's Rules of Practice and Procedure, id. 385.2001. A copy must be served on every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Protests and interventions may be filed electronically via the internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website under the ''e-filing'' link. The Commission strongly encourages electronic filings.

As of the February 27, 2018 date of the Commission's order in Docket No. CP16–4–001, the Commission will apply its revised practice concerning out-of-time motions to intervene in any new Natural Gas Act section 3 or section 7 proceeding. Persons desiring to become a party to a certificate proceeding are to intervene in a timely manner. If seeking to intervene out-of-time, the movant is required to ''show good cause why the time limitation should be waived,'' and should provide justification by reference to factors set forth in Rule 214(d)(1) of the Commission's Rules and Regulations.

If the Commission decides to set the application for a formal hearing before an Administrative Law Judge, the Commission will issue another notice describing that

[1] *Golden Pass Products LLC and Golden Pass Pipeline LLC,* 157 FERC ¶ 61,222 (2016).

[2] *Golden Pass LNG Terminal LP and Golden Pass Pipeline LP,* 112 FERC ¶.61,041 (2005).

Comment Date: 5:00 p.m. Eastern Time on December 10, 2018.

Dated: November 27, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26206 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 8417–004]

Notice of Application for Surrender of Exemption, Soliciting Comments, Motions To Intervene, and Protests: Sparhawk, LLC

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

a. *Type of Proceeding:* Application for surrender of exemption from licensing.

b. *Project No.:* 8417–004.

c. *Date Filed:* November 6, 2018.

d. *Exemptee:* Sparhawk Hydro, LLC.

e. *Name of Project:* Old Sparhawk Mill Project.

f. *Location:* The project is located on the Royal River in Cumberland County, Maine.

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

h. *Licensee Contact:* Mr. Allan Jagger, Sparhawk, LLC, 81 Bridge Street, Yarmouth, ME, *Allanjagger@gmail.com.*

i. *FERC Contact:* Ms. Rebecca Martin, (202) 502–6012, *Rebecca.martin@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–8417–004.

k. *Description of Project Facilities:* The project includes an 8-foot-high, 140-foot-long dam; a 9-acre reservoir; an approximate 215-foot-long, 7-foot-diameter penstock; a powerhouse with 3 generating units; an 18-foot-wide, 80-foot-long tailrace channel; a buried transmission line; and appurtenant facilities.

l. *Description of Request:* The licensee is proposing to surrender its exemption. The exemptee purchased the property for redevelopment and was unaware of the exemption from licensing attached to the project. The generating facilities were removed from the project and it has not operated in more than three years. The dam is owned by the Town of Yarmouth, and the installed fishway has been maintained by the State of Maine. The project would remain in its current condition and no ground disturbing activities are proposed.

m. This filing may be viewed on the Commission's website 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.

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

o. *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.

p. *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 to the surrender application 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.

q. Agency Comments—Federal, state, and local agencies are invited to file comments on the described proceeding. If any agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

Dated: November 27, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26203 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RM98–1–000]

Records Governing Off-the-Record Communications; Public Notice

This constitutes notice, in accordance with 18 CFR 385.2201(b), of the receipt of prohibited and exempt off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive a prohibited or exempt off-the-record communication relevant to the merits of a contested proceeding, to deliver to the Secretary of the Commission, a copy of the

communication, if written, or a summary of the substance of any oral communication.

Prohibited communications are included in a public, non-decisional file associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for electronic review at the Commission in the Public Reference Room or may be viewed on the Commission's website at *http://www.ferc.gov* using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Docket No.	File date	Presenter or requester
Prohibited:		
1. ER18–1314–000	11–14–2018	A. Jeanne Graham.
2. ER18–1314–000	11–14–2018	Mass Mailing.[1]
3. ER18–1314–000	11–14–2018	Mass Mailing.[2]
4. CP17–117–000; CP17–118–000	11–15–2018	Louisiana Mid-Continent. Oil and Gas Association.
5. EL18–178–000	11–19–2018	Citizens Utility Board.
Exempt:		
1. CP17–117–000; CP17–118–000	11–15–2018	State of Louisiana. House Representative Stuart J. Bishop.
2. CP18–102–000; CP18–103–000	11–20–2018	FERC Staff.[3]

[1] Thirty Seven letters have been sent to FERC Commissioners and staff under this docket number.
[2] Two Hundred Twenty Five letters have been sent to FERC Commissioners and staff under this docket number.
[3] Phone Memorandum for call on November 15, 2018 with the U.S. Fish and Wildlife Service.

Dated: November 27, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–26159 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–524–000]

Notice of Schedule for Environmental Review of the D'Lo Gas Storage, LLC, D'lo Natural Gas Storage Project Amendment

On July 13, 2018, D'Lo Gas Storage, LLC (DGS) filed an application in Docket No. CP18–524–000 requesting a Certificate of Public Convenience and Necessity pursuant to section 7(c) of the Natural Gas Act to construct and operate certain natural gas storage facilities. The proposed project is known as the D'Lo Natural Gas Storage Project Amendment (Project), and would allow DGS to modify its previously certificated project design for the D'Lo Gas Storage Project in Docket No. CP12–39–000 in Simpson and Rankin Counties, Mississippi.

On July 26, 2018, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a federal authorization within 90 days of the date of issuance of the Commission staff's Environmental Assessment (EA) for the Project. This instant notice identifies the FERC staff's planned schedule for the completion of the EA for the Project.

Schedule for Environmental Review

Issuance of EA—December 21, 2018
90-day Federal Authorization Decision Deadline—March 21, 2019

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Project Description

DGS is proposing the following amendments to the originally certificated project design:

- Elimination of the Gulf South Interconnect Lateral and Gulf South Meter Station facilities; and
- Relocation of Primary Source Water Wells #2 and #4 and Primary Brine Disposal Wells #2 and #4 approximately 0.4 mile south of their originally proposed locations.

Background

On August 27, 2018, the Commission issued a *Notice of Intent to Prepare an Environmental Assessment for the Proposed D'Lo Natural Gas Storage Project Amendment and Request for Comments on Environmental Issues* (NOI). The NOI was sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. In response to the NOI, the Commission received one comment from the Mississippi Department of Wildlife, Fisheries, and Parks. The primary issues raised by the commentor are impacts on state or federally listed species and species of special concern that may occur in the Project area. All substantive comments will be addressed in the EA.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208–FERC or on the FERC website (*www.ferc.gov*). Using the ''eLibrary'' link, select ''General Search'' from the eLibrary menu, enter the selected date range and ''Docket Number'' excluding the last three digits (*i.e.,* CP18–524), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208–3676, TTY (202) 502–8659, or at *FERCOnlineSupport@ferc.gov.* The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: November 27, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–26205 Filed 11–30–18; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–R5–Superfund V–W–19–C–001; FRL–9987–21–Region 5]

Proposed CERCLA Administrative Settlement Agreement; A&L Iron and Metal Company, Inc.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement agreement and request for public comments.

SUMMARY: The Environmental Protection Agency (EPA) hereby gives notice of a proposed Administrative Settlement Agreement (Settlement) pertaining to collection of Past Response Costs for a Fund-lead Removal Action occurring between 2014 and 2015, at an approximately 16-acre former industrial equipment manufacturing facility in Saginaw (Saginaw County), Michigan, the Baker Perkins Superfund Site (''Site''). The Settlement requires A&L Iron and Metal Company, Inc. (''A&L'') to pay $1,611,788.29 (plus an additional sum for interest on that amount calculated from March 31, 2018 through the date of payment to EPA) for EPA's Past Response Costs within 45 days of the Effective Date of the Settlement, in return for a covenant against any and all liability for EPA Response Costs at the Site, and contribution protection against any and all other liable parties.

DATES: Comments must be post marked or received on or before January 2, 2019.

ADDRESSES: The proposed settlement agreement and related site documents can be viewed at the Superfund Records Center, (SRC–7J), United States Environmental Protection Agency, Region 5, 77 W. Jackson Blvd., Chicago, IL 60604, (312) 886–4465 and on-line at *www.epa.gov/superfund/baker_perkins.*

FOR FURTHER INFORMATION CONTACT: Further information or a copy of the Settlement may be obtained from either Thomas P. Turner, Office of Regional Counsel (C–14J), U.S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6613 or *turner.thomas@epa.gov* or Superfund Division Enforcement Specialist Mike Rafati, Superfund Division (SR–5J), U.S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604, (312) 886–0390 or *rafati.michael@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background Information

In accordance with Section 122 (i) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (''CERCLA''), 42 U.S.C. 9622 (i), notice is hereby given of a proposed Settlement pertaining to the Baker Perkins Superfund Site in Saginaw, Saginaw County, Michigan, with the following settling party: A&L Iron and Metal Company, Inc. The Settlement requires A&L to pay $1,611,788.29 (plus an additional sum for interest on that amount calculated from March 31, 2018 through the date of payment to EPA) for EPA's Past Response Costs within 45 days of the Effective Date of the Settlement.

The Settlement includes an EPA covenant not to sue the settling party and contribution protection, pursuant to Sections 107(a), 113(f)(2), and 122(h)(4) of CERCLA, 42 U.S.C. Sections 9607(a), 9613(f)(2), and 9622(h)(4).

II. Opportunity To Comment

A. General Information

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the Settlement. The Agency will consider all comments received and may modify or withdraw its consent to the Settlement if comments received disclose facts or considerations which indicate that the Settlement is inappropriate, improper, or inadequate.

B. Where do I send my comments or view responses?

Your comments should be mailed to Mike Rafati, Superfund Division (SR–5J), U. S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604, or *rafati.michael@epa.gov.* The Agency's response to any comments received will be available for public inspection at the Superfund Records Center.

C. What should I consider as I prepare my comments for EPA?

1. *Submitting Confidential Business Information (CBI).* Do not submit such information to EPA through an agency website or via email. Clearly mark the part or all the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (site name, **Federal Register** date and page number).
- Follow directions—the agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- Explain why you agree or disagree with the terms of the Settlement; suggest alternatives and substitute language for your requested changes.
- Describe any assumptions and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

• Make sure to submit your comments by the identified comment period deadline.

Dated: November 14, 2018.

Douglas A. Ballotti,

Acting Director, Superfund Division.

[FR Doc. 2018–26230 Filed 11–30–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

FEDERAL REGISTER CITATION NOTICE OF PREVIOUS ANNOUNCEMENT: 83 FR 61379.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Tuesday, December 4, 2018 at 10:00 a.m.

CHANGES IN THE MEETING: The meeting will take place on Wednesday, December 5 at 2:00 p.m. and will be continued on Thursday, December 6, 2018 after the open meeting.

This meeting will also discuss:

Information the premature disclosure of which would be likely to have a considerable adverse effect on the implementation of a proposed Commission action.

* * * * *

CONTACT FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Laura E. Sinram,

Deputy Secretary of the Commission.

[FR Doc. 2018–26296 Filed 11–29–18; 11:15 am]

BILLING CODE 6715–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

TIME AND DATE: Thursday, December 6, 2018 at 10:00 a.m.

PLACE: 1050 First Street NE, Washington, DC (12th Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Correction and Approval of Minutes for November 15, 2018

Draft Advisory Opinion 2018–15: Wyden

Audit Division Recommendation Memorandum on Marsha Blackburn for Congress, Inc. (A17–02)

Management and Administrative Matters

CONTACT PERSON FOR MORE INFORMATION: Judith Ingram, Press Officer, Telephone: (202) 694–1220.

Individuals who plan to attend and require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Dayna C. Brown, Secretary and Clerk, at (202) 694–1040, at least 72 hours prior to the meeting date.

Dayna C. Brown,

Secretary and Clerk of the Commission.

[FR Doc. 2018–26367 Filed 11–29–18; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL MARITIME COMMISSION

Sunshine Act Meeting

TIME AND DATE: December 7, 2018; 10:00 a.m. (Open) & 1:00 p.m. (Closed)

PLACE: 800 N. Capitol Street NW, First Floor Hearing Room, Washington, DC.

STATUS: Parts of this meeting will be open to the public and streamed live at *https://www.youtube.com/channel/UCwKTAlGGHIA0xcN3bDt_Uqg.* The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions Open to the Public

1. Fact Finding No. 28—Final Report—Briefing by Commissioner Rebecca F. Dye
2. Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries

Portions Closed to the Public

1. Staff Briefing on Alliance Agreements
2. West Coast Marine Terminal Operator Agreement Monitoring Requirements

CONTACT PERSON FOR MORE INFORMATION: Rachel Dickon, Secretary, (202) 523–5725.

Rachel Dickon,

Secretary.

[FR Doc. 2018–26314 Filed 11–29–18; 4:15 pm]

BILLING CODE 6731–AA–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than December 28, 2018.

A. Federal Reserve Bank of Philadelphia (William Spaniel, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105–1521. Comments can also be sent electronically to *Comments.applications@phil.frb.org:*

1. *Lake Shore, MHC, Dunkirk, New York*; to convert to a Delaware-chartered mutual bank holding company, and its mid-tier holding company, Lake Shore Bancorp, Inc., Dunkirk, New York, to convert to a Maryland-chartered stock bank holding company, upon the conversion of Lake Shore Savings Bank, Dunkirk, New York, from a federal savings bank to a national bank.

B. Federal Reserve Bank of Dallas (Robert L. Triplett III, Senior Vice President) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. *Aspermont Bankshares, Inc., Aspermont, Texas;* to become a bank holding company by acquiring 100 percent of The First National Bank of Aspermont, Aspermont, Texas.

Board of Governors of the Federal Reserve System, November 28, 2018.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2018–26193 Filed 11–30–18; 8:45 am]

BILLING CODE 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 December 19, 2018.

A. Federal Reserve Bank of Kansas City (Dennis Denney, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *Jane Chance, Fowler, Kansas, Trustee of the Lynn and Jane Chance Revocable Trust;* to acquire voting shares of FSB Bankshares, Inc., and thereby indirectly acquire Fowler State Bank, Fowler, Kansas.

Board of Governors of the Federal Reserve System, November 28, 2018.

Yao-Chin Chao,

Assistant Secretary of the Board.

[FR Doc. 2018–26192 Filed 11–30–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0149; Docket No. 2018–0003; Sequence No. 16]

Submission for OMB Review; Subcontract Consent and Contractors' Purchasing System Review

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning consent to subcontract, advance notification, and Contractors' purchasing system review.

DATES: Submit comments on or before January 2, 2019.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. Go to *http://www.regulations.gov* and follow the instructions on the site.
- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000–0149, Subcontract Consent and Contractors' Purchasing System Review.

Instructions: All items submitted must cite Information Collection 9000–0149, Subcontract Consent and Contractors' Purchasing System Review.

Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Mahruba Uddowla, Procurement Analyst, at telephone 703–605–2868, or email *mahruba.uddowla@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

This information collection requirement, OMB Control No. 9000–0149, currently titled ''Subcontract Consent,'' is proposed to be retitled ''Subcontract Consent and Contractors' Purchasing System Review,'' due to consolidation with currently approved information collection requirement OMB Control No. 9000–0132, Contractors' Purchasing System Review.

This clearance covers the information that a contractor must submit to comply with the requirements in Federal Acquisition Regulation (FAR) 52.244–2, Subcontracts, regarding consent to subcontract, advance notification, and Contractors' purchasing system review as follows:

1. *Consent to subcontract.* This is the contracting officer's written consent for the prime contractor to enter into a particular subcontract. In order for the contracting officer responsible for consent to make an informed decision, the prime contractor must submit adequate information to ensure that the proposed subcontract is appropriate for the risks involved and consistent with current policy and sound business judgment. The review allows the Government to determine whether the contractor's purchasing policies and practices are efficient and adequately protect the Government's interests.

If the contractor has an approved purchasing system, consent is required for subcontracts specifically identified by the contracting officer in the subcontracts clause of the contract. The contracting officer may require consent to subcontract if the contracting officer has determined that an individual consent action is required to protect the Government adequately because of the subcontract type, complexity, or value, or because the subcontract needs special surveillance. These can be subcontracts for critical systems, subsystems, components, or services.

If the contractor does not have an approved purchasing system, consent to subcontract is required for cost-reimbursement, time-and-materials, labor-hour, or letter contracts, and also for unpriced actions under fixed-price contracts that exceed the simplified acquisition threshold.

2. *Advance notification.* Prime contractors must provide contracting officers notification before the award of any cost-plus-fixed-fee subcontract, or certain fixed-price subcontracts. This requirement for advance notification is driven by statutory requirements in 10 U.S.C. 2306 and 41 U.S.C. 3905.

3. *Contractors' Purchasing System Review.* The objective of a contractor purchasing system review (CPSR), is to evaluate the efficiency and effectiveness with which a contractor spends Government funds and complies with Government policy when subcontracting.

Paragraph (i) of FAR clause 52.244–2 specifies that the Government reserves the right to review the contractor's purchasing system as set forth in FAR subpart 44.3. FAR 44.302 requires the administrative contracting officer (ACO) to determine the need for a CPSR based on, but not limited to, the past performance of the contractor, and the volume, complexity and dollar value of subcontracts. If a contractor's sales to the Government (excluding competitively awarded firm-fixed-price and competitively awarded fixed-price with economic price adjustment contracts and sales of commercial items pursuant to Part 12) are expected to exceed $25 million during the next 12 months, the ACO will perform a review to determine if a CPSR is needed. Sales include those represented by prime contracts, subcontracts under

Government prime contracts, and modifications. Generally, a CPSR is not performed for a specific contract. The head of the agency responsible for contract administration may raise or lower the $25 million review level if it is considered to be in the Government's best interest. Once an initial determination has been made to conduct a review, at least every three years the ACO shall determine whether a purchasing system review is necessary. If necessary, the cognizant contract administration office will conduct a purchasing system review.

A CPSR provides the administrative contracting officer (ACO) a basis for granting, withholding, or withdrawing approval of a contractor's purchasing system. An approved purchasing system allows the contractor more autonomy in subcontracting actions. Without an approved purchasing system more Government oversight is necessary, and Government consent to subcontract is required. Generally, a CPSR is not performed for a specific contract. Rather, CPSRs are conducted on contractors based on the factors identified above.

The cognizant ACO is responsible for granting, withholding, or withdrawing approval of a contractor's purchasing system and for promptly notifying the contractor of same (FAR 44.305–1).

Related administrative requirements are as follows: FAR 44.305–2(c) requires that when recommendations are made for improvement of an approved system, the contractor shall be requested to reply within 15 days with a position regarding the recommendations. FAR 44.305–3(b) requires when approval of the contractor's purchasing system is withheld or withdrawn, the ACO shall within 10 days after completing the in-plant review (1) inform the contractor in writing, (2) specify the deficiencies that must be corrected to qualify the system for approval, and (3) request the contractor to furnish within 15 days a plan for accomplishing the necessary actions. If the plan is accepted, the ACO shall make a follow-up review as soon as the contractor notifies the ACO that the deficiencies have been corrected.

B. Public Comment

A notice was published in the **Federal Register** at 83 FR 42651, on August 23, 2018. No comments were received.

C. Annual Reporting Burden

The burden estimates provided in the notice published in the **Federal Register** at 83 FR 42651, on August 23, 2018, have been adjusted to reflect current, relevant data and appropriate methodology.

1. *Consent to subcontract.*
Respondents: 2,053.
Responses per Respondent: 3.
Total Annual Responses: 6,159.
Hours per Response: 3.
Total Burden Hours: 18,477.
2. *Advance notification.*
Respondents: 1,336.
Responses per Respondent: 3.
Total Annual Responses: 4,008.
Hours per Response: 0.25.
Total Burden Hours: 1,002.
3. *Contractors' Purchasing System Review.*
Respondents: 240.
Responses per Respondent: 1.
Total Annual Responses: 240.
Hours per Response: 160.
Total Burden Hours: 38,400.
4. *Summary.*
Respondents: 3,629.
Total Annual Responses: 10,407.
Total Burden Hours: 57,879.
Affected Public: Businesses or other for-profit and not-for-profit institutions.
Obtaining Copies: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0149, Subcontract Consent and Contractors' Purchasing System Review, in all correspondence.

Dated: November 27, 2018.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018–26165 Filed 11–30–18; 8:45 am]

BILLING CODE 6820–EP–P

GENERAL SERVICES ADMINISTRATION

[Notice–PBS–2018–14; Docket No. 2018–0002; Sequence No. 33]

Notice of Availability of a Draft Supplemental Environmental Impact Statement for the New U.S. Land Port of Entry in Madawaska, Maine and Madawaska-Edmundston International Bridge Project

AGENCY: Public Buildings Service (PBS), General Services Administration (GSA); Federal Highway Administration (FHWA); Maine Department of Transportation (MaineDOT).

ACTION: Notice of availability.

SUMMARY: Pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality Regulations, the GSA Public Buildings Service NEPA Desk Guide, and the FHWA Policy Guide, GSA, PBS, the Federal Highway Administration (FHWA), and MaineDOT, in cooperation with the U.S. Coast Guard and in coordination with the U.S. Customs and Border Protection (CBP), announce the availability of a Draft Supplemental Environmental Impact Statement (DSEIS) assessing the potential impacts of a proposed new U.S. Land Port of Entry (LPOE) in Madawaska, Maine and an International Bridge project between Madawaska and Edmundston, New Brunswick, Canada (the ''Proposed Action'').

DATES: The GSA, FHWA, and MaineDOT will host a public hearing on Wednesday, December 12, 2018.

ADDRESSES: Madawaska High School gymnasium at 135 7th Avenue, Madawaska, Maine 04756, at 6:30 p.m. EST (Eastern Standard Time). The evening of the public hearing will consist of an open house to view displays beginning at 6:00 p.m., a brief presentation beginning at 6:30 p.m., followed by an opportunity to provide comments on the contents of the DSEIS. Interested parties are encouraged to attend and provide written comments by Thursday, January 31, 2019.

Written comments can be submitted by the following methods:

- *Regulations.gov: http://www.regulations.gov (http://www.regulations.gov).* Submit comments via the Federal eRulemaking portal by searching the Notice number or ''New U.S. Land Port of Entry in Madawaska, Maine and Madawaska-Edmundston International Bridge Project.'' Select the link ''Comment Now'' that corresponds with ''Notice of Availability of a Draft Supplemental Environmental Impact Statement for the New U.S. Land Port of Entry in Madawaska, Maine and Madawaska-Edmundston International Bridge Project'' on your attached document.
- *Postal Mail or Email:* Ms. Alexas Kelly, Project Manager, GSA, 10 Causeway Street, 11th Floor, Boston, MA 02222, or *alexandria.kelly@gsa.gov*.
- *Postal Mail:* Ms. Cheryl Martin, Assistant Division Administrator, FHWA, Edmund S. Muskie Federal Building, 40 Western Avenue, Room 614, Augusta, ME 04330.

FOR FURTHER INFORMATION CONTACT: Alexas Kelly, Project Manager, GSA, New England Region, by phone at 617–549–8190 or by email at *alexandria.kelly@gsa.gov.* Please also call this number if special assistance is needed to attend and participate in the public hearing.

SUPPLEMENTARY INFORMATION: The GSA, FHWA, and MaineDOT will have copies of the DSEIS for review at the Town of Madawaska Town Office on 328 St. Thomas Street, Suite 1012, Madawaska, Maine 04756. Further information, including an electronic copy of the Draft SEIS, may be found online on the following website: *https://www.gsa.gov/about-us/regions/welcome-to-the-new-england-region-1/buildings-and-facilities/development-projects/madawaska-land-port-of-entry-madawaska-me.*

Background

The purpose of the project is to provide for the long-term safe and efficient flow of current and projected traffic volumes, including the movement of goods and people between Edmundston, New Brunswick and Madawaska, Maine. The need is that (1) the existing International Bridge is nearing the end of its useful life, and (2) the existing Madawaska Land Port of Entry is substandard, inhibiting the agencies assigned to the Port from adequately fulfilling their respective missions.

The existing Madawaska-Edmundston International Bridge, opened in 1921, and its design life has been exceeded. Notable bridge deficiencies are (1) substandard roadway width and clearance, (2) foundation susceptible to undermining, (3) piers cracked and deteriorated, (4) significant steel corrosion, (5) bridge capacity is insufficient, and (6) deficiencies prompting the bridge posting on October 27, 2017, from 50 tons to 5 tons.

A Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) were published in January 2007, which addressed the construction of a new Madawaska LPOE.

Built in 1959, the current LPOE suffers from facility, operational and site deficiencies, and does not meet current CBP mission and operational requirements for an LPOE. A few noted deficiencies: (1) Lack of office and inspection areas, (2) deficient inbound and outbound passenger and commercial processing areas, (3) inadequate queuing space for vehicles, and (4) inability to meet the Architectural Barriers Act. In furtherance of the LPOE Project, GSA previously acquired approximately nine acres of land but did not commence construction.

A Supplemental Environmental Impact Statement (SEIS) is needed due to a change in circumstance, specifically the decision by MaineDOT and New Brunswick Department of Transportation and Infrastructure (NBDTI) to initiate the Madawaska-Edmundston International Bridge project. The SEIS will address changes to the Proposed Action, including an updated design in accordance with current GSA and CBP requirements, and options for rehabilitation or replacement of the International Bridge (the totality of which may require additional land acquisition).

The Proposed Action consists of replacing the existing International Bridge and the existing Madawaska LPOE to improve safety, security, and functionality.

The new LPOE would consist of a main administration building and support building with parking, circulation and processing areas. The new LPOE would be designed in accordance with the requirements and criteria of the GSA and CBP to provide facilities adequate for fulfilling the agencies' respective missions. Portions of Mill Street and Main Street adjacent to the LPOE may be reconstructed or re-profiled to provide smooth ingress and egress to the LPOE. The Proposed Action may include the demolition of the existing LPOE.

The Proposed Action may include the demolition of the existing International Bridge.

This DSEIS evaluates a no action alternative and several build alternatives for the LPOE and International Bridge. No alternative has been identified as the preferred alternative. However, a preferred location for the new LPOE and a preferred corridor for a new International Bridge have been selected. A no-build alternative is being studied that evaluates the consequences of not constructing the new International Bridge and LPOE. This alternative is included to provide a basis for comparison to the action alternatives described above as required by the NEPA regulations (40 CFR 1002.14(d)).

The GSA, FHWA, and MaineDOT invite individuals, organizations, and agencies to submit comments concerning the content and findings of the DSEIS. The public comment period starts with the publication of this notice in the **Federal Register** and will continue until January 31, 2019. The GSA, FHWA, and MaineDOT will consider and respond to comments received on the DSEIS in preparing the Final SEIS. The GSA, FHWA and MaineDOT expect to issue the Final SEIS by spring 2019, at which time its availability will be announced in the **Federal Register** and local media.

Dated: November 21, 2018.

Drew Dilks,

Project Management Branch Chief, Design and Construction, Public Buildings Service.

[FR Doc. 2018–26125 Filed 11–30–18; 8:45 am]

BILLING CODE 6820–23–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0189; Docket 2018–XX; Sequence X]

Submission for OMB Review; Identification of Predecessors

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement regarding identification of predecessors.

DATES: Submit comments on or before January 2, 2019.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. Go to *http://www.regulations.gov* and follow the instructions on the site.
- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000–0189, Identification of Predecessors.

Instructions: Please submit comments only and cite Information Collection 9000–0189, Identification of Predecessors, in all correspondence related to this collection. Comments received generally will be posted without change to *http://www.regulations.gov,* including any

personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Cecelia L. Davis, Procurement Analyst, Federal Acquisition Policy Division, at 202–219–0202 or email *cecelia.davis@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

The Federal Acquisition Regulation (FAR) provision 52.204–20, Predecessor of Offeror, requires each offeror to identify if the offeror is, within the last three years, a successor to another entity that received a Federal Government award and, if so, to provide the Commercial and Government Entity (CAGE) code and legal name of the predecessor. The information on predecessors is used to identify such entities in the Federal Awardee Performance and Integrity Information System (FAPIIS) to allow retrieval of integrity and performance data on the most recent predecessor of an apparent successful offeror to whom award is anticipated. FAR 9.104–6 requires contracting officers to consult FAPIIS before awarding a contract in excess of the simplified acquisition threshold. The information on predecessors is collected on an annual basis for inclusion in the annual representations and certifications in the System for Award Management (SAM) for offerors required to register in SAM. Offerors not required to register in SAM but required to provide the information in the provision at FAR 52.204–20 will do so as specified in the solicitation or instructed by the contracting officer.

B. Public Comment

A 60 day notice was published in the **Federal Register** at 83 FR 47342, on September 19, 2018. One comment was received; however, it did not change the estimate of the burden. The commenter supports the information collection requirement as an important step in bringing greater transparency and efficiency to the federal acquisition process.

Comment: The commenter is concerned that offerors are not complying with the information collection requirement and they must be held accountable for their representations and certifications. The commenter suggested that to do so, the government should periodically audit vendor-entered FAPIIS and SAM data quality and address non-compliance through a system of sanctions ranging from warning letters to monetary fines, or through the suspension and debarment process. The commenter also suggested expanding the information collection requirement to include the names of key individuals associated with the offeror company and any past relationships they had with entities that received contracts or grants.

Response: This comment is out of scope because the suggestions made by the commenter would require additional rulemaking. They did not express an opinion on whether the stated number of burden hours is accurate for what they believe to be the actual number of hours an offeror expends to comply with the provision.

C. Annual Reporting Burden

The burden to provide the information required by the FAR provision at 52.204–20 when an offeror is registered in SAM is already covered by OMB Control Number 9000–0159, System for Award Management Registration (SAM). OMB Control Number 9000–0189 now will cover the burden for providing the required information when the offeror is not required to register in SAM in accordance with the exceptions in FAR 4.1102(a). The Federal Procurement Data System (FPDS) for FY 2017 was used to develop the estimated burden hours as shown below:

Respondents: 974.

Responses per Respondent: 1.

Total Annual Responses: 974.

Hours per Response: 0.1.

Total Burden Hours: 97.4.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0189, Identification of Predecessors, in all correspondence.

Dated: November 27, 2018.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018–26104 Filed 11–30–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000–0035; Docket No. 2018–0003; Sequence No. 7]

Submission for OMB Review; Claims and Appeals

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement regarding claims and appeals.

DATES: Submit comments on or before January 2, 2019.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Room 10236, NEOB, Washington, DC 20503. Additionally submit a copy to GSA by any of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. Go to *http://www.regulations.gov* and follow the instructions on the site.
- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000–0035, Claims and Appeals.

Instructions: Please submit comments only and cite Information Collection 9000–0035, Claims and Appeals, in all correspondence related to this collection. Comments received generally will be posted without change to *http://www.regulations.gov,* including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *www.regulations.gov,* approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Ms. Zenaida Delgado, Federal Acquisition Policy Division, GSA, 202–969–7207 or via email *zenaida.delgado@gsa.gov.*

SUPPLEMENTARY INFORMATION:

A. Purpose

It is the Government's policy to try to resolve all contractual issues by mutual agreement at the contracting officer's level without litigation. Reasonable efforts should be made to resolve controversies prior to submission of a contractor's claim. The Contract Disputes Act of 1978 (41 U.S.C. 7103) requires that claims exceeding $100,000 must be accompanied by a certification that (1) the claim is made in good faith; (2) supporting data are accurate and complete; and (3) the amount requested accurately reflects the contract adjustment for which the contractor believes the Government is liable. The information, as required by FAR clause 52.233–1, Disputes, is used by a contracting officer to decide or resolve the claim. Contractors may appeal the contracting officer's decision by submitting written appeals to the appropriate officials.

B. Public Comment

A 60-day notice published in the **Federal Register** at 83 FR 44052, on August 29, 2018. No comments were received.

C. Annual Reporting Burden

Respondents: 4,500.

Responses per Respondent: 3.

Annual Responses: 13,500.

Hours per Response: 1.

Total Burden Hours: 13,500.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0035, Claims and Appeals, in all correspondence.

Dated: November 28, 2018.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018–26164 Filed 11–30–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Advisory Council on Nurse Education and Practice

AGENCY: Health Resources and Service Administration (HRSA), The Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS is hereby giving notice that the charter for the National Advisory Council on Nurse Education and Practice (NACNEP) has been renewed. The effective date of the renewed charter is November 30, 2018.

FOR FURTHER INFORMATION CONTACT: Tracy Gray, MBA, MS, RN, Designated Federal Official, NACNEP, HRSA, 5600 Fishers Lane, Rockville, Maryland 20857. Phone: 301–443–3346; email: *tgray1@hrsa.gov.*

SUPPLEMENTARY INFORMATION: The Secretary of HHS (Secretary), and by delegation, the Administrator of HRSA, are charged under Title VIII of the Public Health Service Act, as amended, with responsibility for a wide range of activities in support of nursing education and practice which include: Enhancement of the composition of the nursing workforce, improvement of the distribution and utilization of nurses to meet the health needs of the nation, expansion of the knowledge, skills, and capabilities of nurses to enhance the quality of nursing practice, development and dissemination of improved models of organization, financing and delivery of nursing services and promotion of interdisciplinary approaches to the delivery of health services, particularly in the context of public health and primary care.

NACNEP advises the Secretary and Congress on policy issues related to Title VIII programs administered by HRSA's Bureau of Health Workforce. Title VIII programs include, but are not limited to, issues relating to nurse workforce supply, education, and practice improvement. Meetings are held not less than twice a year. Renewal of the NACNEP charter authorizes the Council to operate until November 30, 2020.

A copy of the NACNEP charter is available on the NACNEP website at: *http://www.hrsa.gov/advisorycommittees/bhpradvisory/nacnep/index.html.* A copy of the charter also can be obtained by accessing the FACA database that is maintained by the Committee Management Secretariat under the General Services Administration. The website address for the FACA database is *http://www.facadatabase.gov/.*

Amy P. McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2018–26123 Filed 11–30–18; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–0275]

Agency Information Collection Request; 60-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before February 1, 2019.

ADDRESSES: Submit your comments to *Sherrette.Funn@hhs.gov* or by calling (202) 795–7714.

FOR FURTHER INFORMATION CONTACT: When submitting comments or requesting information, please include the document identifier 0990–0275–60D, and project title for reference, to Sherrette Funn, the Reports Clearance Officer, *Sherrette.funn@hhs.gov,* or call 202–795–7714.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Implementation of an Electronic Spreadsheet-Based Uniform Data Set for OMH-funded Activities.

Type of Collection: Revision.

OMB No.: 0990–0275; Office of the Secretary, Office of Minority Health.

Abstract: The Office of Minority Health is seeking an approval on a

revision to a currently approved collection OMB # 0990–0275. The revised data collection activities seeks to further streamline the current questions grantees are asked by reducing the number of questions, and reduce the cost of the data collection system by using a more cost efficient alternative to the Performance Data System, (PDS) web-based portal. The overall reduction in questions will reduce the number of burden hours on grantees. The movement from a customized web-based portal to reporting using commercial, off-the shelf software (*i.e.,* a spreadsheet) significantly reduces the cost of performance data collection and reporting. To collect program management and performance data for all OMH-funded projects, grantee data collection via the Uniform Data Set, UDS (original data collection system) was first approved by OMB on June 7, 2004 (OMB No. 0990–275).

Need and Proposed Use of the Information: The clearance is needed to continue performance data collection to enable OMH to comply with Federal reporting requirements, monitor, and evaluate performance by enabling the efficient collection of performance-oriented data tied to OMH-wide performance reporting needs. The ability to monitor and evaluate performance in this manner, and to work towards continuous program improvement are basic functions that OMH must be able to accomplish in order to carry out its mandate with the most effective and appropriate use of resources.

Likely Respondents: Respondents for this data collection include the project directors for OMH-funded projects and/or the date entry persons for each OMH-funded project. Affected public includes non-profit institutions, State, Local, or Tribal Governments.

ANNUALIZED BURDEN HOUR TABLE

Forms (If necessary)	Respondents (If necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Performance Reporting Template	Non-profit institutions, State, Local, or Tribal Governments.	130	4	45/60	390
Total	.....	130	4	45/60	390

Terry Clark,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2018–26122 Filed 11–30–18; 8:45 am]

BILLING CODE 4150–29–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing Research; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory Council for Nursing Research.

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 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 Council for Nursing Research.

Date: January 29–30, 2019.

Open: January 29, 1:00 p.m. to 4:30 p.m.

Agenda: Discussion of Program Policies and Issues.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Room D, Bethesda, MD 20892.

Closed: January 30, 2019, 9:00 a.m. to 1:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Room D, Bethesda, MD 20892.

Contact Person: Marguerite Littleton Kearney, Ph.D., RN, FAAN, Director Division of Extramural Science Programs, National Institute of Nursing Research, National Institutes of Health, 6701 Democracy Boulevard, Room 708, Bethesda, MD 20892, 301–402–7932, *marguerite.kearnet@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: *https://www.ninr.nih.gov/aboutninr/nacnr,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: November 27, 2018.

Sylvia L. Neal,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–26113 Filed 11–30–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Evaluating the Therapeutic Potential of Cannabinoids: How To Conduct Research Within the Current Regulatory Framework

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: This workshop on December 8, 2018, sponsored by the National Center for Complementary and Integrative Health (NCCIH), a component of the National Institutes of Health (NIH), will bring together researchers, governmental officials, and industry representatives to discuss the processes and issues related to conducting cannabinoid research.

DATES: The meeting will be held on December 8, 2018, from 8:00 a.m. to 5:30 p.m. (EST).

ADDRESSES: The meeting will be videocast. A link to the videocast will be posted on the NCCIH website, *https://nccih.nih.gov/node/12170,* once available.

FOR FURTHER INFORMATION CONTACT: For information concerning this meeting, see the NCCIH website, *https://nccih.nih.gov/node/12170,* or contract Dr. Angela Arensdorf, Science Policy Analyst, Office of Policy, Planning, and Evaluation, National Center for Complementary and Integrative Health, 9000 Rockville Pike, Building 31, Suite 2B11, Bethesda, MD 20892, telephone: 301–827–8277; email: *angela.arensdorf@nih.gov.*

SUPPLEMENTARY INFORMATION: This workshop will be an all-day meeting held on December 8, 2018 and will bring together representatives from the NIH, FDA, DEA, academia, and industry to discuss the issues related to conducting research with cannabinoids. The goals of this meeting are to gain an understanding of how to navigate this regulatory space, discuss future research opportunities, and foster collaborations. The focus of this workshop will be on the state of the science and working within current regulations. This meeting will NOT discuss challenging or changing current Federal laws, policies or regulations.

Dated: November 23, 2018.

David Shurtleff,

Acting Director, National Center for Complementary and Integrative Health, National Institutes of Health.

[FR Doc. 2018–26127 Filed 11–30–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Airlift PTTD Brace

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (''CBP'') has issued a final determination concerning the country of origin of the Airlift PTTD Brace. CBP has concluded that the country of origin of the Airlift PTTD Brace is Mexico for the purpose of U.S. Government procurement.

DATES: The final determination was issued on November 23, 2018. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within January 2, 2019

FOR FURTHER INFORMATION CONTACT: Joy Marie Virga, Valuation and Special Programs Branch, Regulations and Rulings, Office of Trade (202) 325–1511.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on 11/23/18, CBP issued a final determination concerning Airlift PTTD Brace, which may be offered to the United States Government under an undesignated government procurement contract. The final determination, HQ H299701, was issued at the request of DJO, LLC, under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, CBP concluded that the aircell produced in Mexico imparts the final product with its essential character. Further, the assembly operations completed in Mexico permanently attach the various parts to each other so that they lose their individual identities and become part of the completed Airlift. Therefore, the country of origin for purposes of U.S. Government procurement of the Airlift PTTD Brace is Mexico.

Section 177.29, CBP Regulations (19 CFR 177.29), provides that notice of final determinations shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Dated: November 23, 2018.

Alice A. Kipel,

Executive Director, Regulations and Rulings, Office of Trade.

HQ H299701

November 23, 2018

OT:RR:CTF:VS: H299701 JMV

CATEGORY: Origin

Matthew M. Caligur
Baker & Hostetler, LLP
811 Main St., Suite 1100
Houston, TX 77002–6111

RE: U.S. Government Procurement; Title III, Trade Agreements Act of 1979 (19 U.S.C. § 2511); Subpart B, Part 177, CBP Regulations; Country of Origin of Airlift PTTD Brace

Dear Mr. Caligur,

This is in response to your request of June 11, 2018 requesting a final determination regarding the country of origin of the Airlift PTTD Brace (''Airlift'') on behalf of DJO, LLC (''DJO'') pursuant to subpart B of Part 177, U.S. Customs and Border Protection (''CBP'') Regulations (19 C.F.R. § 177.21, *et seq.*). As a domestic producer of merchandise, DJO is a party-at-interest within the meaning of 19 C.F.R. § 177.22(d) and is entitled to request this final determination.

You requested confidential treatment for certain information contained in your submission and in the file. Pursuant to 19 C.F.R. § 177.2(b)(7), the identified information has been bracketed and will be redacted in the public version of this ruling.

FACTS:

DJO is a global provider of orthopedic devices, including a broad range of products used for rehabilitation, pain management and physical therapy. The Airlift, one of the items that DJO develops, is designed for the treatment of posterior tibial tendon dysfunction (''PTTD''), or for early signs and symptoms of the adult acquired flat foot. A sample of the finished article and photographs of the components were submitted with your request. The Airlift is essentially a brace that covers the ankle and foot. Depending on the severity of the patient's condition, the Airlift can be prescribed for use as part of a conservative treatment to stabilize the foot and ankle to help prevent further degeneration. It can also be prescribed for use post-surgically and during rehabilitation. The Airlift is produced in three sizes for both the left and right foot with varying dimensions, but all have the same structure and composition and are manufactured using the process described below. Foot support and ankle stabilization are provided by the Airlift's integrated aircell and semi-rigid shells. The aircell, located under the foot arch, is integral to preventing and rehabilitating flat foot. The aircell is adjustable using a hand bulb, which is included with the brace. When inflated, the aircell can accommodate variances in arch shapes and heights. The semi-rigid shells are anatomically designed to the shape of the ankle for secure support and stabilization. These shells help realign the ankle and support the patient. The Airlift uses a rear entry design which allows the patient to slip his or her foot into the back of the brace. Two hook and loop straps secure the brace and can be used to adjust fit. These design elements eliminate the need for lacing, improve patient compliance and make the Airlift easier to put on than custom braces.

The Airlift is produced from the following components: a form assembly from [country A], a springloaded valve from [country B], a hand bulb from [country A], an aircell from Mexico, tubing from [country C], a pneumatic coupler from [country D], an elbow from [country D], resin polyether from [country D], colorant from [country D], foam from [country C], polyurethane laminate from [country D], and polyurethane film from [country D]. Production of the Airlift takes place at DJO's facility in Tijuana, Mexico. DJO produces the aircells in Mexico using

laminate polyurethane from [country D], stuffing them with foam and sewing the sides closed. DJO places the pneumatic coupling on the fixture. DJO connects the tubing to the pneumatic coupling. DJO places the aircell on the fixture to assemble the side of pneumatic coupling in the aircell tubing. DJO then inserts the completed aircells into the wrap, ensuring that the tubing is exposed and open. DJO then places the elbow and valve into the pneumatic fixtures to create an assembly, which is also placed into the wrap and connected to the tubing. The Airlift is then packaged into a box along with the hand bulb and instructional information, which is labeled for shipping.

You state that the Airlift is classified under subheading 9021.10.00, Harmonized Tariff Schedule of the United States (''HTSUS''), which provides for ''Orthopedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability; parts and accessories thereof; Orthopedic or fracture appliances, and parts and accessories thereof.''

ISSUE:

What is the country of origin of the Airlift for purposes of U.S. Government Procurement?

LAW AND ANALYSIS:

CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain ''Buy American'' restrictions in U.S. law or practice for products offered for sale to the U.S. Government, pursuant to subpart B of Part 177, 19 C.F.R. § 177.21 *et seq.,* which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. § 2511 *et seq.*).

Under the rule of origin set forth under 19 U.S.C. § 2518(4)(B):

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 C.F.R. § 177.22(a).

In determining whether the combining of parts constitutes a substantial transformation, the determinative issue for CBP is the extent of operations performed and whether the parts lose their identity and become an integral part of the new article. *Belcrest Linens v. United States,* 6 C.I.T. 204 (1983), *aff'd,* 741 F.2d 1368 (Fed. Cir. 1984). Assembly operations that are minimal or simple, as opposed to complex or meaningful, will generally not result in a substantial transformation. *See* Headquarters Ruling Letter (''HQ'') H125975, dated January 19, 2011. CBP considers the totality of the circumstances and makes such determinations on a case-by-case basis.

The Court of International Trade has also applied the ''essence test'' to determine whether the identity of an article is changed through assembly or processing. For example, in *Uniroyal, Inc. v. United States,* 3 C.I.T. 220, 225 (1982), *aff'd,* 702 F.2d 1022 (Fed. Cir. 1983), the court held that imported shoe uppers added to an outer sole in the United States were the ''very essence of the finished shoe'' and thus were not substantially transformed into a product of the United States. Further, the court noted that the attachment of the outsole to the upper was a minor manufacturing or combining process which left the identity of the upper intact.

Here, the manufacturing operations that combine the Airlift into a finished product are completed at DJO's facility in Mexico and cause the various parts to lose their individual identities. In Mexico, DJO creates the tubing used to inflate the aircell, cuts the laminate polyurethane to size and shape for the aircell, fills the aircell with foam, and sews it closed. DJO then connects the tubing into the aircell using a coupler and plastic elbow, after which the aircell is sewn into the Airlift. This processing permanently attaches the various parts to each other so that they lose their individual identities and become part of the completed Airlift.

Further, similar to the shoe upper in *Uniroyal,* the aircell imparts the essence of the brace as it is the part that provides arch support to prevent or reduce adult onset flat foot, and supports the ankle to treat PTTD. While the form assembly is imported with lateral stays that work to immobilize the ankle, it is not until the insertion of the aircell that the Airlift is suitable for treatment of these conditions. Therefore, a customer is likely to make the decision to purchase the Airlift based on the function of the aircell.

As such, we find the manufacture of the aircell in Mexico and additional processing to create a fully functioning brace results in a substantial transformation of the components such that the country of origin for government procurement purposes is Mexico.

HOLDING:

The country of origin of the Airlift for purposes of U.S. Government procurement is Mexico.

Notice of this final determination will be given in the **Federal Register**, as required by 19 C.F.R. § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 C.F.R. §177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days of publication of the **Federal Register** Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Alice A. Kipel,

Executive Director Regulations & Rulings Office of Trade

[FR Doc. 2018–26167 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Certain Jet Fuel

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (''CBP'') has issued a final determination concerning the country of origin of certain jet fuel. Based upon the facts presented, CBP has concluded that the country of origin of this jet fuel is India for purposes of U.S. Government procurement.

DATES: The final determination was issued on November 23, 2018. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within January 2, 2019.

FOR FURTHER INFORMATION CONTACT: Teresa M. Frazier, Valuation and Special Programs Branch, Regulations and Rulings, Office of Trade (202) 325–0139.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on 11/23/18, pursuant to subpart B of Part 177, U.S. Customs and Border Protection Regulations (19 CFR part 177, subpart B), CBP issued a final determination concerning the country of origin of certain jet fuel, which may be offered to the U.S. Government under an undesignated government procurement contract. This final determination, HQ H272678, was issued under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, CBP concluded that the processing in India results in a substantial transformation. Therefore, the country of origin of the jet fuel is India for purposes of U.S. Government procurement. Section 177.29, CBP Regulations (19 CFR 177.29), provides that a notice of final determination shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Dated: November 23, 2018.

Alice A. Kipel,

Executive Director,Regulations and Rulings, Office of Trade.

H292678

November 23, 2018

OT:RR:CTF:VS H292678 TMF

CATEGORY: Origin

Patrick Devaney, Director
ANOI, Inc.
111 W. Ocean Blvd, Suite 1590
Long Beach, CA 90802

Re: U.S. Government Procurement; Country of Origin of Jet Fuel; Title III, Trade Agreements Act of 1979 (19 U.S.C. § 2511, *et seq.*); Subpart B, Part 177, CBP Regulations

Dear Mr. Devaney:

This is in response to your letter dated December 2, 2017, requesting a final determination, on behalf of your company, ANOI, Inc., concerning the country of origin of certain jet fuel pursuant to subpart B of Part 177 of the U.S. Customs and Border Protection (''CBP'') Regulations (19 C.F.R. § 177.21 *et seq.*). ANOI, Inc., submitted an electronic ruling request to the National Commodity Specialist Division (''NCSD'') which was sent to our office.

We note that Anoi is a party-at-interest within the meaning of 19 C.F.R. § 177.22(d)(1) and is entitled to request this final determination.

FACTS:

Anoi, Inc. produces jet fuel (identified as JP5) in India from U.S. or Mexican petroleum crude oil. The JP5 is intended to be sold to the U.S. Defense Logistics Agency (''DLA'') in a solicitation that requires compliance with the Trade Agreements Act of 1979 (''TAA''). In your submission, you state that an intermediate grade, western Texas and/or Mexican oil will be imported to the Reliance Refinery in Jamnagar, India. At the refinery, you state that ''there will be a 'one-step' transformation of crude to straight-run distillate.'' The process consists of desalting and heating the crude, and then distilling out the sulfur from the middle distillate kerosene with the use of a Merox Oxidation unit that removes the sulfur from the kerosene jet fuel. DLA also requires certain additives to achieve JP5 jet fuel MILSPEC.

ISSUE:

What is the country of origin of the JP5 jet fuel for purposes of U.S. Government procurement?

LAW AND ANALYSIS:

CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain ''Buy American'' restrictions in U.S. law or practice for products offered for sale to the U.S. Government, pursuant to subpart B of Part 177, 19 C.F.R. § 177.21 *et seq.,* which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. § 2511 *et seq.*).

Under the rule of origin set forth under 19 U.S.C. § 2518(4)(B):

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 C.F.R. § 177.22(a).

A substantial transformation occurs when an article emerges from a process with a new name, character, and use different from that possessed by the article prior to processing. A substantial transformation will not result from a minor manufacturing or combining process that leaves the identity of the article intact. *See United States* v. *Gibson-Thomsen Co.,* 27 C.C.P.A. 267 (1940); and *National Juice Products Ass'n* v. *United States,* 628 F. Supp. 978 (Ct. Int'l Trade 1986).

You claim that the country of origin is either the United States or Mexico for two reasons. First, you state that the source of crude is ''an embargo issue for feedstock in the Solicitation.'' Second, you claim there is no ''double transformation'' as in CBP Headquarters Ruling Letters (''HQ'') 555032, dated September 23, 1988 and HQ 562387, dated July 30, 2002, because the processes in those situations involved ''old technology''/mixture-based processes that consisted of hydro-desulfurization, platformers and naptha-blends. However, in this case, ANOI, Inc. proposes to refine, by the process of distillation, and additional processes, U.S. or Mexican origin, petroleum crude oil at the Reliance Petroleum Refinery in Jamnagar, India into U.S. JP5 specification jet fuel. You state that a ''straight-run'' process occurs because it uses a Merox filter unit that involves no chemical mixing except for inclusion of the JP5 additive, which is required by DLA. Accordingly, you claim no substantial transformation occurs in India.

In this case, we find the JP5 specification jet fuel is clearly a new and different article with a new name, character, and use from that of the petroleum crude oil from which it was refined. Although there may be no double substantial transformation, the process to create jet fuel from straight crude oil to straight-run distillate still involves desalting and the application of heat distillation coupled with the utilization of the Merox Oxidation unit to remove sulfur, which results in the creation of jet fuel. According to our Laboratories and Scientific Services Directorate, the petroleum crude oil is substantially transformed into JP5 by the petroleum refining process of distillation. This finding is consistent with our decision in HQ 555032, where a first substantial transformation was found to occur after distillation. Therefore, we find the country of origin of the produced JP5 will be the country in which the substantial transformation (distillation) occurs, namely India.

HOLDING:

Based upon the specific facts of this case, the country of origin of the JP5 jet fuel for purposes of U.S. Government procurement will be India.

Notice of this final determination will be given in the **Federal Register**, as required by 19 C.F.R. § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 C.F.R. § 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 C.F.R. § 177.30, any party-at-interest may, within 30 days of publication of the **Federal Register** Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Alice A. Kipel,
Executive Director, Regulations & Rulings, Office of Trade.

[FR Doc. 2018–26168 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–3407–EM; Docket ID FEMA–2018–0001]

Alabama; Amendment No. 1 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of Alabama (FEMA–3407–EM), dated October 12, 2018, and related determinations.

DATES: This amendment was issued November 7, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this emergency is closed effective October 13, 2018.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance

(Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–26099 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4393–DR; Docket ID FEMA–2018–0001]

North Carolina; Amendment No. 10 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of North Carolina (FEMA–4393–DR), dated September 14, 2018, and related determinations.

DATES: This amendment was issued November 15, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of North Carolina is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of September 14, 2018.

Guilford County for Public Assistance, including direct federal assistance (already designated for Individual Assistance).

McDowell County for Public Assistance, including direct federal assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–26133 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: 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 date of December 21, 2018 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 *https://msc.fema.gov* by the 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 *https://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 *https://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.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Camden County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1616	
City of Elizabeth City	Planning Department, 302 East Colonial Avenue, Room 308, Elizabeth City, NC 27907.

Community	Community map repository address
Unincorporated Areas of Camden County	Camden County Offices, 117 North NC Highway 343, Camden, NC 27921.
Chowan County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1616	
Town of Edenton	Town Hall, 400 South Broad Street, Edenton, NC 27932.
Unincorporated Areas of Chowan County	Chowan County Planning Department, 108 East King Street, Edenton, NC 27932.
Currituck County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1616	
Unincorporated Areas of Currituck County	Currituck County Planning and Inspections Department, 153 Courthouse Road, Currituck, NC 27929.
Pasquotank County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1616	
City of Elizabeth City	Planning Department, 302 East Colonial Avenue, Room 308, Elizabeth City, NC 27907.
Unincorporated Areas of Pasquotank County	Pasquotank County Planning Department, 206 East Main Street, Elizabeth City, NC 27909.
Perquimans County, North Carolina and Incorporated Areas Docket No.: FEMA–B–1616	
Town of Hertford	Town Hall, 114 West Grubb Street, Hertford, NC 27944.
Town of Winfall	Town Hall, 100 Parkview Lane, Winfall, NC 27985.
Unincorporated Areas of Perquimans County	Perquimans County Inspections Department, 104 Dobbs Street, Hertford, NC 27944.

[FR Doc. 2018–26101 Filed 11–30–18; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1868]

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 March 4, 2019.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1868, 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 *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the 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 are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Escambia County, Alabama and Incorporated Areas Project: 17–04–4565S Preliminary Date: June 18, 2018	
City of Atmore	City Hall, 201 East Louisville Avenue, Atmore, AL 36502.
Unincorporated Areas of Escambia County	Escambia County Emergency Management Agency, 314 Belleville Avenue, Brewton, AL 36426.

[FR Doc. 2018–26103 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1865]

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 March 4, 2019.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–1865, 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 *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the 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 are used to calculate the appropriate flood insurance premium

rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://www.fema.gov/preliminaryfloodhazarddata* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Bexar County, Texas and Incorporated Areas Project: 13–06–1182S Preliminary Date: June 29, 2018	
City of San Antonio	Transportation and Capital Improvements Department, Storm Water Division, 114 West Commerce Street, 6th Floor, San Antonio, TX 78205.
City of Terrell Hills	Terrell Hills City Hall, 5100 North New Braunfels Avenue, San Antonio, TX 78209.
Denton County, Texas and Incorporated Areas Project: 13–06–1187S Preliminary Date: June 29, 2018	
City of Corinth	City Hall, 3300 Corinth Parkway, Corinth, TX 76208.
City of Lake Dallas	Development Services, 212 Main Street, Lake Dallas, TX 75065.
Town of Shady Shores	Town Hall, 101 South Shady Shores Road, Shady Shores, TX 76208.
Unincorporated Areas of Denton County	Denton County Public Works-Planning, 1505 East McKinney Street, Suite 175, Denton, TX 76209.

[FR Doc. 2018–26102 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4406–DR; Docket ID FEMA–2018–0001]

Alabama; 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 Alabama (FEMA–4406–DR), dated November 5, 2018, and related determinations.

DATES: The declaration was issued November 5, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated November 5, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Alabama resulting from Hurricane Michael during the period of October 10 to October 13, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Alabama.

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 areas 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, Gerard M. Stolar, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Alabama have been designated as adversely affected by this major disaster:

Geneva, Henry, Houston, and Mobile Counties for Public Assistance.

All areas within the State of Alabama are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–26100 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1867]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

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 *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

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).

These 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. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Arizona:						
Pima	City of Tucson (18–09–1087P).	The Honorable Jonathan Rothschild, Mayor, City of Tucson, 255 West Alameda Street, Tucson, AZ 85701.	Planning and Development Services, 201 North Stone Avenue, 1st Floor, Tucson, AZ 85701.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 22, 2019	040076

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
Pima	Unincorporated Areas of Pima County (18–09–1087P).	The Honorable Richard Elias, Chairman, Board of Supervisors, Pima County, 130 West Congress Street, 11th Floor, Tucson, AZ 85701.	Pima County Flood Control District, 201 North Stone Avenue, 9th Floor, Tucson, AZ 85701.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 22, 2019	040073
California:						
Fresno	City of Clovis (18–09–0724P).	The Honorable Bob Whalen, Mayor, City of Clovis, 1033 5th Street, Clovis, CA 93612.	Planning and Development, 1033 5th Street, Clovis, CA 93612.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 21, 2019	060044
Fresno	Unincorporated Areas of Fresno County (18–09–0724P).	The Honorable Sal Quintero, Chairman, Board of Supervisors, Fresno County, 2281 Tulare Street, Room 301, Fresno, CA 93721.	Fresno County, Department of Public Works & Planning, 2220 Tulare Street, 6th Floor, Fresno, CA 93721.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 21, 2019	065029
Idaho: Bannock	City of Pocatello (18–10–0482P).	The Honorable Brian Blad, Mayor, City of Pocatello, P.O. Box 4169, Pocatello, ID 83205.	City Hall, 911 North 7th Avenue, Pocatello, ID 83205.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 15, 2019	160012
Illinois:						
Tazewell	Unincorporated Areas of Tazewell County, (18–05–4174P).	The Honorable David Zimmerman, Chairman, Tazewell County Board, McKenzie Building, 11 South 4th Street, Suite 432, Pekin, IL 61554.	Tazewell County McKenzie Building-4th Floor, 11 South 4th Street, Pekin, IL 61554.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 14, 2019	170815
Tazewell	Village of Morton (18–05–4174P).	The Honorable Jeff Kaufman, Village President, Village of Morton, P.O. Box 28, Morton, IL 61550.	Village Hall, 120 North Main Street, Morton, IL 61550.	*https://msc.fema.gov/portal/advanceSearch.*	Feb 14, 2019	170652
Minnesota:						
McLeod	City of Glencoe (18–05–2850P).	The Honorable Randy Wilson, Mayor, City of Glencoe, Administration Building, 1107 11th Street East, Glencoe, MN 55336.	Administration Building, 1107 11th Street East, Glencoe, MN 55336.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 24, 2019	270263
McLeod	Unincorporated Areas of McLeod County Minnesota (18–05–2850P).	Mr. Paul Wright, County Commissioner, McLeod County, McLeod County Courthouse, 830 11th Street East, Glencoe, MN 55336.	McLeod County Courthouse, 830 11th Street East, Glencoe, MN 55336.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 24, 2019	270616
Nebraska:						
Colfax	City of Schuyler (17–07–2227P).	The Honorable David Reinecke, Mayor, City of Schuyler, 1103 B Street, Schuyler, NE 68661.	Municipal Building, 1103 B Street, Schuyler, NE 68661.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 15, 2019	310046
Colfax	Unincorporated Areas of Colfax County (17–07–2227P).	Mr. Gil Wigington, Chairman, Colfax County, Board of Commissioners, 411 East 11th Street, Schuyler, NE 68661.	Colfax County Courthouse, 411 East 11th Street, Schuyler, NE 68661.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 15, 2019	310426
Ohio: Hamilton	Village of Amberley (18–05–2008P).	The Honorable Tom Muething, Mayor, Village of Amberley, 7149 Ridge Road, Cincinnati, OH 45237.	Municipal Building, 7149 Ridge Road, Cincinnati, OH 45237.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 15, 2019	390206
Oregon: Deschutes	Unincorporated Areas of Deschutes County (18–10–0743P).	Mr. Alan Unger, Commissioner, Deschutes County, 1300 Northwest Wall Street, Bend, OR 97708.	Deschutes County Board of Commissioners, 1164 Northwest Bond Street, Bend, OR 99701.	*https://msc.fema.gov/portal/advanceSearch.*	Feb. 7, 2019	410055

[FR Doc. 2018–26173 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: New or modified Base (1-percent annual chance) Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, and/or regulatory floodways (hereinafter referred to as flood hazard determinations) as shown on the indicated Letter of Map Revision (LOMR) for each of the communities listed in the table below are finalized. Each LOMR revises the Flood Insurance Rate Maps (FIRMs), and in some cases the Flood Insurance Study (FIS) reports, currently in effect for the listed communities. The flood hazard determinations modified by each LOMR will be used to calculate flood insurance premium rates for new buildings and their contents.

DATES: Each LOMR was finalized as in the table below.

ADDRESSES: Each LOMR is available for inspection at both the respective Community Map Repository address listed in the table below and online through the FEMA Map Service Center at *https://msc.fema.gov.*

FOR FURTHER INFORMATION CONTACT: Rick 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 *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final flood hazard determinations as shown in the LOMRs for each community listed in the table below. Notice of these modified flood hazard determinations has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

The modified flood hazard determinations are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The new or modified flood hazard information is the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to remain qualified for participation in the National Flood Insurance Program (NFIP).

This new or modified flood hazard information, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

This new or modified flood hazard determinations are used to meet the floodplain management requirements of the NFIP and are used to calculate the appropriate flood insurance premium rates for new buildings, and for the contents in those buildings. The changes in flood hazard determinations are in accordance with 44 CFR 65.4.

Interested lessees and owners of real property are encouraged to review the final flood hazard information available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Florida:					
Brevard (FEMA Docket No.: B–1845).	City of Cape Canaveral (18–04–3826P).	The Honorable Bob Hoog, Mayor, City of Cape Canaveral, 100 Polk Avenue, Cape Canaveral, FL 32920.	Community Development Department, 100 Polk Avenue, Cape Canaveral, FL 32920.	Oct. 16, 2018	125094
Charlotte (FEMA Docket No.: B–1845).	Unincorporated areas of Charlotte County (18–04–2509P).	The Honorable Ken Doherty, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948.	Charlotte County Community Development Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	Oct. 16, 2018	120061
Charlotte (FEMA Docket No.: B–1845).	Unincorporated areas of Charlotte County (18–04–3229P).	The Honorable Ken Doherty, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948.	Charlotte County Community Development Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	Oct. 10, 2018	120061
Charlotte (FEMA Docket No.: B–1845).	Unincorporated areas of Charlotte County (18–04–3470P).	The Honorable Ken Doherty, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Circle, Suite 536, Port Charlotte, FL 33948.	Charlotte County Community Development Department, 18500 Murdock Circle, Port Charlotte, FL 33948.	Oct. 11, 2018	120061
Lee (FEMA Docket No.: B–1845).	Town of Fort Myers Beach (18–04–2108P).	The Honorable Tracey Gore, Mayor, Town of Fort Myers Beach, 2525 Estero Boulevard, Fort Myers Beach, FL 33931.	Community Development Department, 2525 Estero Boulevard, Fort Myers Beach, FL 33931.	Oct. 15, 2018	120673
Monroe (FEMA Docket No.: B–1845).	Unincorporated areas of Monroe County (18–04–3505P).	The Honorable David Rice, Mayor, Monroe County Board of Commissioners, 1100 Simonton Street Key West, FL 33040.	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050.	Oct. 19, 2018	125129
Monroe (FEMA Docket No.: B–1845).	Unincorporated areas of Monroe County (18–04–3566P).	The Honorable David Rice, Mayor, Monroe County Board of Commissioners, 1100 Simonton Street, Key West, FL 33040.	Monroe County Building Department, 2798 Overseas Highway, Suite 300, Marathon, FL 33050.	Oct. 10, 2018	125129

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Nassau (FEMA Docket No.: B–1845).	Unincorporated areas of Nassau County (18–04–3296P).	The Honorable Pat Edwards, Chairman, Nassau County Board of Commissioners, 96135 Nassau Place, Suite 1, Yulee, FL 32097.	Nassau County Building Department, 96161 Nassau Place, Yulee, FL 32097.	Oct. 11, 2018	120170
Kentucky:					
Hopkins (FEMA Docket No.: B–1848).	City of Mortons Gap (18–04–0717P).	The Honorable Chris Phelps, Mayor, City of Mortons Gap, P.O. Box 367, Mortons Gap, KY 42440.	Hopkins County Joint Planning Commission, 10 South Main Street, Room 12, Madisonville, KY 42431.	Oct. 18, 2018	210116
Hopkins (FEMA Docket No.: B–1848).	Unincorporated areas of Hopkins County (18–04–0717P).	The Honorable Donald E. Carroll, Hopkins County Judge-Executive, 56 North Main Street, Madisonville, KY 42431.	Hopkins County Joint Planning Commission, 10 South Main Street, Room 12, Madisonville, KY 42431.	Oct. 18, 2018	210112
Maine:					
Washington (FEMA Docket No.: B–1845).	Town of Charlotte (18–01–1031P).	The Honorable Ernest James, Chairman, Town of Charlotte Board of Selectmen, P.O. Box 55, Pembroke, ME 04666.	Town Hall, 1098 Ayers Junction Road, Charlotte, ME 04666.	Oct. 11, 2018	230437
Washington (FEMA Docket No.: B–1845).	Town of Pembroke (18–01–1031P).	The Honorable Milan Jamieson, Chairman, Town of Pembroke Board of Selectmen, P.O. Box 247, Pembroke, ME 04666.	Town Hall, 48 Old County Road, Pembroke, ME 04666.	Oct. 11, 2018	230143
Washington (FEMA Docket No.: B–1845).	Town of Robbinston (18–01–1031P).	The Honorable Tom Moholland, Chairman, Town of Robbinston Board of Selectmen, 986 Ridge Road, Robbinston, ME 04671.	Town Hall, 904 U.S. Route 1, Robbinston, ME 04671.	Oct. 11, 2018	230321
Massachusetts: Bristol (FEMA Docket No.: B–1845).	Town of Westport (18–01–0550P).	The Honorable Shana M. Shufelt, Chair, Town of Westport Board of Selectmen, 816 Main Road, Westport, MA 02790.	Building Department, 856 Main Road, Westport, MA 02790.	Oct. 12, 2018	255224
North Carolina: Iredell (FEMA Docket No.: B–1845).	Unincorporated areas of Iredell County (18–04–1249P).	The Honorable James Mallory, III, Chairman, Iredell County Board of Commissioners, P.O. Box 788, Statesville, NC 28687.	Iredell County Planning Department, 349 North Center Street, Statesville, NC 28687.	Oct. 17, 2018	370313
South Carolina: Lexington (FEMA Docket No.: B–1845).	Town of Irmo (18–04–3966P).	The Honorable Hardy K. King, Mayor, Town of Irmo, 501 Doncaster Drive, Irmo, SC 29063.	Town Hall, 7300 Woodrow Street, Irmo, SC 29063.	Oct. 12, 2018	450133
Texas:					
Bexar (FEMA Docket No.: B–1848).	City of San Antonio (17–06–3967P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	Oct. 22, 2018	480045
Bexar (FEMA Docket No.: B–1848).	City of San Antonio (18–06–0180P).	The Honorable Ron Nirenberg, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, TX 78283.	Transportation and Capital Improvements Department, Storm Water Division, 1901 South Alamo Street, 2nd Floor, San Antonio, TX 78204.	Oct. 22, 2018	480045
Collin (FEMA Docket No.: B–1845).	City of Plano (18–06–0609P).	The Honorable Harry LaRosiliere, Mayor, City of Plano, 1520 K Avenue, Plano, TX 75074.	Engineering Department, 1520 K Avenue, Suite 250, Plano, TX 75074.	Oct. 12, 2018	480140
Collin (FEMA Docket No.: B–1845).	Unincorporated areas of Collin County (18–06–0382P).	The Honorable Keith Self, Collin County Judge, 2300 Bloomdale Road, Suite 4192, McKinney, TX 75071.	Collin County Emergency Management Department, 4690 Community Avenue, Suite 200, McKinney, TX 75071.	Oct. 15, 2018	480130
Dallas (FEMA Docket No.: B–1848).	City of Coppell (18–06–0712P).	The Honorable Karen Hunt, Mayor, City of Coppell, 255 Parkway Boulevard, Coppell, TX 75019.	Engineering Department, 255 Parkway Boulevard, Coppell, TX 75019.	Oct. 22, 2018	480170
Dallas (FEMA Docket No.: B–1848).	City of Dallas (17–06–4026P).	The Honorable Michael S. Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Floodplain and Drainage Management Department, 320 East Jefferson Street, Suite 307, Dallas, TX 75203.	Oct. 22, 2018	480171
Dallas (FEMA Docket No.: B–1845).	City of Dallas (18–06–0377P).	The Honorable Michael S. Rawlings, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, TX 75201.	Floodplain Management Department, 320 East Jefferson Boulevard, Room 307, Dallas, TX 75203.	Oct. 15, 2018	480171
El Paso (FEMA Docket No.: B–1845).	City of El Paso (16–06–3207P).	Mr. Tommy Gonzalez, Manager, City of El Paso, 300 North Campbell Street, El Paso, TX 79901.	City Hall, 801 Texas Avenue, El Paso, TX 79901.	Oct. 15, 2018	480214
Montgomery (FEMA Docket No.: B–1845).	City of Magnolia (18–06–1973P).	The Honorable Todd Kana, Mayor, City of Magnolia, 18111 Buddy Riley Boulevard, Magnolia, TX 77354.	City Hall, 18111 Buddy Riley Boulevard, Magnolia, TX 77354.	Oct. 12, 2018	481261
Montgomery (FEMA Docket No.: B–1845).	Unincorporated areas of Montgomery County (18–06–1973P).	The Honorable Craig Doyal, Montgomery County Judge, 501 North Thompson Street, Suite 401, Conroe, TX 77301.	Montgomery County Permit Office, 501 North Thompson Street, Suite 100, Conroe, TX 77301.	Oct. 12, 2018	480483

State and county	Location and case No.	Chief executive officer of community	Community map repository	Date of modification	Community No.
Parker (FEMA Docket No.: B–1845).	City of Fort Worth (18–06–1767P).	The Honorable Betsy Price, Mayor, City of Fort Worth, 200 Texas Street, Fort Worth, TX 76102.	Transportation and Public Works Department, 200 Texas Street, Fort Worth, TX 76102.	Oct. 22, 2018	480596
Rockwall (FEMA Docket No.: B–1845).	City of Rockwall (18–06–0382P).	The Honorable Jim Pruitt, Mayor, City of Rockwall, 385 South Goliad Street, Rockwall, TX 75087.	Engineering Department, 385 South Goliad Street, Rockwall, TX 75087.	Oct. 15, 2018	480547
Tarrant (FEMA Docket No.: B–1848).	City of Grapevine (18–06–0712P).	The Honorable William D. Tate, Mayor, City of Grapevine, P.O. Box 95104, Grapevine, TX 76099.	City Hall, 200 South Main Street, Grapevine, TX 76099.	Oct. 22, 2018	480598
Tarrant (FEMA Docket No.: B–1845).	City of Kennedale (18–06–0322P).	The Honorable Brian Johnson, Mayor, City of Kennedale, 405 Municipal Drive, Kennedale, TX 76060.	Planning and Development Department, 405 Municipal Drive, Kennedale, TX 76060.	Oct. 15, 2018	480603
Tarrant (FEMA Docket No.: B–1845).	City of Mansfield (18–06–0226P).	The Honorable David L. Cook, Mayor, City of Mansfield, 1200 East Broad Street, Mansfield, TX 76063.	City Hall, 1200 East Broad Street, Mansfield, TX 76063.	Oct. 11, 2018	480606
Tom Green (FEMA Docket No.: B–1845).	City of San Angelo (18–06–0816P).	The Honorable Brenda Gunter, Mayor, City of San Angelo, 72 West College Avenue, San Angelo, TX 76903.	City Hall, 301 West Beauregard Avenue, San Angelo, TX 76903.	Oct. 16, 2018	480623
Virginia:					
Fairfax (FEMA Docket No.: B–1845).	Unincorporated areas of Fairfax County (18–03–0171P).	The Honorable Sharon Bulova, Chair, Fairfax County Board of Supervisors, 12000 Government Center Parkway, Fairfax, VA 22035.	Fairfax County Stormwater Planning Division, 12000 Government Center Parkway, Suite 449, Fairfax, VA 22035.	Oct. 12, 2018	515525
Prince William (FEMA Docket No.: B–1845).	Unincorporated areas of Prince William County (18–03–0171P).	Mr. Christopher E. Martino, Prince William County Executive, 1 County Complex Court, Prince William, VA 22192.	Prince William County Department of Public Works, 5 County Complex Court, Prince William, VA 22192.	Oct. 12, 2018	510119

[FR Doc. 2018–26129 Filed 11–30–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0072]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Application for Suspension of Deportation or Special Rule Cancellation of Removal

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until February 1, 2019.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0072 in the body of the letter, the agency name and Docket ID USCIS–2008–0077. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number USCIS–2008–0077;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW, Washington, DC 20529–2140.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, telephone number 202–272–8377 (This is not a toll-free number. Comments are not accepted via telephone message). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at 800–375–5283 (TTY 800–767–1833).

SUPPLEMENTARY INFORMATION:

Comments

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2008–0077 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Sec. 203 of Pub. L. 105–100).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–881; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. Form I–881 is used by a nonimmigrant to apply for suspension of deportation or special rule cancellation of removal. The information collected on this form is necessary in order for USCIS to determine if it has jurisdiction over an individual applying for this release as well as to elicit information regarding the eligibility of an individual applying for release.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–881 is 520 and the estimated hour burden per response is 12 hours per response; the estimated number of respondents providing biometrics is 858 and the estimated hour burden per response is 1.17 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 7,243.86 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $258,505.52.

Dated: November 28, 2018.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2018–26166 Filed 11–30–18; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7002–N–12]

60-Day Notice of Proposed Information Collection: Rural Capacity Building

Correction

In notice document 2018–24492, appearing on pages 56094 through 56095, in the issue of Friday, November 9, 2018, make the following correction:

On page 56094, in the second column, in the document heading, the subject line should read as set forth above.

[FR Doc. C1–2018–24492 Filed 11–30–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO350000.L14400000.PN0000; OMB Control Number 1004–0025]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Mineral Surveys, Mineral Patent Applications, Adverse Claims, Protests, and Contests

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Land Management (BLM), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before January 2, 2019.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to the BLM at U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Mark Purdy; or by email to *mpurdy@blm.gov.* Please reference OMB Control Number 1004–0025 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Elaine Guenaga by email at *eguenaga@blm.gov,* or by telephone at 775–861–6539. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on June 25, 2018 (83 FR 29566). No comments were received.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The General Mining Law (30 U.S.C. 29, 30, and 39) authorizes a holder of an unpatented claim for hardrock minerals to apply for fee title (patent) to the federal land (as well as minerals) embraced in the claim. Since

1994, a rider on the annual appropriation bill for the Department of the Interior has prevented the BLM from processing mineral patent applications unless the applications were grandfathered under the initial legislation. While grandfathered applications are rare at present, the approval to collect the information continues to be necessary because of the possibility that the moratorium will be lifted.

Title of Collection: Mineral Surveys, Mineral Patent Applications, Adverse Claims, Protests, and Contests.

OMB Control Number: 1004–0025.

Form Number: 3860–2 and 3860–5.

Type of Review: Extension of currently approved collection.

Respondents/Affected Public: Owners of unpatented mining claims and mill sites upon the public lands, and of reserved mineral lands of the United States, National Forests, and National Parks.

Total Estimated Number of Annual Respondents: 10.

Total Estimated Number of Annual Responses: 10.

Estimated Completion Time per Response: Varies from 1–100 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 559.

Respondent's Obligation: Required to Obtain a Benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: $255,375.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Mark Purdy,

Bureau of Land Management, Management Analyst.

[FR Doc. 2018–26229 Filed 11–30–18; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–CR–NAGPRA; PPWOCRADN0, PCU00RP14.R50000; OMB Control Number 1024–0144]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Native American Graves Protection and Repatriation Regulations

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before January 2, 2019.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to Phadrea D. Ponds, Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive, Fort Collins, CO 80525; or by email to *phadrea_ponds@nps.gov.* Please reference OMB Control Number 1024–0144 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Melanie O'Brien, Manager, National NAGPRA Program by email at *melanie_o'brien@nps.gov,* or by telephone at (202) 354–2204. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on March 26, 2018, Year (83 FR 12960). No comments were received.

We are again soliciting comments on the proposed information collection request (ICR) that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the NPS, (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the NPS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the NPS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001–3013) requires all public and private museums receiving Federal funds (other than the Smithsonian Institution) to compile summaries, inventories, and notices regarding Native American cultural items in their possession or control. This information must be provided to lineal descendants, likely interested Indian tribes, Native Hawaiian organizations, and the NPS National NAGPRA Program. Under NAGPRA and its implementing regulations, we are mandated to collect any information that is pertinent in determining the cultural affiliation and geographical origin of Native American human remains and cultural items. This include descriptions, acquisition data, and records of consultation. Once the identity and cultural affiliation of human remains and cultural items are determined, the museum must send written notice of determination to the affected Indian tribes or Native Hawaiian organizations and the NAGPRA Program for publication in the **Federal Register**.

Title of Collection: Native American Graves Protection and Repatriation Regulations, 43 CFR 10.

OMB Control Number: 1024–0144.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State, local and tribal governments, universities, museums, etc. that receives Federal funds and has possession of, or control over, Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony.

Total Estimated Number of Annual Respondents: 448.

Total Estimated Number of Annual Responses: 448.

Estimated Completion Time per Response: Varies from 10 hours to 100

hours, depending on respondent and/or activity.

Total Estimated Number of Annual Burden Hours: 4,470.

Respondent's Obligation: Mandatory.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

Respondents	Total annual responses	Average time/ response (hours)	Total annual burden
New Summary/Inventory:			
—Private Museums	1	100	100
—State and Local Govt	2	100	200
Updated Summary/Inventory Data:			
—Private Museums	130	10	1,300
—State and Local Govt	180	10	1,800
Notices:			
—Private Museums	41	10	410
—State and Local Govt	64	10	640
Notify Tribes/Request Information:			
—Private Museums	4	30	2
—State and Local Govt	10	30	5
Respond to Request for Information:			
—State and Local Govt	16	48	13
Totals	448		4,470

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea D. Ponds,

Acting NPS Information Collection Clearance Officer, National Park Service.

[FR Doc. 2018–26142 Filed 11–30–18; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NPS–WASO–CR; PPWOCRADI0, PCU00RP14.R50000 (189); OMB Control Number 1024–0018]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Nomination of Properties for Listing in the National Register of Historic Places

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before January 2, 2019.

ADDRESSES: Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the Department of the Interior by email at *OIRA_Submission@omb.eop.gov;* or via facsimile to (202) 395–5806. Please provide a copy of your comments to Phadrea D. Ponds, Information Collection Clearance Officer, National Park Service, 1201 Oakridge Drive, Fort Collins, CO 80525; or by email to *phadrea_ponds@nps.gov.* Please reference OMB Control Number 1024–0018 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Lisa Deline, Architectural Historian, National Register of Historic Places, by email at *Lisa_Deline@nps.gov,* or by telephone at 202–354–2239. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information on April 24, 2018 (83 FR 17841). No written comments were received in response to that notice.

We are again soliciting comments on the proposed information collection request (ICR) that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the NPS, (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the NPS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the NPS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The National Register of Historic Places (National Register) is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register properties have significance to the history of communities, States, or the Nation. The

National Historic Preservation Act of 1966 requires the Secretary of the Interior to maintain and expand the National Register, and to establish criteria and guidelines for including properties on the National Register. National Register properties must be considered in the planning for Federal or federally assisted projects, and listing in the National Register is required for eligibility for Federal rehabilitation tax incentives. The NPS administers the National Register. Nominations for listing historic properties come from State Historic Preservation Officers (SHPO), from Federal Preservation Officers (FPO), for properties owned or controlled by the United States Government, and from Tribal Historic Preservation Officers (THPO), for properties on tribal lands. Private individuals and organizations, local governments, and American Indian tribes often initiate this process and prepare the necessary documentation. Regulations at 36 CFR 60 and 63 establish the criteria and guidelines for listing and for determining the eligibility of properties.

Title of Collection: Nomination of Properties for Listing in the National Register of Historic Places, 36 CFR 60 and 63.

OMB Control Number: 1024–0018.

Form Numbers:

- NPS Form 10–900 (National Register of Historic Places Registration Form)
- NPS Form 10–900–a (National Register of Historic Places Continuation Sheet) and
- NPS Form 10–900–b (National Register of Historic Places Multiple Property Documentation Form).

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals, Private Sector, and Government.

Total Estimated Number of Annual Respondents: 2,564.

Total Estimated Number of Annual Responses: 8,443.

Estimated Completion Time per Response: Varies from 6 hours to 250 hours, depending on respondent and/or activity.

Total Estimated Number of Annual Burden Hours: 226,672.

Respondent's Obligation: Required to Obtain Benefits.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

Activity	Annual number of responses	Estimated time per response (hours)	Total annual burden hours
Preparation and Submission of Nomination Forms (individuals), NPS Forms 10–900, 10–900–a, 10–900–b	90	250	22,500
Preparation and Submission of Nomination Forms (private sector), NPS Forms 10–900, 10–900–a, 10–900–b	5	250	1,250
Preparation and Submission of Nomination Forms (govt), NPS Forms 10–900, 10–900–a, 10–900–b	5	250	1,250
Review of Nomination Forms and Submission to NPS (govt)	1,282	6	7,692
National Register Nominations Prepared by Consultants (individuals), NPS Forms 10–900, 10–900–a	635	120	76,200
Existing Multiple Property Submission by Consultants, NPS Forms 10–900, 10–900–a	75	100	7,500
Newly Proposed MPS Cover Document Prepared by Consultants, NPS Forms 10–900–a, 10–900–b	36	280	10,080
New Nominations Prepared and Submitted by Consultants (individuals), NPS Forms 10–900, 10–900–a	1	150	150
National Register District Nominations Prepared by Consultants (govt), NPS Forms 10–900–a, 10–900–b	435	230	100,050
Total	2,564	.....	226,672

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea D. Ponds,

Acting NPS Information Collection Clearance Officer, National Park Service.

[FR Doc. 2018–26141 Filed 11–30–18; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1114 (Second Review)]

Steel Nails From China; Institution of a Five-Year Review

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to the Tariff Act of 1930 (''the Act''), as amended, to determine whether revocation of the antidumping duty order on steel nails from China would be likely to lead to continuation or recurrence of material injury. Pursuant to the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission.

DATES: Instituted December 3, 2018. To be assured of consideration, the deadline for responses is January 2, 2019. Comments on the adequacy of responses may be filed with the Commission by February 14, 2019.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by

accessing its internet server (*https://www.usitc.gov*). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.— On August 1, 2008, the Department of Commerce issued an antidumping duty order on imports of steel nails from China (73 FR 44961). Following the first five-year reviews by Commerce and the Commission, effective January 10, 2014, Commerce issued a continuation of the antidumping duty order on imports of steel nails from China (79 FR 1830). The Commission is now conducting a second review pursuant to section 751(c) of the Act, as amended (19 U.S.C. 1675(c)), to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. Provisions concerning the conduct of this proceeding may be found in the Commission's Rules of Practice and Procedure at 19 CFR parts 201, subparts A and B and 19 CFR part 207, subparts A and F. The Commission will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions.—The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise.* In its original determination and its expedited first five-year review determination, the Commission defined a single *Domestic Like Product* consisting of certain steel nails, coextensive with Commerce's scope.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product,* or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission defined the *Domestic Industry* as producers of the *Domestic Like Product,* and it found appropriate circumstances to exclude three firms from the *Domestic Industry* as related parties (Senco, Specialty Fastening, and Stanley Fastening Systems, LP). In its expedited first five-year review determination, the Commission defined the *Domestic Industry* to include all domestic producers of steel nails.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the proceeding and public service list.—Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the proceeding as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the proceeding.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation or an earlier review of the same underlying investigation. The Commission's designated agency ethics official has advised that a five-year review is not the same particular matter as the underlying original investigation, and a five-year review is not the same particular matter as an earlier review of the same underlying investigation for purposes of 18 U.S.C. 207, the post employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 79 FR 3246 (Jan. 17, 2014), 73 FR 24609 (May 5, 2008). Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation or an earlier review of the same underlying investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Charles Smith, Office of the General Counsel, at 202–205–3408.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this proceeding available to authorized applicants under the APO issued in the proceeding, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the proceeding. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this proceeding must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will acknowledge that information submitted in response to this request for information and throughout this proceeding or other proceeding may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements.

Written submissions.—Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is January 2, 2019. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is February 14, 2019. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's Handbook on E-Filing, available on the Commission's website at *https://edis.usitc.gov,* elaborates upon the Commission's rules with respect to

electronic filing. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the proceeding must be served on all other parties to the proceeding (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the proceeding you do not need to serve your response).

No response to this request for information is required if a currently valid Office of Management and Budget (''OMB'') number is not displayed; the OMB number is 3117 0016/USITC No. 18–5–416, expiration date June 30, 2020. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Inability to provide requested information.—Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act (19 U.S.C. 1677e(b)) in making its determination in the review.

Information To Be Provided in Response to This Notice of Institution: As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and Email address of the certifying official.

(2) A statement indicating whether your firm/entity is an interested party under 19 U.S.C. 1677(9) and if so, how, including whether your firm/entity is a U.S. producer of the *Domestic Like Product,* a U.S. union or worker group, a U.S. importer of the *Subject Merchandise,* a foreign producer or exporter of the *Subject Merchandise,* a U.S. or foreign trade or business association (a majority of whose members are interested parties under the statute), or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this proceeding by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry.*

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product.* Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 2012.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and Email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product,* provide the following information on your firm's operations on that product during calendar year 2017, except as noted (report quantity data in short tons and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country,* provide the following information on your firm's(s') operations on that product during calendar year 2017 (report quantity data in short tons and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country;* and

(c) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country.*

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country,* provide the following information on your firm's(s') operations on that product during calendar year 2017 (report quantity data in short tons and value data in U.S. dollars, landed and duty-paid at the U.S. port but not

including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm(s) to produce the *Subject Merchandise* in the *Subject Country* (that is, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 2012, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country,* and such merchandise from other countries.

(13) (OPTIONAL) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry;* if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: November 27, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–26136 Filed 11–30–18; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1113]

Certain Submarine Telecommunication Systems and Components Thereof; Commission Determination Not To Review an Initial Determination Granting an Unopposed Motion To Terminate the Investigation; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 19) of the presiding administrative law judge (''ALJ'') granting an unopposed motion to terminate the investigation based on withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Amanda Pitcher Fisherow, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2737. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 23, 2018, based on a complaint, filed on behalf of NEC Corporation of Tokyo, Japan and NEC Corporation of America of Irving, Texas (''complainants''). 83 FR 23936–37 (May 23, 2018). The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain submarine telecommunication systems and components thereof by reason of infringement of certain claims of U.S. Patent 8,244,131. The Notice of Institution named Xtera, Inc. of Allen, Texas; MC Assembly, LLC of Melbourne, Florida; and MC Test Services, Inc. of Melbourne, Florida as respondents. The Office of Unfair Import Investigations (''OUII'') was named as a party.

On October 26, 2018, complainants filed a motion to withdraw the complaint and suspend the procedural schedule pending final termination of the investigation. OUII and respondents did not oppose the motion.

On October 29, 2018, the ALJ issued the subject ID (Order No. 19) granting complainants' motion. The ALJ found that no extraordinary circumstances prevent the termination of the investigation. No petitions for review were filed.

The Commission has determined not to review the ID. The investigation is terminated.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: November 28, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–26180 Filed 11–30–18; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–603–605 and 731–TA–1413–1415 (Final)]

Glycine From China, India, Japan, and Thailand; Scheduling of the Final Phase of Countervailing Duty and Anti-Dumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–603–605 and 731–TA–1413–1415 (Final) pursuant to the Tariff Act of 1930 (''the Act'') to determine

whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of glycine from China, India, Japan, and Thailand, provided for in subheading 2922.49.43 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (''Commerce'') to be subsidized and sold at less-than-fair-value. The Department of Commerce has preliminarily determined that countervailable subsidies are not being provided to producers and exporters of glycine from Thailand and that imports of glycine from Thailand are not being and are not likely to be sold in the United States at less than fair value.

DATES: October 31, 2018.

FOR FURTHER INFORMATION CONTACT: Celia Feldpausch (202) 205–2387, Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Scope.— For purposes of these investigations, Commerce has defined the subject merchandise as glycine at any purity level or grade.[1]

Background.—The final phase of these investigations is being scheduled pursuant to sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)), as a result of affirmative preliminary determinations by Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China and India of glycine,[2] and that imports of glycine from India and Japan are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b).[3] The investigations were requested in petitions filed on March 28, 2018, by GEO Specialty Chemicals, Inc., Lafayette, Indiana, and Chattem Chemicals, Inc., Chattanooga, Tennessee.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Although Commerce has preliminarily determined that countervailable subsidies are not being provided to producers and exporters of glycine from Thailand, and imports of glycine from Thailand are not being and not likely to be sold in the United States at less than fair value,[4] for purposes of efficiency the Commission hereby waives rule 207.21(b)[5] so that the final phase of the investigations may proceed concurrently in the event that Commerce makes final affirmative determinations with respect to such imports.

Participation in the investigations and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on February 28, 2019, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on Thursday, March 14, 2019, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before March 8, 2019. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should participate in a prehearing conference to be held on March 13, 2019, at the U.S. International Trade Commission Building, if deemed necessary. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later

[1] For purposes of these investigations, the Department of Commerce has defined the subject merchandise as glycine at any purity level or grade. For a full description of the scope of these investigations, including product exclusions, see *Glycine From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination,* 83 FR 44863, September 4, 2018.

[2] *Glycine From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination,* 83 FR 44863, September 4, 2018, and *Glycine From India: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination,* 83 FR 44859, September 4, 2018.

[3] *Glycine From India: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures,* 83 FR 54713, October 31, 2018, and *Glycine From Japan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination,* 83 FR 54718, October 31, 2018.

[4] *Glycine From Thailand: Preliminary Negative Countervailing Duty Determination, Preliminary Negative Critical Circumstances Determination, and Alignment of Final Determination With Final Antidumping Duty Determination,* 83 FR 44861, September 4, 2018, and *Glycine From Thailand: Preliminary Determination of Sales at Not Less Than Fair Value, Preliminary Negative Determination of Critical Circumstances, Postponement of Final Determination,* 83 FR 54717, October 31, 2018.

[5] Section 207.21(b) of the Commission's rules provides that, where Commerce has issued a negative preliminary determination, the Commission will publish a Final Phase Notice of Scheduling upon receipt of an affirmative final determination from Commerce.

than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is March 7, 2019. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is March 22, 2019. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before March 22, 2019. On April 10, 2019, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before April 12, 2019, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on E-Filing,* available on the Commission's website at *https://edis.usitc.gov,* elaborates upon the Commission's rules with respect to electronic filing.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: November 28, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–26181 Filed 11–30–18; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–372]

Exempt Chemical Preparations Under the Controlled Substances Act

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Order with opportunity for comment.

SUMMARY: The applications for exempt chemical preparations received by the Drug Enforcement Administration (DEA) between January 1, 2017, and June 30, 2018, as listed below, were accepted for filing and have been approved or denied as indicated.

DATES: Interested persons may file written comments on this order in accordance with 21 CFR 1308.23(e). Electronic comments must be submitted, and written comments must be postmarked, on or before February 1, 2019. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.

ADDRESSES: To ensure proper handling of comments, please reference ''Docket No. DEA–372'' on all correspondence, including any attachments.

- *Electronic comments:* The DEA encourages that all comments be submitted through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Please go to *http://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon completion of your submission you will receive a Comment Tracking Number for your comment. Please be aware that submitted comments are not instantaneously available for public view on *Regulations.gov*. If you have received a comment tracking number, your comment has been successfully submitted and there is no need to resubmit the same comment.
- *Paper comments:* Paper comments that duplicate the electronic submission are not necessary and are discouraged. Should you wish to mail a comment *in lieu of* an electronic comment, it should be sent via regular or express mail to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrissette Drive, Springfield, Virginia 22152.

FOR FURTHER INFORMATION CONTACT: Kathy L. Federico, Regulatory Drafting and Support Section, Diversion Control Division, Drug Enforcement Administration; Mailing Address: 8701 Morrissette Drive, Springfield, Virginia 22152; Telephone: (202) 598–6812.

SUPPLEMENTARY INFORMATION:

Posting of Public Comments

Please note that all comments received are considered part of the public record and made available for public inspection online at *http://www.regulations.gov* and in the DEA's public docket. Such information includes personal identifying information (such as your name, address, etc.) voluntarily submitted by the commenter. The Freedom of Information Act (FOIA) applies to all comments received.

If you want to submit personal identifying information (such as your name, address, etc.) as part of your comment, but do not want it to be posted online or made available in the public docket, you must include the phrase ''PERSONAL IDENTIFYING INFORMATION'' in the first paragraph of your comment. You must also place all the personal identifying information you do not want posted online or made available in the public docket in the first paragraph of your comment and identify what information you want redacted.

If you want to submit confidential business information as part of your comment, but do not want it to be posted online or made available in the public docket, you must include the phrase ''CONFIDENTIAL BUSINESS INFORMATION'' in the first paragraph of your comment. You must also prominently identify confidential business information to be redacted within the comment.

Comments containing personal identifying information and confidential business information identified as directed above will generally be made publicly available in redacted form. If a comment has so much confidential business information that it cannot be effectively redacted, all or part of that comment may not be made publicly available. Comments posted to *http://www.regulations.gov* may include any personal identifying information (such as name, address, and phone number)

included in the text of your electronic submission that is not identified as directed above as confidential.

An electronic copy of this document is available at *http://www.regulations.gov* for easy reference.

Legal Authority

Section 201 of the Controlled Substances Act (21 U.S.C. 811) authorizes the Attorney General, by regulation, to exempt from certain provisions of the CSA certain compounds, mixtures, or preparations containing a controlled substance, if he finds that such compounds, mixtures, or preparations meet the requirements detailed in 21 U.S.C. 811(g)(3)(B).[1] The DEA regulations at 21 CFR 1308.23 and 1308.24 further detail the criteria by which the DEA Assistant Administrator may exempt a chemical preparation or mixture from certain provisions of the CSA. The Assistant Administrator may, pursuant to 21 CFR 1308.23(f), modify or revoke the criteria by which exemptions are granted and modify the scope of exemptions at any time.

Exempt Chemical Preparation Applications Submitted Between January 1, 2017, and June 30, 2018

The Assistant Administrator received applications between January 1, 2017, and June 30, 2018, requesting exempt chemical preparation status detailed in 21 CFR 1308.23. Pursuant to the criteria stated in 21 U.S.C. 811(g)(3)(B) and in 21 CFR 1308.23, the Assistant Administrator has found that each of the compounds, mixtures, and preparations described in Chart I below is intended for laboratory, industrial, educational, or special research purposes and not for general administration to a human being or animal and either: (1) Contains no narcotic controlled substance and is packaged in such a form or concentration that the packaged quantity does not present any significant potential for abuse; or (2) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion, or concentration that the preparation or mixture does not present any potential for abuse; if the preparation or mixture contains a narcotic controlled substance, it must be formulated in such a manner that it incorporates methods of denaturing or other means so that the preparation or mixture is not liable to be abused or have ill effects, if abused, and so that, the narcotic substance cannot in practice be removed.

Accordingly, pursuant to 21 U.S.C. 811(g)(3)(B), 21 CFR 1308.23, and 21 CFR 1308.24, the Assistant Administrator has determined that each of the chemical preparations or mixtures generally described in Chart I below and specifically described in the application materials received by the DEA, is exempt, to the extent described in 21 CFR 1308.24, from application of sections 302, 303, 305, 306, 307, 308, 309, 1002, 1003, and 1004 (21 U.S.C. 822–823, 825–829, and 952–954) of the CSA, and 21 CFR 1301.74, as of the date that was provided in the approval letters to the individual requesters.

CHART I

Supplier	Product name	Form	Application date
AAB	Basic & Comprehensive Chemistry	Amber vial: 5 mL	3/27/2017
AAB	Chemistry, Waived	Amber vial: 5 mL	3/27/2017
AAB	Fertility-Endocrinology	Amber vial: 5 mL	3/27/2017
AAB	Special Chemistry	Amber vial: 5 mL	3/27/2017
AAB	Therapeutic Drug Monitoring	Amber vial: 5 mL	3/27/2017
AAFP	Cholestech LD/CardioChek	Amber vial: 5 mL	3/27/2017
AAFP	MultiChem	Amber vial: 5 mL	3/27/2017
AAFP	Special Chemistry	Amber vial: 5 mL	3/27/2017
Aalto Scientific, Ltd	Cal Ver LQ Drugs of Abuse Level 2	Plastic bottle: 4 mL	9/1/2017
Aalto Scientific, Ltd	Cal Ver LQ Drugs of Abuse Level 3	Plastic bottle: 4 mL	9/1/2017
Aalto Scientific, Ltd	Cal Ver LQ Drugs of Abuse Level 4	Plastic bottle: 4 mL	9/1/2017
Aalto Scientific, Ltd	Linearity FD Testosterone Siemens Centaur	Kit: 5 vials; 3 mL each	9/20/2017
Aalto Scientific, Ltd	Linearity LQ Drugs of Abuse, Level A	Amber vial: 5 mL	1/3/2017
Aalto Scientific, Ltd	Linearity LQ Drugs of Abuse, Level B	Amber vial: 5 mL	1/3/2017
Aalto Scientific, Ltd	Linearity LQ Drugs of Abuse, Level C	Amber vial: 5 mL	1/3/2017
Aalto Scientific, Ltd	Linearity LQ Drugs of Abuse, Level D	Amber vial: 5 mL	1/3/2017
Aalto Scientific, Ltd	Linearity LQ Drugs of Abuse, Level E	Amber vial: 5 mL	1/3/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJACT–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJACT–N)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJAPTT–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJAPTT–N)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJCAPTT–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJCPT–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJCPT–N)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJLR–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJLR–N)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJPT–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	directCHECK Whole Blood Control (DCJPT–N)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	HEMOCHRON ACT Whole Blood Quality Control (QCACT).	Box: 20 vials; 2.0 mL (dried)	2/24/2017
Accriva Diagnostics, Inc	HEMOCHRON RxDx Whole Blood Quality Control (RQCHRT).	Box: 20 vials; 2.0 mL (dried)	2/24/2017
Accriva Diagnostics, Inc	HEMOCHRON RxDx Whole Blood Quality Control (RQCPRT).	Box: 20 vials; 2.0 mL (dried)	2/24/2017
Accriva Diagnostics, Inc	HepCheck Whole Blood Control (DCP214–A)	Box: 15 vials; 0.5 mL each	2/24/2017
Accriva Diagnostics, Inc	HepCheck Whole Blood Control (DCP214–N)	Box: 15 vials; 0.5 mL each	2/24/2017

[1] This authority has been delegated from the Attorney General to the Administrator of the DEA by 28 CFR 0.100, and subsequently redelegated to the Deputy Assistant Administrator pursuant to 28 CFR 0.104 and Section 7 of the appendix to subpart R of part 0.

CHART I—Continued

Supplier	Product name	Form	Application date
AccuStandard, Inc	CP-8-THC-01S, Delta-8-Tetrahydrocannabinol Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-9-THC-01S, Delta-9-Tetrahydrocannabinol (THC) Standard.	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-9-THCA-A-01S, Delta-9-Tetrahydrocannabinolic acid A (THC-A) Standard.	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CANNA-MIX-01, Custom Cannabinoid Mix Standard	Amber ampule: 1 mL	9/26/2017
AccuStandard, Inc	CP-CBC-01S, Cannabichromene (CBC) Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CBD-01S, Cannabidiol (CBD) Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CBDA-01S, Cannabidiolic Acid (CBDA) Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CBDA-01S-CN, Cannabidiolic Acid Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CBG-01S, Cannabigerol (CBG) Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-CBN-01S, Cannabinol (CBN) Standard	Amber ampule: 1 mL	8/14/2017
AccuStandard, Inc	CP-THCV-01S, Tetrahydrocannabivarin (THCV) Standard.	Amber ampule: 1 mL	8/14/2017
Agilent Technologies	Cannabichromene (CBC) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	Cannabidiol (CBD) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	Cannabidivarin (CBDV) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	Cannabigerol (CBG) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	Cannabigerol Acid (CBGA) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	Cannabinoid Mix A	Amber ampule: 1 mL	6/1/2018
Agilent Technologies	Cannabinoid Mix B	Amber ampule: 1 mL	6/1/2018
Agilent Technologies	Cannabinoid Sub-Mix 1 Standards Kit	Glass ampule: 1 mL	4/16/2018
Agilent Technologies	Cannabinol (CBN) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
Agilent Technologies	delta8-Tetrahydrocannabinol	Amber ampule: 1 mL	6/1/2018
Agilent Technologies	delta8-Tetrahydrocannabinol (delta8-THC) (1 mg/mL in Methanol).	Amber ampule: 1 mL	6/15/2018
Agilent Technologies	delta9-Tetrahydrocannabinol (delta9-THC) (1 mg/mL in Methanol).	Amber ampule: 1 mL	6/15/2018
Agilent Technologies	delta9-Tetrahydrocannabinolic acid (THCA) (1 mg/mL in Methanol).	Amber ampule: 1 mL	6/15/2018
Agilent Technologies	Tetrahydrocannabivarin (THCV) (1 mg/mL in Methanol)	Amber ampule: 1 mL	6/14/2018
American Proficiency Institute	Chemistry	Amber vial: 5 mL	3/27/2017
American Proficiency Institute	Immunoassay	Amber vial: 5 mL	3/27/2017
American Proficiency Institute	Remedial Chemistry	Amber vial: 5 mL	3/27/2017
American Proficiency Institute	SHBG/Testosterone	Amber vial: 2 mL	3/27/2017
Biochemical Diagnostics, Inc	Detectabuse Custom Liquid Control Urine, MC259	Glass vials: 1 ml–800 mL	1/16/2017
Biochemical Diagnostics, Inc	Detectabuse Custom Liquid Control Urine, MC262	Glass vials: 5 ml, 10 mL	3/10/2017
Biochemical Diagnostics, Inc	Detectabuse Custom Liquid Control Urine, MC263	Glass vials: 5 ml, 10 mL	3/10/2017
Biochemical Diagnostics, Inc	Detectabuse Custom Liquid Control Urine, MC264	Glass vials: 5 ml, 10 mL	3/10/2017
Biochemical Diagnostics, Inc	Detectabuse Custom Liquid Control Urine, MC265	Glass vials: 20 ml, 50 mL	11/6/2017
Biocrates Life Sciences AG	AbsoluteIDQ Stero17 Kit	Kit: 3 well plates, glass and plastic vials: 40 ng–50.4 µg.	6/15/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 1	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 1	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 2	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 2	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 3	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Level 3	Plastic tube: 4 mL; Box: 12 tubes.	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Trilevel MiniPak	Box: 3 tubes	4/11/2018
Bio-Rad Laboratories	Liquichek Immunoassay Plus Control, Trilevel MiniPak	Box: 3 tubes	4/11/2018
Cambridge Isotope Laboratories, Inc	11-Ketotestosterone Chemical Purity 95% (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	19-Nortestosterone (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1.2 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	19-Nortestosterone Unlabeled 100 µg/mL in Methanol	Glass vial: 1.2 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-3,17-dione (2,3,4-13C3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-3,17-dione (2,3,4-13C3,98%) 1,000 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-3,17-dione Unlabeled 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-3,17-dione Unlabeled 1,000 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-6B,17B-diol-3-one (CP95%) (16,16,17-D3, 98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018

CHART I—Continued

Supplier	Product name	Form	Application date
Cambridge Isotope Laboratories, Inc	5A-Androstan-3,17-dione (Androstanedione) Unlabeled 100 µg/mL in Methanol (95% CP).	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3A-ol-17B-diol (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3A-ol-17B-diol Unlabeled 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5A-Dihydrotestosterone (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	5A-Dihydrotestosterone (DHT) Unlabeled 1 mg/mL in Methanol.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	5-alpha-Dihydrotestosterone 97% CP (2,3,4-13C3,99%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5-alpha-Dihydrotestosterone 97% CP (2,3,4-13C3,99%) 1,000 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5-alpha-Dihydrotestosterone Unlabeled 1 mg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	5-alpha-Dihydrotestosterone Unlabeled 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Androstene-3,17-dione (2,3,4-13C3, 98%) 100 µg/mL in Acetonitrile.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Androstenedione Unlabeled 1 mg/mL in Acetonitrile	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Stanozolol Unlabeled 1 mg/mL in 1,2-Dimethoxyethane	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone (16,16,17-D3,98%) 100 µg/mL in Acetonitrile.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone (2,2,4,6,6-D5,98%) 100 µg/mL in Methylene Chloride.	Glass vial: 1.2 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone (2,3,4-13C3,99%) 100 µg/mL in Methanol	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone (D5,98%) 100 µg/mL in Dioxane	Glass vial: 1.2 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone Undecanoate (16,16,17-D3,98%) 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone Undecanoate (16,16,17-D3,98%) 1,000 µg/mL in Methanol.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone Undecanoate Unlabeled 100 µg/mL in Methanol.	Glass vial: 1 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Testosterone Undecanoate Unlabeled 1,000 µg/mL in Methanol.	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone Unlabeled 1 mg/mL in Acetonitrile	Glass vial: 1 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone Unlabeled 100 µg/mL in Dioxane	Glass vial: 1.2 mL	4/27/2018
Cambridge Isotope Laboratories, Inc	Testosterone Unlabeled 100 µg/mL in Methylene Chloride.	Glass vial: 1.2 mL	2/6/2018
Cambridge Isotope Laboratories, Inc	Trenbolone Unlabeled 1 mg/mL in Acetonitrile	Glass vial: 1 mL	4/27/2018
CAP	Chemistry	Amber vial: 5 mL	3/27/2017
CAP	Quality Cross-Check	Amber vial: 5 mL	3/27/2017
CAP	Reproductive Endocrinology CVL	Amber vial: 5 mL	3/27/2017
Cayman Chemical Company	(−)-Pentazocine; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	(−)-Pentazocine; 1 mg/mL in Methanol	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	(−)-Pentazocine; 100 µg/mL in Acetonitrile	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	(−)-Pentazocine; 100 µg/mL in Methanol	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	(+/−)-Cannabichromercin (CRM); 1 mg/mL in Acetonitrile.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromercin (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromercin (CRM); 100 µg/mL in Acetonitrile.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromercin (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromevarin (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromevarin (CRM); 100 µg/mL in Acetonitrile.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)-Cannabichromevarin (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	1/19/2018
Cayman Chemical Company	(+/−)Cannabicyclol (CRM); 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	12/5/2017
Cayman Chemical Company	(+/−)Cannabicyclol (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	12/5/2017
Cayman Chemical Company	(+/−)Cannabicyclol (CRM); 100 µg/mL in Acetonitrile ...	Glass ampule: 1 mL	12/5/2017
Cayman Chemical Company	(+/−)Cannabicyclol (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	12/5/2017
Cayman Chemical Company	(+/−)cis-3-methyl Fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/12/2017
Cayman Chemical Company	(+/−)cis-3-methyl Fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/12/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Cayman Chemical Company	(+/−)cis-3-methyl Thiofentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	(+/−)cis-3-methyl Thiofentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	(+/−)-threo-Methylphenidate (hydrochloride); 1 mg/mL in Methanol.	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	(+/−)-threo-Methylphenidate (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	6-Acetylcodeine; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	6-Acetylcodeine; 1 mg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	6-Acetylcodeine; 100 µg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	6-Acetylcodeine; 100 µg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	AH 7921 (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	AH 7921 (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Alfentanil (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	Alfentanil (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	Amobarbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Amobarbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Barbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Barbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Butabarbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Butabarbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Butalbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Butalbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Butyryl fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/12/2017
Cayman Chemical Company	Butyryl fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	Cannabidivarin (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	11/30/2017
Cayman Chemical Company	Cannabidivarin (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	11/30/2017
Cayman Chemical Company	Carfentanil (CRM); 100 µg/mL in Methanol	Glass ampule: 0.5 mL	10/12/2017
Cayman Chemical Company	Carfentanil (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	Fenethylline (hydrochloride); 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Fenethylline (hydrochloride); 1 mg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Fenethylline (hydrochloride); 100 µg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Fenethylline (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	GC-MS Drug Mixture 3 (100 µg/mL in Acetonitrile)	Glass ampule: 1 mL	2/13/2018
Cayman Chemical Company	Ibogaine; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Ibogaine; 1 mg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Ibogaine; 100 µg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Ibogaine; 100 µg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Isomethadone (hydrochloride); 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Isomethadone (hydrochloride); 1 mg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Isomethadone (hydrochloride); 100 µg/mL in Acetonitrile.	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Isomethadone (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Ketamine (hydrochloride) (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Ketamine (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Levorphanol; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Levorphanol; 1 mg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Levorphanol; 100 µg/mL in Acetonitrile	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	Levorphanol; 100 µg/mL in Methanol	Glass ampule: 1 mL	8/18/2017
Cayman Chemical Company	MAB-CHMINACA (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	MAB-CHMINACA (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Methaqualone (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Methaqualone (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Methyldienolone (CRM); 1 mg/mL in Acetonitrile	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Methyldienolone (CRM); 100 µg/mL in Acetonitrile	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Para-Fluorofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/12/2017
Cayman Chemical Company	Para-Fluorofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/12/2017
Cayman Chemical Company	Pentobarbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Pentobarbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Phenobarbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Phenobarbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Phytocannabinoid Mixture 1 (Japan Version); 100 µg/mL each in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 10; 100 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Cayman Chemical Company	Phytocannabinoid Mixture 10; 250 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 11; 100 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 11; 250 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 4 (CRM); 250 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 4 (CRM); 500 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 4 (CRM); 750 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 5 (CRM); 250 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 5 (CRM); 500 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 6 (CRM); 250 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 6 (CRM); 500 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Prazepam (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Prazepam (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Remfentanil (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	Remfentanil (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	Secobarbital (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Secobarbital (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	7/28/2017
Cayman Chemical Company	Tetrahydrocannabivarin Acid (CRM); 1 mg/mL in Acetonitrile.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Tetrahydrocannabivarin Acid (CRM); 100 µg/mL in Acetonitrile.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Thiofentanyl (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	Thiofentanyl (hydrochloride); 100 µg/mL in Methanol	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	α-methyl Acetyl fentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	α-methyl Acetyl fentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	α-methyl Fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	α-methyl Fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	α-methyl Thiofentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	α-methyl Thiofentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	β-hydroxy Fentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/25/2017
Cayman Chemical Company	β-hydroxy Fentanyl (hydrochloride); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/25/2017
Cayman Chemical Company	B-Hydroxythiofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 0.5 mL	10/12/2017
Cayman Chemical Company	B-Hydroxythiofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	10/12/2017
Cerilliant Corporation	(±)beta-Hydroxythiofentanyl HCl	Glass ampule: 0.5 mL	5/26/2017
Cerilliant Corporation	(±)-beta-Hydroxythiofentanyl HCl (sum of diastereomers) (0.1 mg/mL).	Glass ampule: 0.5 mL	3/7/2017
Cerilliant Corporation	4-ANPP (0.1 mg/mL)	Glass ampule: 0.5 mL	5/26/2017
Cerilliant Corporation	4-ANPP-D5 (0.1 mg/mL)	Glass ampule: 0.5 mL	11/3/2017
Cerilliant Corporation	4-Fluoroisobutyryl fentanyl (0.1 mg/mL)	Glass ampule: 0.5 mL	8/28/2017
Cerilliant Corporation	5F-MDMB-PINACA (0.1 mg/mL)	Glass ampule: 1 mL	5/26/2017
Cerilliant Corporation	AB-CHMINACA (0.1 mg/mL)	Glass ampule: 1 mL	5/26/2017
Cerilliant Corporation	Acryl fentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	8/8/2017
Cerilliant Corporation	Acryl fentanyl-D5 HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	11/3/2017
Cerilliant Corporation	ADB-FUBINACA (0.1 mg/mL)	Glass ampule: 1 mL	5/26/2017
Cerilliant Corporation	alpha-Methylfentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	3/8/2018
Cerilliant Corporation	alpha-Methylfentanyl-D5 HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	3/8/2018
Cerilliant Corporation	Aprobarbital (1 mg/mL)	Glass ampule: 1 mL	8/8/2017
Cerilliant Corporation	Aprobarbital-D7 (0.1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	Barbital (1 mg/mL)	Glass ampule: 1 mL	8/8/2017
Cerilliant Corporation	Butyryl fentanyl-D5 (0.1 mg/mL)	Glass ampule: 0.5 mL	4/11/2018
Cerilliant Corporation	Camazepam (1 mg/mL)	Glass ampule: 1 mL	11/3/2017
Cerilliant Corporation	Cannabicyclolic acid (CBLA) (0.5 mg/mL)	Glass ampule: 1 mL	8/8/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Cerilliant Corporation	Cannabinolic acid (CBNA) (1 mg/mL)	Glass ampule: 1 mL	4/3/2017
Cerilliant Corporation	cis-Tramadol-13C,D3 HCl (0.1 mg/mL)	Glass ampule: 1 mL	5/4/2017
Cerilliant Corporation	cis-Tramadol-13C,D3 HCl (1.0 mg/mL)	Glass ampule: 1 mL	5/4/2017
Cerilliant Corporation	Cyclopropyl fentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	2/8/2018
Cerilliant Corporation	Delorazepam-D4 (0.1 mg/mL)	Glass ampule: 1 mL	10/18/2017
Cerilliant Corporation	Delta9-Tetrahydrocannabinol (1 mg/mL)	Glass ampule: 1 mL	5/23/2018
Cerilliant Corporation	Dexmethylphenidate HCl (1 mg/mL)	Glass ampule: 1 mL	5/23/2018
Cerilliant Corporation	Dibutylone-D3 HCl (0.1 mg/mL)	Glass ampule: 1 mL	8/28/2017
Cerilliant Corporation	Dihydrotestosterone CRM (100 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (1,000 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (10,000 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (20 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (2,500 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (50 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Dihydrotestosterone CRM (500 pg/mL)	Glass ampule: 1 mL	9/12/2017
Cerilliant Corporation	Fenproporex HCl (1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	Fenproporex-D5 HCl (0.1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	Furanyl fentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	1/23/2017
Cerilliant Corporation	Furanyl fentanyl-D5 HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	11/3/2017
Cerilliant Corporation	Isobutyryl fentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	2/8/2018
Cerilliant Corporation	Loprazolam (1 mg/mL)	Glass ampule: 1 mL	11/3/2017
Cerilliant Corporation	Lormetazepam-13C,D3 (0.1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	MAB-CHMINACA (0.1 mg/mL)	Glass ampule: 1 mL	5/26/2017
Cerilliant Corporation	Mazindol (1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	Mazindol-D4 (1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	MDMB-FUBINACA (0.1 mg/mL)	Glass ampule: 1 mL	3/8/2018
Cerilliant Corporation	Medazepam (1 mg/mL)	Glass ampule: 1 mL	11/3/2017
Cerilliant Corporation	MT-45 diHCl (1 mg/mL)	Glass ampule: 1 mL	4/11/2018
Cerilliant Corporation	Ocfentanil (0.1 mg/mL)	Glass ampule: 0.5 mL	3/8/2018
Cerilliant Corporation	para-Fluorobutyryl fentanyl (PFBF) (0.1 mg/mL)	Glass ampule: 0.5 mL	2/8/2018
Cerilliant Corporation	para-Fluorofentanyl (0.1 mg/mL)	Glass ampule: 0.5 mL	5/4/2017
Cerilliant Corporation	para-Fluorofentanyl-D3 (0.1 mg/mL)	Glass ampule: 0.5 mL	6/19/2018
Cerilliant Corporation	para-Fluorofentanyl-D5 (0.1 mg/mL)	Glass ampule: 0.5 mL	4/11/2018
Cerilliant Corporation	Perampanel-D4 (0.1 mg/mL)	Glass ampule: 1 mL	5/26/2017
Cerilliant Corporation	Phendimetrazine tartrate (1.0 mg/mL)	Glass ampule: 1 mL	5/4/2017
Cerilliant Corporation	Phenmetrazine HCl (1.0 mg/mL)	Glass ampule: 1 mL	5/4/2017
Cerilliant Corporation	Phenmetrazine-D5 HCl (0.1 mg/mL)	Glass ampule: 1 mL	5/4/2017
Cerilliant Corporation	p-Hydroxycocaine HCl (1 mg/mL)	Glass ampule: 1 mL	2/8/2018
Cerilliant Corporation	Suvorexant-D6 (0.1 mg/mL)	Glass ampule: 1 mL	8/28/2017
Cerilliant Corporation	Testosterone CRM in Serum (150 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (17.5 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (2 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (2,000 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (35 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (4 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (500 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (52.5 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (750 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Testosterone CRM in Serum (9 ng/dL)	Vial: 1 mL	3/22/2017
Cerilliant Corporation	Tetrahydrocannabivarinic Acid (1.0 mg/mL)	Glass vial: 1 mL	1/23/2017
Cerilliant Corporation	Tetrazepam (1 mg/mL)	Glass ampule: 1 mL	1/9/2018
Cerilliant Corporation	U-47700-D3 (0.1 mg/mL)	Glass ampule: 1 mL	1/9/2018
Cerilliant Corporation	Valeryl fentanyl HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	3/8/2018
Cerilliant Corporation	Valeryl fentanyl-D5 HCl (0.1 mg/mL)	Glass ampule: 0.5 mL	3/8/2018
Chemtos, LLC	6-Acetylcodeine (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	6-Acetylmorphine (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	6-Acetylmorphine-d3 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	6-Acetylmorphine-d3 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Alprazolam (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Alprazolam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Amobarbital (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Amobarbital-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Amobarbital-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Amphetamine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Amphetamine-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Amphetamine-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Butalbital (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Butalbital-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Butalbital-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Chlorphentermine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Chlorphentermine-d6 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Chemtos, LLC	Chlorphentermine-d6 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Cocaine (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Cocaine-d3 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Cocaine-d3 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Codeine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Codeine-d6 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Codeine-d6 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Diazepam (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Diazepam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Diazepam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Diethylpropion (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Diethylpropion-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Diethylpropion-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	D-Threo-Methylphenidate (CRM) (1 mg/mL in methanol).	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Ethylone (bk-MDEA) (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Ethylone-d5 (bk-MDEA-d5) (CRM) (0.1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Ethylone-d5 (bk-MDEA-d5) (CRM) (1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Heroin (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Heroin-d9 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Heroin-d9 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Hydrocodone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Hydrocodone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Hydrocodone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Hydromorphone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Hydromorphone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Hydromorphone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	JWH-073 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Lisdexamfetamine dimesylate (CRM) (1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Lisdexamfetamine-d3 dimesylate (CRM) (0.1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Lisdexamfetamine-d3 dimesylate (CRM) (1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	L-Threo-Methylphenidate (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDA (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDA-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDA-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDEA (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDEA-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDEA-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	MDMA (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	MDMA-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	MDMA-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	MDPV (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	MDPV-d8 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	MDPV-d8 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Meperidine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Meperidine-d4 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Meperidine-d4 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Mephedrone (4-MMC) (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Mephedrone-d3 (4-MMC-d3) (CRM) (0.1 mg/mL in methanol).	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Mephedrone-d3 (4-MMC-d3) (CRM) (1 mg/mL in methanol).	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Methadone (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Methadone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Methadone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Methamphetamine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Methamphetamine-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Methamphetamine-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Methylone (MDMC) (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Methylone-d3 (MDMC-d3) (CRM) (0.1 mg/mL in acetonitrile).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Methylone-d3 (MDMC-d3) (CRM) (1 mg/mL in acetonitrile).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Morphine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Morphine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Morphine-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Chemtos, LLC	Morphine-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Morphine-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Morphine-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	N-Ethylcathinone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	N-Ethylcathinone-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	N-Ethylcathinone-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Nimetazepam (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nimetazepam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nimetazepam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nitrazepam (CRM) (1 mg/mL in acetonitrile)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nitrazepam-d5 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nitrazepam-d5 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Norcodeine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Norcodeine-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Norcodeine-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Nordazepam (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nordazepam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Nordazepam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Norhydrocodone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Norhydrocodone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Norhydrocodone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Normeperidine (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Normeperidine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Normeperidine-4 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Normeperidine-d4 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Noroxycodone (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Noroxycodone-d3 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Noroxycodone-d3 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Noroxymorphone (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Noroxymorphone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxazepam (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxazepam-d5 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxazepam-d5 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxycodone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxycodone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxycodone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxymorphone-d3 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phencyclidine (PCP) (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phencyclidine-d5 (PCP-d5) (CRM) (0.1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phencyclidine-d5 (PCP-d5) (CRM) (1 mg/mL in methanol).	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phenobarbital (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Phenobarbital-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Phenobarbital-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Phentermine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phentermine-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Phentermine-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Prazepam (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Prazepam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Prazepam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Propoxyphene (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Propoxyphene-d5 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Propoxyphene-d5 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Sibutramine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Sibutramine-d7 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Sibutramine-d7 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Sodium Oxybate (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Sodium Oxybate-d6 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Sodium Oxybate-d6 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Temazepam (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Temazepam-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Temazepam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Testosterone Undecanoate (CRM) (0.1 mg/mL in acetonitrile).	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Testosterone-d8 Undecanoate (CRM) (1 mg/mL in acetonitrile).	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Thebaine (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Thebaine (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Thebaine-d3 (CRM) (.01 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Threo-Methylphenidate-d6 (CRM) (0.1 mg/mL in methanol).	Amber vial: 2 mL	5/22/2017

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Supplier	Product name	Form	Application date
Chemtos, LLC	Threo-Methylphenidate-d6 (CRM) (1 mg/mL in methanol).	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Tramadol (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Tramadol-d6 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Tramadol-d6 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	UR-144 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	Zolpidem (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Zolpidem-d6 (CRM) (0.1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	Zolpidem-d6 (CRM) (1 mg/mL in methanol)	Amber vial: 2 mL	5/22/2017
Chemtos, LLC	α-PVP (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	α-PVP-d8 (CRM) (0.1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
Chemtos, LLC	α-PVP-d8 (CRM) (1 mg/mL in acetonitrile)	Amber vial: 1 mL	4/27/2018
CPI International	Custom App. IX 168 Mix Cal. Std, 1,000 mg/L, 1 ml	Amber ampule: 1 mL	6/15/2017
CPI International	Custom Semi-Volatile Mix, 18-7, 2,000 mg/L, 1 ml	Amber ampule: 1 mL	6/15/2017
CPI International	Diazepam Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/2/2017
Helena Laboratories	SPIFE Split Beta SPE Kit, Cat. No. 3398, 3399, 3398U, 3399U.	Kit: 10 gels	4/6/2018
Helena Laboratories	SPIFE Split Beta SPE Kit, Cat. No. 3420, 3420U, 3421, 3421U, 3422, 3422U.	Kit: 10 gels	2/12/2018
Helena Laboratories	SPIFE Split-Beta SPE 80, 100 Bulk Kit, Cat. No. 552581, 552626.	Kit: 100 gels	9/12/2017
Immunalysis Corporation	6-Acetylmorphine Urine Calibrator (10 ng/mL)	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Calibrator Level 1 (500 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Calibrator Level 2 (1,000 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Calibrator Level 3 (1,500 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Calibrator Level 4 (2,000 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine High Control (1,250 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine High Control (625 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Low Control (375 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Amphetamine Low Control (750 ng/mL) in synthetic urine.	Amber vial: 5 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Calibrator Level 1 (5 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Calibrator Level 2 (10 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Calibrator Level 3 (20 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Calibrator Level 4 (40 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Low Control (3.75 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Buprenorphine Low Control (6.25 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Calibrator Level 1 (50 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Calibrator Level 2 (100 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Calibrator Level 3 (200 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Calibrator Level 4 (500 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol High Control (125 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol High Control (250 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Low Control (150 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Low Control (75 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Carisoprodol Positive Reference Controls (5,000 ng/mL) in synthetic urine.	Amber vial: 2 mL, 5 mL	1/4/2018
Immunalysis Corporation	cTHC Urine Calibrator Level 1 (20 ng/mL) in synthetic urine.	Dropper bottle: 10 mL	1/4/2018
Immunalysis Corporation	cTHC Urine Calibrator Level 2 (50 ng/mL) in synthetic urine.	Dropper bottle: 10 mL	1/4/2018

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Supplier	Product name	Form	Application date
Immunalysis Corporation	cTHC Urine Calibrator Level 3 (100 ng/mL) in synthetic urine.	Dropper bottle: 10 mL	1/4/2018
Immunalysis Corporation	cTHC Urine Calibrator Level 4 (200 ng/mL) in synthetic urine.	Dropper bottle: 10 mL	1/4/2018
Immunalysis Corporation	cTHC Urine High Control (62.5 ng/mL) in synthetic urine.	Dropper bottle: 10 mL	1/4/2018
Immunalysis Corporation	cTHC Urine Low Control (37.5 ng/mL) in synthetic urine	Dropper bottle: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Calibrator Level 1 (100 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Calibrator Level 2 (200 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Calibrator Level 3 (500 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Calibrator Level 4 (1,000 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Low Control (150 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Meperidine Low Control (6.25 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Opiates Calibrator 2000 Level 1 (1,000 ng/mL) in synthetic urine.	Dropper Bottle: 5 mL, 15 mL	1/4/2018
Immunalysis Corporation	Opiates Calibrator 2000 Level 2 (2,000 ng/mL) in synthetic urine.	Dropper Bottle: 5 mL, 15 mL	1/4/2018
Immunalysis Corporation	Opiates Calibrator 2000 Level 3 (4,000 ng/mL) in synthetic urine.	Dropper Bottle: 5 mL, 15 mL	1/4/2018
Immunalysis Corporation	Opiates Calibrator 2000 Level 4 (6,000 ng/mL) in synthetic urine.	Dropper Bottle: 5 mL, 15 mL	1/4/2018
Immunalysis Corporation	Oxycodone Calibrator Level 1 (100 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone Calibrator Level 2 (300 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone Calibrator Level 3 (500 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone Calibrator Level 4 (1,000 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone High Control (125 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone High Control (375 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone Low Control (225 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Oxycodone Low Control (75 ng/mL) in synthetic urine	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tapentadol Calibrator Level 1 (100 ng/mL) in synthetic urine.	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tapentadol Calibrator Level 2 (200 ng/mL) in synthetic urine.	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tapentadol Calibrator Level 3 (300 ng/mL) in synthetic urine.	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tapentadol Calibrator Level 4 (1,000 ng/mL) in synthetic urine.	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tapentadol High Control (250 ng/mL) in synthetic urine	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tapentadol Low Control (150 ng/mL) in synthetic urine	Amber vial: 10 mL	5/21/2018
Immunalysis Corporation	Tramadol Positive Reference Control (500 ng/mL) in synthetic urine.	Amber vial: 2 mL, 5 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine Calibrator Level 1 (100 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine Calibrator Level 2 (200 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine Calibrator Level 3 (500 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine Calibrator Level 4 (1,000 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine High Control (250 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
Immunalysis Corporation	Tramadol Urine Low Control (150 ng/mL) in synthetic urine.	Amber vial: 10 mL	1/4/2018
IPPR	Routine Chemistry	Amber vial: 5 mL	3/27/2017
IPPR	Special Chemistry	Amber vial: 5 mL	3/27/2017
IsoSciences, LLC	11-Ketodihydrotestosterone, 100 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11-Ketodihydrotestosterone, 1,000 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11-Ketodihydrotestosterone-[2H3], 100 µg/mL in methanol.	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11-Ketodihydrotestosterone-[2H3], 1,000 µg/mL in methanol.	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11β-Hydroxydihydrotestosterone, 100 µg/mL in methanol.	Amber ampule: 1 mL	6/12/2018

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Supplier	Product name	Form	Application date
IsoSciences, LLC	11β-Hydroxydihydrotestosterone, 1,000 μg/mL in methanol.	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11β-Hydroxydihydrotestosterone-[2H5], 100 μg/mL in methanol.	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	11β-Hydroxydihydrotestosterone-[2H5], 1,000 μg/mL in methanol.	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Alprazolam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Alprazolam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Boldenone-[13C3], 100 μg/mL in methanol	Amber ampule: 1 mL	3/5/2018
IsoSciences, LLC	Buprenorphine-[13C3, 15N], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Buprenorphine-[13C3, 15N], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Buprenorphine-[13C4, 15N], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Buprenorphine-[13C4, 15N], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Chlordiazepoxide-[13C6] · HCl, 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Chlordiazepoxide-[13C6] · HCl, 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Clobazam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Clobazam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Clonazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Clonazepam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Codeine-[13C3, 15N], 100 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-[13C3, 15N], 1,000 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-[13C3, 15N], 50 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C3, 15N], 100 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C3, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C3, 15N], 50 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C4, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	5/16/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C9, 15N], 100 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C9, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Codeine-6β-Glucuronide-[13C9, 15N], 50 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Delorazepam-[13C6, 15N], 50 μg/mL in acetonitrile	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Delorazepam-[13C6,15N], 100 μg/mL in acetonitrile	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Diazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Diazepam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Dihydrotestosterone-[2H4], 100 μg/mL in methanol	Amber ampule: 1 mL	3/5/2018
IsoSciences, LLC	Flunitrazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Flunitrazepam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Flurazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Flurazepam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Lorazepam-[13C6, 15N], 100 μg/mL in acetonitrile	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Lorazepam-[13C6, 15N], 50 μg/mL in acetonitrile	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Medazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Medazepam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Midazolam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Midazolam-[13C6], 50 μg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Morphine-[13C3, 15N], 100 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-[13C3, 15N], 1,000 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-[13C3, 15N], 50 μg/mL in methanol	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C3, 15N], 100 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C3, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C3, 15N], 50 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C4, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	5/16/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C9, 15N], 100 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C9, 15N], 1,000 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Morphine-6β-Glucuronide-[13C9, 15N], 50 μg/mL in methanol:water (2:8).	Amber ampule: 1 mL	4/6/2017
IsoSciences, LLC	Nitrazepam-[13C6], 100 μg/mL in acetonitrile	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Nitrazepam-[13C6], 50 μg/mL in acetonitrile	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Nordiazepam-[13C6], 100 μg/mL in methanol	Amber ampule: 1 mL	12/27/2017

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Supplier	Product name	Form	Application date
IsoSciences, LLC	Nordiazepam-[13C6], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Oxazepam-[13C6], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Oxazepam-[13C6], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Prazepam-[13C6], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Prazepam-[13C6], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Temazepam-[13C6], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Temazepam-[13C6], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Tetrazepam-[13C6, 15N], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Tetrazepam-[13C6, 15N], 50 µg/mL in acetonitrile	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Triazolam-[13C6, 15N], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Triazolam-[13C6, 15N], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Zolpidem-[13C2, 15N], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Zolpidem-[13C2, 15N], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
IsoSciences, LLC	Zolpidem-[2H6], 100 µg/mL in methanol	Amber ampule: 1 mL	12/27/2017
IsoSciences, LLC	Zolpidem-[2H6], 50 µg/mL in methanol	Amber ampule: 1 mL	6/12/2018
LabKings	Diazepam Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/2/2017
LGC	EPA Method 8270 Appendix IX Mix 1 with Phentermine, 17 components, 2,000 µg/mL in Dichloromethane 1 mL (RM, ISO GUIDE 34).	Amber ampule: 1 mL	6/15/2017
LGC	ISO Guide 34-a,a-Dimethylphenethylamine Solution (Second Source), 1,000 mg/L, 1 ml.	Amber ampule: 1 mL	6/15/2017
LGC	ISO Guide 34-a,a-Dimethylphenethylamine Solution, 1,000 mg/L, 1 ml.	Amber ampule: 1 mL	6/15/2017
LGC GmbH	Fentanyl 0.1 mg/ml in Methanol	Glass vial: 1 mL	6/14/2018
LGC GmbH	Normorphine 1 mg/ml in Methanol	Glass vial: 1 mL	6/14/2018
Lipomed Inc	4-Methylmethcathinone.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	5α-Dihydrotestosterone (1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	6-β-Hydroxytestosterone (1 mg/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	AH-7921.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Androstenedione (1 mg/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Butalbital-D5 (0.1 mg free acid/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	d,l-4-Methylmethcathinone-D3.HCl (0.1 mg free base/1 mL methanol).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	d,l-4-Methylmethcathinone-D3.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	d,l-Fenfluramine.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Flephedrone.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Loprazolam (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Lormetazepam-D3 (0.1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Nandrolone (1 mg/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Norhydrocodone-D3.HCl (0.1 mg free base/1 mL (ACN/H2O 1:1)).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Norhydrocodone-D3.HCl (1 mg free base/1 mL (ACN/H2O 1:1)).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Noroxymorphone.HCl (1 mg free base/1 mL (MeOH/H2O: 1/1)).	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Phentermine-D6.HCl (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Phentermine-D6.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Zaleplon (1 mg/1 mL methanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	3-Desmethylprodine.HCl (1 mg free base/1 mL acetonitrile).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	4-Ethylmethcathinone.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	4-Fluoromethcathinone (Flephedrone).HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	4-Methylethcathinone.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	5F-PB-22 (0.1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	5F-PB-22 (1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Amfepramone.HCl (1 mg free base/1 mL acetonitrile/water: 1/1).	Glass ampule: 1 mL	3/12/2018
Lipomed Inc	Bezoylecgonine-D8 (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Bezoylecgonine-D8 (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Butalbital-D5 (0.1 mg free acid/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Butalbital-D5 (1 mg free acid/1 mL methanol)	Glass ampule: 1 mL	10/6/2017
Lipomed Inc	d,l-Methamphetamine-D14.HCl (0.1 mg free base/1 mL methanol).	Glass ampule: 1 mL	3/12/2018
Lipomed Inc	d,l-Methamphetamine-D14.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	3/12/2018
Lipomed Inc	D-Propoxyphene.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Lipomed Inc	Fentanyl (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	3/12/2018
Lipomed Inc	Fentanyl-D5 (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	L-Amphetamine-D3.sulfate (H2SO4) (0.1 mg free base/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	L-Amphetamine-D3.sulfate (H2SO4) (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Naphyrone.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	PB-22 (0.1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	PB-22 (1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Pentylone.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Phenobarbital-D5 (side chain) (0.1 mg free acid/1 mL methanol).	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Phenobarbital-D5 (side chain)(1 mg free acid/1 mL methanol).	Glass ampule: 1 mL	10/6/2017
Lipomed Inc	Secobarbital-D5 (1 mg free acid/1 mL methanol)	Glass ampule: 1 mL	10/6/2017
Lipomed Inc	Sufentanil-D5 (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Tapentadol-D3.HCl (0.1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	Tapentadol-D3.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Lipomed Inc	α-PVP.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
Medichem Diagnostica GmbH and Co. KG.	Medidrug OSD S L4 Opioid	Box: 5 vials, 2 mL each	6/29/2018
Microgenics Corporation	DRI MDA Control	Carton: 1 vial, 25 mL	8/4/2017
Microgenics Corporation	DRI MDA Control	Vial: 25 mL	8/4/2017
MLE	Chemistry	Amber vial: 5 mL	3/27/2017
MLE	Endo/Onc	Amber vial: 5 mL	3/27/2017
MLE	PSA	Amber vial: 5 mL	3/27/2017
MLE	SHBG/Testosterone	Amber vial: 2 mL	3/27/2017
MP Biomedicals, LLC	Authentifilm, Cat. No. 801677	7 mL gel on plate	2/15/2017
Noramco, Inc	Amphetamine Resolution Standard (3 µg/mL)	Glass ampule: 1 mL	5/8/2017
Noramco, Inc	Amphetamine Resolution Standard (3 µg/mL)	Glass ampule: 1 mL	5/8/2017
o2si smart solutions	(−)-delta 9-THC Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	(−)-delta 9-THC Solution, 400 mg/L, 2 x 1 mL	Clamshell: 2 vials, 1 mL each	6/23/2017
o2si smart solutions	(−)-delta 9-THC, 10 mg/L, 10 mL	Amber round: 10 mL	6/23/2017
o2si smart solutions	(±)-11-nor-9-carboxy-Δ9-THC-D3 Solution, 100 mg/L	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	(±)-Amphetamine Solution, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	(±)-Amphetamine Solution, 400 mg/L, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	(±)-Amphetamine Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	(±)-Amphetamine Solution, 400 mg/L, 4 x 1 ml	Glass ampules: 1 mL x 4	8/9/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 100 mg/l, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 400 mg/l, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 100 mg/L, 1 ml.	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 5 x 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	(±)-Amphetamine-D6 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 100 mg/l, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 400 mg/l, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-MDMA [(±)-3,4-Methylenedioxymethamphetamine] Solution, 400 mg/L, 3 x 1 mL.	Clamshell: 3 vials, 1 mL each	6/15/2017
o2si smart solutions	(±)-Methamphetamine Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 400 mg/L, 2 x 1 ml in Methanol.	Amber ampule: 1 ml x 2	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	(±)-Methamphetamine Solution, 400 mg/L, 4 x 1 ml in Methanol.	Amber ampule: 1 ml x 4	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	*Custom App. IX 168 Mix Cal. Std (Second Source), 1,000 mg/L, 1 ml.	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	*Custom App. IX 168 Mix Cal. Std, 1,000 mg/L, 1 ml	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	6-Acetylcodeine Solution, 400 mg/L, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	6-Acetylcodeine Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	6-Acetylmorphine Solution, 100 mg/L, 1 ml	Amber ampule: 1 mL	8/9/2017
o2si smart solutions	6-Acetylmorphine Solution, 400 mg/L, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	6-Acetylmorphine Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	6-Acetylmorphine Solution, 400 mg/L, 4 x 1 ml	Glass ampules: 1 mL x 4	8/9/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	6-Acetylmorphine-D3 Solution, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	6-Acetylmorphine-D3 Solution, 400 mg/L, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	6-Acetylmorphine-D3 Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	6-Acetylmorphine-D6, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	8270 App. IX Second Source Solution 67-1, 100/200/400/1,000 mg/L.	Glass bottle: 10 mL	5/3/2017
o2si smart solutions	8270 App. IX Second Source Solution 70-1, 100/200/400/1,000 mg/L.	Glass bottle: 10 mL	5/3/2017
o2si smart solutions	8270 App. IX Solution 17-1, Minus Benzidine, 2,000 mg/L, 1 ml.	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	8270 Appendix IX Mix 1, 1,000 mg/L	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	8270 Appendix IX Mix 2 55-6, 100 mg/L	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	a,a-Dimethylphenethylamine Solution, 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Alprazolam Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Alprazolam-D5 Solution, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	Aminorex Solution, 1,000 mg/L, 1 ml in Acetonitrile	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Aminorex Solution, 1,000 mg/L, 5 x 1 ml in Acetonitrile	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Aminorex Solution, 100 mg/L, 1 ml in Acetonitrile	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Aminorex Solution, 100 mg/L, 5 x 1 ml in Acetonitrile	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Aminorex Solution, 400 mg/L, 1 ml in Acetonitrile	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Aminorex Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	Aminorex Solution, 400 mg/L, 3 x 1 ml in Acetonitrile	Amber ampule: 1 mL x 3	9/1/2017
o2si smart solutions	Aminorex Solution, 400 mg/L, 5 x 1 ml in Acetonitrile	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Amphetamine Solution, 1,000 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Amphetamine Solution, 100 mg/L, 1 ml	Glass ampule: 1 mL	8/9/2017
o2si smart solutions	Amphetamine Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Amphetamine Solution, 400 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Amphetamine Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	Amphetamine Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	Amphetamine Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Anhydroecgonine methyl ester Solution, 400 mg/L, 2 x 1 mL.	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	Benzoylecgonine Solution, 100 mg/L, 1 mL in Methanol	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Benzoylecgonine Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Benzoylecgonine Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber Ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Benzoylecgonine Solution, 400 mg/L, 4 x 1 mL in Methanol.	Amber Ampule: 1 ml x 4	8/18/2017
o2si smart solutions	Bromazepam Solution, 10 mg/L, 5 x 1 mL in Methanol	Amber Ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Bromazepam Solution, 100 mg/L, 1 mL in Methanol	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Bromazepam Solution, 400 mg/L, 2 x 1 mL in Methanol	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Bromazepam Solution, 400 mg/L, 3 x 1 mL in Methanol	Amber Ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Bufotenine Solution, 1,000 mg/L, 1 mL in Acetonitrile	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Buprenorphine Solution, 100 mg/L, 1 mL in Methanol	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Buprenorphine Solution, 400 mg/L, 2 x 1 mL	Clamshell: 2 vials, 1 mL each	6/23/2017
o2si smart solutions	Buprenorphine Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Buprenorphine Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Buprenorphine Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber Ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Buprenorphine-D4 Solution, 100 mg/L, 1 mL in Methanol.	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Buprenorphine-D4 Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Butorphanol Tartrate Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Butorphanol Tartrate Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber Ampule: 1 ml x 2	8/18/2017
o2si smart solutions	Butorphanol Tartrate Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber Ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Cocaine Solution, 400 mg/L, 2 x 1 mL	Clamshell: 2 vials, 1 mL each	6/23/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Acetonitrile 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	Codeine Monohydrate as Codeine in Acetonitrile Solution, 5,000 mg/L.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 1,000 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 100 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 100 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 400 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 400 mg/L, 3 x 1 mL.	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	Codeine Monohydrate as Codeine in Methanol 400 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 1,000 mg/L, 1 mL	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 1,000 mg/L, 5 x 1 mL	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 100 mg/L, 1 mL	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 100 mg/L, 5 x 1 mL	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 400 mg/L, 1 mL	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 400 mg/L, 3 x 1 mL	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	Codeine Solution in Methanol, 400 mg/L, 5 x 1 mL	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine Solution, 400 mg/L, 2 x 1 mL in Methanol	Amber ampule: 1 mL x 2	10/10/2017
o2si smart solutions	Codeine Solution, 400 mg/L, 3 x 1 mL in Methanol	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	Codeine Solution, 400 mg/L, 4 x 1 mL in Methanol	Amber ampule: 1 mL x 4	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 1,000 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 100 mg/L, 5 mL in Methanol	Amber ampule: 5 mL	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 100 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 400 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 400 mg/L, 3 x 1 mL in Methanol	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	Codeine-D3 Solution, 400 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine-D6 Solution in Methanol, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 1,000 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 100 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 400 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 400 mg/L, 2 x 1 mL in Methanol	Amber ampule: 1 mL x 2	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 400 mg/L, 3 x 1 mL in Methanol	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	Codeine-D6 Solution, 400 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	Custom Semi-Volatile Mix #3 (Second Source), 33-1811, 2,000 mg/L.	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	Custom Semi-Volatile Mix #3 (Second Source), 33-1811, 2,000 mg/L, 1 mL in M-t-BE:MeCl2 1:1.	Amber Ampule: 1 ml	8/18/2017
o2si smart solutions	Custom Semi-Volatile Mix #3, 33-1811, 2,000 mg/L, 1 ml in M-t-BE:MeCl2 1:1.	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	Custom Semi-Volatile Mix, 18-7, 2,000 mg/L, 1 mL	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	Custom Semi-Volatile Mix, 18-7, 2,000 mg/L, 5 x 1 ml	Clamshell: 5 vials, 1 mL each	6/15/2017
o2si smart solutions	Custom Semi-Volatile Mix, 4-2376, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	Custom Semi-Volatile Mix, 4-2376, 100 mg/L, 5 x 1 mL	Clamshell: 5 vials, 1 mL each	6/15/2017
o2si smart solutions	Custom Volatile Mix for GC-MS, 43-1768, 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	Custom Volatile Mix for GC-MS, 43-1768, 1,000 mg/L, 4 x 1 mL.	Clamshell: 4 vials, 1 mL each	6/15/2017
o2si smart solutions	Diazepam Solution, 1,000 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	Diazepam Solution, 100 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	Diazepam Solution, 100 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	Diazepam Solution, 400 mg/L, 1 mL in Methanol	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	Diazepam Solution, 400 mg/L, 2 x 1 ml in Methanol	Amber ampule: 1 mL x 2	10/2/2017
o2si smart solutions	Diazepam Solution, 400 mg/L, 3 x 1 mL in Methanol	Amber ampule: 1 mL x 3	10/2/2017
o2si smart solutions	Diazepam Solution, 400 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 1,000 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 1,000 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 100 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 100 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 400 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 400 mg/L, 3 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 3	9/1/2017
o2si smart solutions	Diethylpropion HCl as Diethylpropion Solution, 400 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 1,000 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 1,000 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 100 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 100 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 400 mg/L, 1 ml in Acetonitrile.	Amber ampule: 1 mL	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 400 mg/L, 3 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 3	9/1/2017
o2si smart solutions	Diethylpropion HCl Solution, 400 mg/L, 5 x 1 ml in Acetonitrile.	Amber ampule: 1 mL x 5	9/1/2017
o2si smart solutions	EPA 8270 LCS Mix, 50:100:500 mg/L, 25 mL (RM, ISO GUIDE 34).	Glass bottle: 25 mL	5/3/2017
o2si smart solutions	Ethylmorphine Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Flurazepam Solution, 1,000 mg/L, 1 ml in Methanol	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	Flurazepam Solution, 1,000 mg/L, 5 x 1 ml in Methanol	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	Flurazepam Solution, 100 mg/L, 1 ml in Methanol	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	Flurazepam Solution, 100 mg/L, 5 x 1 ml in Methanol	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 1 ml in Methanol	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 2 x 1 ml in Methanol	Amber ampule: 1 mL x 2	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 2 x 1 ml in Methanol	Amber ampule: 1 mL x 2	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 3 x 1 ml in Methanol	Amber ampule: 1 mL x 3	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 3 x 1 ml in Methanol	Amber ampule: 1 mL x 3	10/12/2017
o2si smart solutions	Flurazepam Solution, 400 mg/L, 5 x 1 ml in Methanol	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	ISO 17034—Custom Toxin/Poison Spiking Standard Mix, 45-46, 20 mg/L, 1 ml.	Amber ampule: 1 mL	4/27/2018
o2si smart solutions	ISO 17034—Custom Toxin/Poison Standard Kit, 45-46, 100, 20, 1 mg/L, 1 x 1 ml of Each Level.	Kit: 3 ampules, 1 mL each	4/27/2018
o2si smart solutions	ISO 17034—Custom Toxin/Poison Stock Standard Mix, 45-46, 100 mg/L, 1 ml.	Amber ampule: 1 mL	4/27/2018
o2si smart solutions	ISO 17034—Custom Toxin/Poison Working Standard Mix, 45-46, 1 mg/L, 1 ml.	Amber ampule: 1 mL	4/27/2018
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D5 (deuterium label on ring) Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D5 (deuterium label on ring) Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D5 (deuterium label on ring) Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D5 (deuterium label on ring) Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 400 mg/L, 2 x 1 mL in Methanol.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Acetonitrile 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 1,000 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 100 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 100 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 400 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 400 mg/L, 3 x 1 mL.	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	ISO 17034 Codeine Monohydrate as Codeine in Methanol 400 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 1,000 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 1,000 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 100 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 100 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 400 mg/L, 1 mL.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 400 mg/L, 3 x 1 mL.	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	ISO 17034 Codeine Solution in Methanol, 400 mg/L, 5 x 1 mL.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D3 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	10/10/2017
o2si smart solutions	ISO 17034 Codeine-D6 Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/10/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	10/2/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	10/2/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 mL	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 400 mg/L, 2 x 1 ml in Methanol.	Amber ampule: 1 mL x 2	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 mL x 3	10/12/2017
o2si smart solutions	ISO 17034 Flurazepam Solution, 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 mL x 5	10/12/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 1,000 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 100 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 100 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 3 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO Guide 34—8270 App. IX Solution, 20-880, 2,000 mg/L.	Clamshell: 2 vials, 1 mL each	5/3/2017
o2si smart solutions	ISO Guide 34—Custom 8270 Standard #2B (Second Source), 27-1582, 1,000/2,000 mg/L.	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	ISO Guide 34—Custom 8270 Standard #2B, 26-1582, 1,000 mg/L.	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	Lorazepam Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017

CHART I—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	Methamphetamine HCl Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine HCl Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Methamphetamine HCl Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine HCl Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Methamphetamine HCl Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine HCl Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Methamphetamine HCl Solution, 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Methamphetamine Solution, 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine Solution, 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine Solution, 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Methamphetamine Solution, 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	Methamphetamine Solution, 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	Methamphetamine Solution, 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Nitrazepam Solution, 100 mg/L	Amber ampule: 1 mL	5/3/2017
o2si smart solutions	Oxazepam Solution 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Oxazepam Solution 1,000 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	Oxycodone Solution, 400 mg/L, 3 x 1 mL	Clamshell: 3 vials, 1 mL each	6/15/2017
o2si smart solutions	R(−)-Methamphetamine Solution 1,000 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 100 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 100 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 400 mg/L, 1 ml in Methanol.	Amber ampule: 1 ml	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 400 mg/L, 3 x 1 ml in Methanol.	Amber ampule: 1 ml x 3	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 400 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 1,000 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 100 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 100 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 1 mL in Acetonitrile.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 3 x 1 ml.	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 3 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 400 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Temazepam Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	trans-Testosterone Solution, 100 mg/L, 1 mL	Amber ampule: 1 mL	6/23/2017
o2si smart solutions	UCMR 539 Solution, Various Concentrations	Amber ampule: 1 mL	5/3/2017
OWA	BCHE-X	Amber vial: 5 mL	3/27/2017
OWA	CCHM-X	Amber vial: 5 mL	3/27/2017
OWA	ENDO-X	Amber vial: 5 mL	3/27/2017
OWA	SPCH-X	Amber vial: 5 mL	3/27/2017
OWA	TOXI-X	Amber vial: 5 mL	3/27/2017
Restek Corporation	Cannabidolic Acid (CBDA) Standard (1,000 µg/mL in Acetonitrile).	Glass ampule: 1.3 mL	5/18/2018
Restek Corporation	Custom Halogenated Nitriles Standard	Ampule: 1.3 mL	4/20/2018
Restek Corporation	Hormones Mix (Rev. 2)	Glass ampule: 1.3 mL	6/29/2018
Restek Corporation	Tetrahydrocannabivarin (THCV) Standard (1,000 µg/mL in Methanol).	Glass ampule: 1.3 mL	5/18/2018
Restek Corporation	THCA-A Standard (1,000 µg/mL in Acetonitrile)	Glass ampule: 1.3 mL	5/18/2018
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators	Vial: 3 mL	6/11/2018

CHART I—Continued

Supplier	Product name	Form	Application date
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators 1	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators 2	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators 3	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators 4	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Emit Antileptic Drug Calibrators 5	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Emit® tox Serum Calibrators	Carton: 3 vials	5/25/2018
Siemens Healthcare Diagnostics Inc	Emit® tox Serum Low Calibrator	Vial: 3 mL	5/25/2018
Siemens Healthcare Diagnostics Inc	Emit® tox Serum Medium Calibrator	Vial: 3 mL	5/25/2018
Siemens Healthcare Diagnostics Inc	Pilot AED Cal 1	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Pilot AED Cal 2	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Pilot AED Cal 3	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Pilot AED Cal 4	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Pilot AED Cal 5	Vial: 3 mL	6/11/2018
Siemens Healthcare Diagnostics Inc	Pilot Tox Serum Low Cal	Bottle/Tube: 4 mL–250 mL	5/25/2018
Siemens Healthcare Diagnostics Inc	Pilot Tox Serum Med Cal	Bottle/Tube: 4 mL–250 mL	5/25/2018
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems AND Androstenedione	Kit (200 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems E2 Adjustor L	Amber vial: 2 mL	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems E2 Estradiol	Kit (200 test kit size)	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems E2 Estradiol	Kit (600 test kit size)	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems PHE Phenobarbital	Kit (200 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems TES Adjustor L	Amber vial: 4 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems TES Total Testosterone	Kit (200 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE 2000 Systems TES Total Testosterone	Kit (600 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND Adjustor H	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND Adjustor L	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND Calibration Verification Material (CVM) Androstenedione.	Kit: 4 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND CVM 2	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND CVM 3	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems AND CVM 4	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 Adjustor H	Amber vial: 2 mL	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 Calibration Verification Material (CVM) Estradiol.	Kit: 4 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 Control 1	Glass vial: 2 mL	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 Control Estradiol	Kit: 1 vial, 2 mL	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 CVM 2	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 CVM 3	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems E2 CVM 4	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems K9CON Control	Kit: 2 vials, 2 mL each	11/27/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems PHE Adjustor H	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems PHE Adjustor L	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems SDC Control 1	Amber vial: 337 mg	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems SDC Control 2	Amber vial: 337 mg	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems SDC Control Serum Drug Control Module.	Kit: 2 vials, 337 mg each	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems TES Adjustor H	Amber vial: 4 mL	5/30/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems TES Calibration Verification Material (CVM) Total Testosterone.	Kit: 4 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems TES CVM 2	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems TES CVM 3	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE Systems TES CVM 4	Amber vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE/IMMULITE 1,000 Systems AND Androstenedione.	Kit (100 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE/IMMULITE 1,000 Systems E2 Estradiol	Kit (100 test kit size)	5/31/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE/IMMULITE 1,000 Systems PHE Phenobarbital.	Kit (100 test kit size)	5/30/2017
Siemens Healthcare Diagnostics Products Limited.	IMMULITE/IMMULITE 1,000 Systems TES Total Testosterone.	Kit (100 test kit size)	5/30/2017
Siemens Healthcare Diagnostics, Inc	ACS Cal E LO Bulk	Plastic bottle/tank: 0.5 L–500 L.	4/26/2017
Siemens Healthcare Diagnostics, Inc	ACS EPHNB L/R BULK	Plastic tank: 0.5–1400 L	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur Calibrator 30 (2PK)	Kit: 2 vials per level, 4 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur Calibrator 30 (6PK)	Kit: 6 vials per level, 12 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur Calibrator E (2PK)	Kit: 2 vials per level, 4 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur Calibrator E (6PK)	Kit: 6 vials per level, 12 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur FER (250 Test Kit)	Kit: 5 packs, 22.5 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur FER (50 Test Kit)	Kit: 1 pack, 22.5 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur FER ReadyPack	Plastic pack: 22.5 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur MCM Testosterone (Kit)	Kit: 7 vials, 1 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur MCM TSTII (Kit)	Kit: 7 vials, 1 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur PHNB (50 Test Kit)	Kit: 1 pack, 2.5 mL	9/18/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur PHNB Calibrator	Kit: 4 vials, 2 mL each	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur PHNB ReadyPack	Plastic pack: 2.5 mL	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur TSTII (100 Test Kit)	Kit: 2 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur TSTII (500 Test Kit)	Kit: 4 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur TSTO (250 Test Kit)	Kit: 5 packs, 5 mL each	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur TSTO (50 Test Kit)	Kit: 1 pack, 5 mL	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Centaur TSTO REL	Plastic pack: 5 mL	5/31/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Chemistry MULTI-DRUG CONTROLS	Box: 6 Bottles, 5 mL	5/26/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Chemistry TOX CAL 1	Box: 1 Bottle, 5 mL	5/22/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Chemistry TOX CAL 2	Box: 1 Bottle, 5 mL	5/22/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Chemistry TOX CAL 3	Box: 1 Bottle, 5 mL	5/22/2017
Siemens Healthcare Diagnostics, Inc	ADVIA Chemistry TOX CAL 4	Box: 1 Bottle, 5 mL	5/22/2017
Siemens Healthcare Diagnostics, Inc	Atellica CH Drug Cal	Vial: 3 mL	3/21/2017
Siemens Healthcare Diagnostics, Inc	Atellica CH MULTIDRUG QC	Carton: 6 vials, 5 mL each	8/18/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal 30 (2PK)	Kit: 2 vials per level, 4 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal 30 (6PK)	Kit: 6 vials per level, 12 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal 30 H	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal 30 L	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal E (2PK)	Kit: 2 vials per level, 4 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal E (6PK)	Kit: 6 vials per level, 12 vials per kit.	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal E H	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Cal E L	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Fer (450 Test Kit)	Kit: 5 packs, 22.5 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Fer (90 Test Kit)	Kit: 1 pack, 22.5 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM Fer ReadyPack	Plastic pack: 22.5 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM System Monitoring Test Multi-Probe Check	Kit: 5 Packs	10/31/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM System Monitoring Test Multi-Probe Check ReadyPack.	Plastic pack: 44 mL	10/31/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII (100 Test Kit)	Kit: 2 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII (500 Test Kit)	Kit: 4 vials, 2 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII CAL H	Glass vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII CAL L	Glass vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII MCM (Kit)	Kit: 7 vials, 1 mL each	5/30/2017
Siemens Healthcare Diagnostics, Inc	Atellica IM TSTII MCM, Levels 2–7	Glass vial: 1 mL	5/30/2017

CHART I—Continued

Supplier	Product name	Form	Application date
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Oxycodone Negative Control 300	Bulk Container: 1 L–15 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Oxycodone Positive Control 100	Bulk Container: 1 L–30 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Oxycodone Positive Control 300	Bulk Container: 1 L–10 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Specialty Multi Drug Calibrator/Control LVL 1.	Bulk Container: 1 L–20 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	CAL PHNB H	Glass vial: 2 mL	5/31/2017
Siemens Healthcare Diagnostics, Inc ...	CAL PHNB L	Glass vial: 2 mL	5/31/2017
Siemens Healthcare Diagnostics, Inc ...	Calibrator 30 H	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	Calibrator 30 L	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	Calibrator E H	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	Calibrator E L	Glass vial: 10 mL	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	Cen Cal 30 LO Bulk	Bulk Container: 0.5 L–500 L ..	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	CEN TSTII CAL LO BULK	Plastic bottle/tank: 0.5–500 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Drug Cal 2	Vial: 3 mL	3/21/2017
Siemens Healthcare Diagnostics, Inc ...	Drug Cal 3	Vial: 3 mL	3/21/2017
Siemens Healthcare Diagnostics, Inc ...	Drug Cal 4	Vial: 3 mL	3/21/2017
Siemens Healthcare Diagnostics, Inc ...	Drug Cal 5	Vial: 3 mL	3/21/2017
Siemens Healthcare Diagnostics, Inc ...	IM TSTII CAL H	Glass vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	IM TSTII CAL L	Glass vial: 2 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	MCM TSTII, Levels 2–7	Glass vial: 1 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	MCM TSTO, Levels 2–7	Glass vial: 1 mL	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	MULTIDRUG QC, CONTROL 1	Vial: 5 mL	8/18/2017
Siemens Healthcare Diagnostics, Inc ...	MULTIDRUG QC, CONTROL 2	Vial: 5 mL	8/18/2017
Siemens Healthcare Diagnostics, Inc ...	PHNB SP/LR	Plastic pack: 2.5 mL	9/18/2017
Siemens Healthcare Diagnostics, Inc ...	TSTO Releasing Agent	Plastic pack: 32 mL	11/8/2017
SPEX CertiPrep Group, LLC	Cannabichromenic Acid (CBCA), 1,000 µg/ml in acetonitrile.	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	Cannabidivarinic Acid (CBDVA), 1,000 µg/ml in acetonitrile.	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	Tetrahydrocannabidivarin (THCV), 1,000 µg/ml in methanol.	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	Tetrahydrocannabidivarinic Acid (THCVA), 1,000 µg/ml in acetonitrile.	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	Tetrahydrocannabinolic Acid (THCA), 1,000 µg/ml in acetonitrile.	Glass ampule: 2 mL	3/31/2017
VHG Labs dba LGC Standards	(−)-Cannabidiol 1.0 mg/mL in Methanol	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	(−)-delta9-THC (Dronabinol) 0.1 mg/mL in Methanol ...	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	(−)-delta9-THC (Dronabinol) 1.0 mg/mL in Methanol ...	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	Cannabinol 1.0 mg/mL in Methanol	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Hydroxy-delta9-THC 0.1 mg/mL in Methanol ...	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Hydroxy-delta9-THC 1.0 mg/mL in Methanol ...	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Hydroxy-delta9-THC-D3 0.1 mg/mL in Methanol.	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Nor-9-carboxy-delta9-THC 0.1 mg/mL in Methanol.	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Nor-9-carboxy-delta9-THC-D3 0.1 mg/mL in Methanol.	Glass vial: 1 mL	5/10/2017
VHG Labs dba LGC Standards	trans-11-Nor-9-carboxy-delta9-THC-D3 1.0 mg/mL in Methanol.	Glass vial: 1 mL	5/10/2017
WSLH	Chem/ENDO/TDM	Amber vial: 5 mL	3/27/2017
WSLH	Chemistry-Waived	Amber vial: 5 mL	3/27/2017
WSLH	Immunoassay Chemistry	Amber vial: 5 mL	3/27/2017
Zoetis	Carysta® Phenobarbital	Box: 6 or 12 test kits	4/6/2018
Zoetis	Heska® Element COAG Phenobarbital Test	Box: 6 or 12 test kits	4/6/2018
Zoetis	QuickVet® Phenobarbital	Box: 6 or 12 test kits	4/6/2018

The Assistant Administrator has found that each of the compounds, mixtures, and preparations described in Chart II below is not consistent with the criteria stated in 21 U.S.C. 811(g)(3)(B) and in 21 CFR 1308.23. Accordingly, the Assistant Administrator has determined that the chemical preparations or mixtures generally described in Chart II below and specifically described in the application materials received by DEA, are not exempt from application of any part of the CSA or from application of any part of the CFR, with regard to the requested exemption pursuant to 21 CFR 1308.23, as of the date that was provided in the determination letters to the individual requesters.

CHART II

Supplier	Product name	Form	Application date
Agilent Technologies	Cannabinoid Mix C	Amber ampule: 1 mL	6/1/2018
Agilent Technologies	Cannabinoid Mix Standards Kit	Kit: 2 glass ampules	4/16/2018
Agilent Technologies	Cannabinoid Sub-Mix 2 Standards Kit	Glass ampule: 1 mL	4/16/2018
Cambridge Isotope Laboratories, Inc	11-Ketotestosterone (16,16,17-D3, 98%) Chemical Purity 95%.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	4-Androsten-11B,17B-diol-3-one (9,11,12,12-D4, 98%) Chemical Purity 95%.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	4-Androsten-6B,17B-diol-3-one (16,16,17-D3, 98%)	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	4-Androstene-3,17-dione Unlabeled 1 mg	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3,17-dione (Androstanedione) (2,3,4-13C3, 99%) 1 mg.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3,17-dione (Androstanedione) Unlabeled 1 mg.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3A-ol-17B-diol (16,16,17-D3, 98%)	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5A-Androstan-3A-ol-17B-diol Unlabeled 1 mg	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5-Alpha-Dihydrotestosterone (2,2,4,4-D4, 98%) 95% Chemical Purity.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5-Alpha-Dihydrotestosterone 97% Chemical Purity (2,3,4-13C3, 99%).	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	5-Androsten-3Beta,17Beta-diol (16,16,17-D3, 98%) Chemical Purity 95%.	Glass vial: 1 mg	4/27/2018
Cambridge Isotope Laboratories, Inc	Androstanediol Glucuronide, Sodium Salt (16,16,17-D3, 98%) Chemical Purity 97%.	Glass vial: 1 mg	4/27/2018
Cayman Chemical Company	(±)-cis-3-methyl Fentanyl (hydrochloride) (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	(±)-cis-3-methyl Fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Butyryl fentanyl (hydrochloride) (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Butyryl fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Carfentanil (CRM); 1 mg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Carfentanil (CRM); 100 µg/mL in Methanol	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Furanyl fentanyl (hydrochloride) (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Furanyl fentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	GC–MS Drug Mixture 3 (1 mg/mL in Acetonitrile)	Glass ampule: 1 mL	2/13/2018
Cayman Chemical Company	para-Fluorofentanyl (hydrochloride) (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	para-Fluorofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	Phytocannabinoid Mixture 10; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	1/13/2017
Cayman Chemical Company	Phytocannabinoid Mixture 10; 500 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 11; 1 mg/mL in Acetonitrile	Glass ampule: 1 mL	1/13/2017
Cayman Chemical Company	Phytocannabinoid Mixture 11; 500 µg/mL ea in Acetonitrile.	Glass ampule: 1 mL	3/8/2017
Cayman Chemical Company	Phytocannabinoid Mixture 4 (CRM); 1 mg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 5 (CRM); 1 mg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 5 (CRM); 750 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 6 (CRM); 1 mg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 6 (CRM); 750 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 9 (CRM); 500 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	Phytocannabinoid Mixture 9 (CRM); 750 µg/mL ea in Acetonitrile.	Amber ampule: 1 mL	4/5/2018
Cayman Chemical Company	β-Hydroxythiofentanyl (hydrochloride) (CRM); 1 mg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Cayman Chemical Company	β-Hydroxythiofentanyl (hydrochloride) (CRM); 100 µg/mL in Methanol.	Glass ampule: 1 mL	4/21/2017
Chemtos, LLC	Alprazolam (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Alprazolam-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Fentanyl (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Fentanyl-d5 (CRM) (0.1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Fentanyl-d5 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017

CHART II—Continued

Supplier	Product name	Form	Application date
Chemtos, LLC	Oxymorphone (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Chemtos, LLC	Oxymorphone-d3 (CRM) (1 mg/mL in methanol)	Amber vial: 1 mL	7/19/2017
Helena Laboratories	SPIFE 4000 IFE Buffer Powder Bulk, Cat. No. 552628	Bulk powder	10/9/2017
LGC	EPA Method 8270 Appendix IX Mix 1 with Phentermine, 17 components, 2000 µg/mL in Dichloromethane 5 x 1 mL.	Clamshell: 5 vials, 1 mL each	6/15/2017
Lipomed Inc	Cannabidiolic acid (CBDA) (1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Cannabigerol (CBG) (1 mg/1 mL ethanol)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Lormetazepam-D3 (1 mg/1 mL acetonitrile)	Glass ampule: 1 mL	4/13/2018
Lipomed Inc	Butyrylfentanyl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	d,l-cis-3-Methylfentanyl.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	d,l-trans-3-Methylfentanyl.HCl (1 mg free base/1 mL methanol).	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	Fentanyl.citrate (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	Fentanyl-D5 (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	Remifentanil.HCl (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	10/31/2017
Lipomed Inc	Sufentanil-D5 (1 mg free base/1 mL methanol)	Glass ampule: 1 mL	11/16/2017
o2si smart solutions	(±)-Amphetamine-D11 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D5 (deuterium label on ring) Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D6 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Amphetamine-D8 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	(±)-Methamphetamine Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine-d11 Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	(±)-Methamphetamine-D5 Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	8270 App. IX Solution 17–1, Minus Benzidine, 2,000 mg/L, 5 x 1 ml.	Clamshell: 5 vials, 1 mL each	6/15/2017
o2si smart solutions	a,a-Dimethylphenethylamine solution, 10,000 mg/L, 10 mL.	Amber round: 10 mL	6/23/2017
o2si smart solutions	Alfentanil HCL Solution, 400 mg/L, 3 x 1 ml	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	Alprazolam Solution, 400 mg/L, 2 x 1 ml	Glass ampules: 1 mL x 2	8/9/2017
o2si smart solutions	Alprazolam Solution, 400 mg/L, 3 x 1 mL	Glass ampules: 1 mL x 3	8/9/2017
o2si smart solutions	Amphetamine Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Diazepam Solution, 1,000 mg/L, 5 x 1 mL in Methanol	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D11 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D5 (deuterium label on ring) Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D6 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 (±)-Amphetamine-D8 Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Amphetamine Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Diazepam Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	10/2/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	ISO 17034 Lysergic acid diethylamide Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	ISO 17034 S(+)-Amphetamine (dextro-Amphetamine) Solution, 1,000 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017

CHART II—Continued

Supplier	Product name	Form	Application date
o2si smart solutions	Lysergic acid diethylamide Solution, 1,000 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 1,000 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 100 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 100 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 1 mL in Methanol.	Amber ampule: 1 mL	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 2 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 2 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 2	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 3 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 3 x 1 mL in Methanol.	Amber ampule: 1 mL x 3	9/15/2017
o2si smart solutions	Lysergic acid diethylamide Solution, 400 mg/L, 5 x 1 mL in Methanol.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Methamphetamine HCl Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	Methamphetamine Solution, 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	R(−)-Methamphetamine Solution 1,000 mg/L, 5 x 1 ml in Methanol.	Amber ampule: 1 ml x 5	8/18/2017
o2si smart solutions	S(+)-Amphetamine (dextro-Amphetamine) Solution, 1,000 mg/L, 5 x 1 mL in Acetonitrile.	Amber ampule: 1 mL x 5	9/15/2017
o2si smart solutions	Testosterone Methylene Chloride 10,000 mg/L	Amber ampule: 1 mL	6/15/2017
o2si smart solutions	Testosterone Methylene Chloride 10,000 mg/L	Amber ampule: 1 mL	6/23/2017
Siemens Healthcare Diagnostics Inc	ACS CAL L HI BULK	Plastic bottle/tank: 0.5–500 L	5/31/2017
Siemens Healthcare Diagnostics Inc	ACS CAL L LO BULK	Plastic bottle/tank: 0.5–500 L	5/31/2017
Siemens Healthcare Diagnostics Inc	ACS FrT4 V1,V2 L/R Bulk	Plastic tank: 0.5 L–1400 L	4/26/2017
Siemens Healthcare Diagnostics Inc	ACS SPT Wash S/P Bulk	Plastic tank: 0.5 L–1400 L	4/26/2017
Siemens Healthcare Diagnostics Inc	ACS T4 L/R Bulk	Plastic tank: 0.5–1400 L	5/31/2017
Siemens Healthcare Diagnostics Inc	ACS T4 S/P Bulk	Plastic tank: 0.5–1400 L	5/31/2017
Siemens Healthcare Diagnostics Inc	ACS TSTO REL AGT BULK	Plastic tank: 0.5–1400 L	5/31/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur FT4 (250 test kit)	Kit: 5 pack	4/26/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur FT4 (50 test kit)	Kit: 1 pack	4/26/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur FT4 ReadyPack	Plastic pack: 44 mL solid phase reagent; 16.0 mL lite reagent.	4/26/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur SMT Multi-Probe Check	Plastic pack: 44 mL	4/26/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur T4 (100 test kits)	Kit: 1 pack	5/31/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur T4 (500 test kits)	Kit: 5 packs	5/31/2017
Siemens Healthcare Diagnostics Inc	ADVIA Centaur T4 ReadyPack	Plastic pack: 44 mL solid phase, 16 mL lite reagent.	5/31/2017
Siemens Healthcare Diagnostics Inc	Atellica IM FT4 (250 test kit)	Kit: 5 packs	4/26/2017
Siemens Healthcare Diagnostics Inc	Atellica IM FT4 (50 test kit)	Kit: 1 pack	4/26/2017
Siemens Healthcare Diagnostics Inc	Atellica IM FT4 ReadyPack	Plastic pack: 44 mL solid phase reagent; 16.0 mL lite reagent.	4/26/2017
Siemens Healthcare Diagnostics Inc	Atellica IM T4 (150 Test Kit)	Kit: 1 pack	5/31/2017
Siemens Healthcare Diagnostics Inc	Atellica IM T4 (750 Test Kit)	Kit: 5 packs	5/31/2017
Siemens Healthcare Diagnostics Inc	Atellica IM T4 ReadyPack	Plastic pack: 44 mL solid phase, 16 mL lite reagent.	5/31/2017
Siemens Healthcare Diagnostics Inc	Bulk Tox Serum Low Cal	Carboy: 4 L–20 L	5/25/2018
Siemens Healthcare Diagnostics Inc	Bulk Tox Serum Med Cal	Carboy: 4 L–20 L	5/25/2018
Siemens Healthcare Diagnostics Inc	Cen Cal 30 HI Bulk	Bulk Container: 0.5 L–500 L	4/26/2017
Siemens Healthcare Diagnostics Inc	Cen T4 L/R Buffer(B4)	Steel tank: 500–6000 L	5/31/2017
Siemens Healthcare Diagnostics Inc	Cen T4 L/R Bulk(B4)	Steel tank: 500–6000 L	5/31/2017
Siemens Healthcare Diagnostics Inc	Cen T4 S/P Bulk(B4)	Steel tank: 500–6000 L	5/31/2017
Siemens Healthcare Diagnostics Inc	Cent FT4 LA S/P Bulk	Plastic tank: 0.5 L–1400 L	4/26/2017
Siemens Healthcare Diagnostics Inc	Cent FT4 LA S/P Bulk (B4)	Steel tank: 500 L–6000 L	4/26/2017
Siemens Healthcare Diagnostics Inc	FT4 SP/LR	Plastic pack: 44 mL solid phase reagent; 16.0 mL lite reagent.	4/26/2017
Siemens Healthcare Diagnostics Inc	System Monitoring Test 5 pk Box	Kit: 5 Pack	4/26/2017

CHART II—Continued

Supplier	Product name	Form	Application date
Siemens Healthcare Diagnostics, Inc ...	ACS Cal E HI Bulk	Plastic bottle/tank: 0.5 L–500 L.	4/26/2017
Siemens Healthcare Diagnostics, Inc ...	ACS ET3 S/P Bulk	Plastic tank: 0.5–1400 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS ET3/T3 L/R Bulk	Plastic tank: 0.5–1400 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS FER 2 S/P Bulk	Plastic tank: 0.5–1400 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS FER 2 Wetcake	Plastic container: 0.5–20 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS Ferritin 2 Solid Phase Buffer	Plastic tank: 0.5–1400 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS T3 Lite Reagent Buffer	Plastic tank: 0.5–1400 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ACS TSTO MCM BULKSET	Plastic bottle/tank: 0.5–500 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ADVIA Centaur T3 (400 Test Kit)	Kit: 5 packs	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ADVIA Centaur T3 (80 Test Kit)	Kit: 1 pack	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ADVIA Centaur T3 ReadyPack	Plastic pack: 24 mL solid phase, 8 mL lite reagent.	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Atellica IM T3 (120 Test Kit)	Kit: 1 pack	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Atellica IM T3 (600 Test Kit)	Kit: 5 packs	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Atellica IM T3 ReadyPack	Plastic pack: 24 mL solid phase, 8 mL lite reagent.	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Specialty Multi Drug Calibrator/Control LVL 2.	Bulk Container: 1 L–20 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Specialty Multi Drug Calibrator/Control LVL 3.	Bulk Container: 1 L–20 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	BK Emit II Plus Specialty Multi Drug Calibrator/Control LVL 4.	Bulk Container: 1 L–20 L	6/5/2017
Siemens Healthcare Diagnostics, Inc ...	Cen ET3 L/R Buffer(B4)	Steel tank: 500–6000 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Cen ET3 L/R Bulk(B4)	Steel tank: 500–6000 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Cen ET3 S/P Bulk(B4)	Steel tank: 500–6000 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	Cen FER S/P Buffer(B4)	Steel tank: 500–6000 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	CEN FER2 S/P Bulk(B4)	Steel tank: 500–6000 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	CEN TSTII CAL HI BULK	Plastic bottle/tank: 0.5–500 L	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	ET3 SP/LR	Plastic pack: 24 mL solid phase, 8 mL lite reagent.	5/30/2017
Siemens Healthcare Diagnostics, Inc ...	FER SP/LR	Plastic pack: 44 mL	11/8/2017
Siemens Healthcare Diagnostics, Inc ...	T4 SP/LR	Plastic pack: 44 mL solid phase, 16 mL lite reagent.	11/8/2017
SPEX CertiPrep Group, LLC	12 PT POTENCY MIX	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	3 PT POTENCY MIX	Glass ampule: 2 mL	3/31/2017
SPEX CertiPrep Group, LLC	5 PT POTENCY MIX	Glass ampule: 2 mL	3/31/2017

Scope of Approval

The exemptions are applicable only to the precise preparation or mixture described in the application submitted to the DEA in the form(s) listed in this order and only for those sections of the CSA and the CFR that are specifically identified. In accordance with 21 CFR 1308.24(h), any change in the quantitative or qualitative composition of the preparation or mixture, or change in the trade name or other designation of the preparation or mixture after the date of application requires a new application. In accordance with 21 CFR 1308.24(g), the DEA may prescribe requirements other than those set forth in § 1308.24(b)–(e) on a case-by-case basis for materials exempted in bulk quantities. Accordingly, in order to limit opportunity for diversion from the larger bulk quantities, the DEA has determined that each of the exempted bulk products listed in this order may only be used in-house by the manufacturer, and may not be distributed for any purpose, or transported to other facilities.

Additional exempt chemical preparation requests received between January 1, 2017, and June 30, 2018, and not otherwise referenced in this order may remain under consideration until the DEA receives additional information required, pursuant to 21 CFR 1308.23(d), as detailed in separate correspondence to individual requesters. The DEA's order on such requests will be communicated to the public in a future **Federal Register** publication.

The DEA also notes that these exemptions are limited to exemption from only those sections of the CSA and the CFR that are specifically identified in 21 CFR 1308.24(a). All other requirements of the CSA and the CFR apply, including registration as an importer as required by 21 U.S.C. 957.

Opportunity for Comment

Pursuant to 21 CFR 1308.23, any interested person may submit written comments on or objections to any chemical preparation in this order that has been approved or denied as exempt. If any comments or objections raise significant issues regarding any finding of fact or conclusion of law upon which this order is based, the Assistant Administrator will immediately suspend the effectiveness of any applicable part of this order until he may reconsider the application in light of the comments and objections filed.

Approved Exempt Chemical Preparations Are Posted on the DEA's Website

A list of all current exemptions, including those listed in this order, is available on the DEA's website at *http://www.DEAdiversion.usdoj.gov/schedules/exempt/exempt_chemlist.pdf.* The dates of applications of all current exemptions are posted for easy reference.

Dated: November 19, 2018.

John J. Martin,

Assistant Administrator.

[FR Doc. 2018–26067 Filed 11–30–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, no later than December 13, 2018.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than December 13, 2018.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW, Washington, DC 20210.

Signed at Washington, DC, this 30th day of October 2018.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[116 TAA petitions instituted between 9/17/18 and 10/19/18]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
94134A	Pro-Tech, Belcan, Cyient, IKOS (State/One-Stop)	Pittsburgh, PA	09/17/18	09/14/18
94134	Bombardier Transportation (Holdings) USA, Inc. (State/One-Stop).	Pittsburgh, PA	09/17/18	09/14/18
94135	QBE Americas Inc. (State/One-Stop)	Moon Township, PA	09/17/18	09/17/18
94136	Kranos Corporation dba Schutt Sports (Company)	Easton, PA	09/17/18	09/12/18
94137	Acuity Brands Lighting, Inc. (State/One-Stop)	Des Plaines, IL	09/18/18	09/17/18
94138	Bose Corporation (State/One-Stop)	Westborough, MA	09/18/18	09/13/18
94139	Kodak Alaris (State/One-Stop)	Rochester, NY	09/18/18	09/17/18
94140	Xero INC (Workers)	San Francisco, CA	09/18/18	09/17/18
94141	Formosa Plastics Corporation (Union)	Delaware City, DE	09/19/18	09/06/18
94142	Hewlett Packard Enterprise (State/One-Stop)	Palo Alto, CA	09/19/18	09/18/18
94143	Verizon Business Network Services (State/One-Stop)	Ashburn, VA	09/19/18	09/18/18
94144	Walmart Optical Lab, #9065 (Workers)	Crawfordsville, IN	09/19/18	09/17/18
94145	Carter Fuel Systems (State/One-Stop)	Logansport, IN	09/20/18	09/18/18
94146	DJO Global (State/One-Stop)	New Brighton, MN	09/20/18	09/18/18
94147	Handi-Foil Corporation (State/One-Stop)	Wheeling, IL	09/20/18	09/18/18
94148	Sony DADC (State/One-Stop)	Terre Haute, IN	09/20/18	09/18/18
94149	Global Foundries U.S., Inc. (State/One-Stop)	Malta, NY	09/21/18	09/20/18
94150	Healthcare Management Administrators, Inc. (HMA) (State/One-Stop).	Bellevue, WA	09/21/18	09/18/18
94151	HSBC Technology and Services, USA (HTSU) (State/One-Stop).	Buffalo, NY	09/21/18	09/20/18
94152	MOL Information Technology America Inc. (Workers)	Woodbridge, NJ	09/21/18	09/12/18
94153	Respironics Novametrix, LLC (Company)	Wallingford, CT	09/21/18	09/19/18
94154	Schmidbauer Lumber Inc. (State/One-Stop)	Eureka, CA	09/21/18	09/20/18
94155	Sierra Forest Products (State/One-Stop)	Terra Bella, CA	09/21/18	09/20/18
94156	Sierra Pacific Industries (State/One-Stop)	Arcata, CA	09/21/18	09/20/18
94157	Sierra Pacific Industries (State/One-Stop)	Burney, CA	09/21/18	09/20/18
94158	Siskiyou Forest Product (State/One-Stop)	Anderson, CA	09/21/18	09/20/18
94159	Trinity River Lumber Company (State/One-Stop)	Weaverville, CA	09/21/18	09/20/18
94160	Zebra Technologies Inc. (Workers)	Lincolnshire, IL	09/21/18	09/20/18
94161	Alpha Guardian (State/One-Stop)	Wauconda, IL	09/24/18	09/21/18
94162	Horizon Travel Services LLC DBA AlliedTPro (Workers).	Henderson, NV	09/24/18	09/21/18
94163	Partners Healthcare (State/One-Stop)	Somerville, MA	09/24/18	09/22/18
94164	Kayser-Roth Corporation (Company)	Dayton, TN	09/25/18	09/21/18
94165	Omnicare, a CVS Health Company (Workers)	Oklahoma City, OK	09/25/18	08/10/18
94166	Payless ShoeSource Worldwide, Inc. (State/One-Stop)	Topeka, KS	09/25/18	09/25/18
94167	A.R.E. Manufacturing, Inc. (State/One-Stop)	Newberg, OR	09/26/18	09/25/18
94168	Nuance Communications, Inc. (State/One-Stop)	Burlington, MA	09/26/18	09/25/18
94169	Pioneer Magnetics Inc. (State/One-Stop)	Santa Monica, CA	09/26/18	09/24/18
94170	STARTEK (Company)	Greeley, CO	09/26/18	08/28/18
94171	Deltic Timber Corporation (State/One-Stop)	Ola, AR	09/27/18	09/25/18
94172	Deltic Timber Corporation (State/One-Stop)	Waldo, AR	09/27/18	09/25/18
94173	Potlatch Corporation (Company)	Warren, AR	09/27/18	09/25/18

APPENDIX—Continued

[116 TAA petitions instituted between 9/17/18 and 10/19/18]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
94174	Rose International at Suntrust Mortgage (State/One-Stop).	Ashburn, VA	09/27/18	09/25/18
94175	West Fraser, Inc. (State/One-Stop)	Leola, AR	09/27/18	09/25/18
94176	West Fraser, Inc. (State/One-Stop)	Mansfield, AR	09/27/18	09/25/18
94177	West Fraser, Inc. (Company)	Russellville, AR	09/27/18	09/25/18
94178	Weyerhaeuser NR Company (State/One-Stop)	Dierks, AR	09/27/18	09/25/18
94179	Voxpro LLC (Company)	Athens, GA	09/27/18	09/26/18
94180	Canfor Southern Pine—Urbana (State/One-Stop)	Strong, AR	09/28/18	09/27/18
94181	Jet Aviation (State/One-Stop)	Sauget, IL	09/28/18	09/27/18
94182	Aalfs Manufacturing, Inc. (State/One-Stop)	Sioux City, IA	10/02/18	10/01/18
94183	CSC Holdings, LLC (State/One-Stop)	Bethpage, NY	10/02/18	09/28/18
94184	Ames Textiles Inc. (State/One-Stop)	Christiansburg, VA	10/02/18	09/27/18
94185	Catalina Marketing Corporation (Company)	St. Petersburg, FL	10/02/18	10/01/18
94186	MediaNews Group, Inc. (State/One-Stop)	Colorado Springs, CO	10/02/18	09/28/18
94187	MBN (Middle East Broadcasting Networks) (State/One-Stop).	Springfield, VA	10/02/18	09/28/18
94188	Nokia of America Corporation (State/One-Stop)	Naperville, IL	10/02/18	09/28/18
94189	Siemens (State/One-Stop)	Trenton, NJ	10/02/18	10/01/18
94190	TDK Hutchinson Technology (Workers)	Eau Claire, WI	10/02/18	10/01/18
94191	Wells Fargo (State/One-Stop)	Saint Louis Park, MN	10/02/18	09/28/18
94192	West Fraser (State/One-Stop)	Huttig, AR	10/02/18	09/28/18
94193	American Medical Systems (State/One-Stop)	Hopkins, MN	10/03/18	10/02/18
94194	The Boeing Company El Paso Operations (Company)	El Paso, TX	10/03/18	10/02/18
94195	CCX Corporation (State/One-Stop)	Lafayette, CO	10/03/18	10/02/18
94196	Maximum Solutions (State/One-Stop)	Edina, MN	10/03/18	10/02/18
94197	Michigan Seamless Tube, LLS (State/One-Stop)	South Lyon, MI	10/03/18	10/02/18
94198	Sandoz Inc., a Novartis Division (State/One-Stop)	Broomfield, CO	10/03/18	10/02/18
94199	AIG Claim Services, Inc. (State/One-Stop)	Portland, OR	10/04/18	10/03/18
94200	Biewer Lumber (State/One-Stop)	Lake City, MI	10/04/18	10/02/18
94201	Culp Woven Velvets (Workers)	Anderson, SC	10/04/18	09/27/18
94202	DLR Group (State/One-Stop)	Minneapolis, MN	10/04/18	10/03/18
94203	Floturn, Inc. (State/One-Stop)	Fairfield, OH	10/04/18	10/03/18
94204	Hero BX (State/One-Stop)	Moundville, AL	10/05/18	10/04/18
94205	Sprint Enterprise and Government (Workers)	Irving, TX	10/05/18	09/10/18
94206	Sonoco Products (State/One-Stop)	Hollister, CA	10/05/18	10/04/18
94207	Alsco Industries, Inc. (Company)	Sturbridge, MA	10/09/18	10/04/18
94208	Ambit Management LLC (Company)	Plano, TX	10/09/18	10/08/18
94209	Computerized Management Services, Inc. (Workers)	Simi Valley, CA	10/09/18	10/05/18
94210	Emberex, Inc. (State/One-Stop)	Eugene, OR	10/09/18	10/05/18
94211	IBM (Workers)	San Ramon, CA	10/09/18	10/05/18
94212	Qualcomm Inc. (Workers)	San Diego, CA	10/09/18	09/10/18
94213	Citizens Bank NA (RBS Citizens Bank National Association) (State/One-Stop).	Glen Allen, VA	10/09/18	10/05/18
94214	IQVIA Inc. (State/One-Stop)	Chesapeake, VA	10/09/18	10/04/18
94215	The TJX Companies—Corporate I.T. (State/One-Stop)	Marlborough, MA	10/09/18	10/09/18
94216	Union Electric Akers (Union)	Avonmore, PA	10/09/18	10/05/18
94217	Windstream Communications (State/One-Stop)	Richmond, VA	10/09/18	10/05/18
94218	Caliber Home Loans (State/One-Stop)	Fairfax, VA	10/10/18	10/09/18
94219	Capital One US Card Operations (State/One-Stop)	Lincoln, NE	10/10/18	10/09/18
94220	Neff Motivations Inc. (State/One-Stop)	Greenville, OH	10/10/18	10/09/18
94221	Peak Sports USA Inc. (State/One-Stop)	Los Angeles, CA	10/10/18	10/09/18
94222	S–T Industries (State/One-Stop)	St. James, MN	10/10/18	10/09/18
94223	Wacom Technology Services Company (State/One-Stop).	Portland, OR	10/10/18	10/09/18
94224	Bank of America Merril Lynch Pierce Fenner Smith Inc. (State/One-Stop).	Jersey City, NJ	10/11/18	09/13/18
94225	General Electric Co. Transportation Division (State/One-Stop).	Erie, PA	10/11/18	10/10/18
94226	Parallon (State/One-Stop)	Irvine, CA	10/11/18	10/11/18
94227	Franke Kitchen Systems LLC (Company)	Ruston, LA	10/12/18	10/12/18
94228	Zodiac Pool Systems Inc. (State/One-Stop)	Vista, CA	10/12/18	10/11/18
94229	CCS Medical, Inc. (Workers)	Farmers Branch, TX	10/15/18	10/12/18
94230	Heritage Home Group Inc. (3+ Locations in NC) (State/One-Stop).	, NC	10/15/18	10/05/18
94231	Arjo Inc. (State/One-Stop)	San Antonio, TX	10/16/18	10/15/18
94232	CH2M Hill Engineers (Company)	Boise, ID	10/16/18	10/15/18
94233	Del Monte Foods, Inc. (State/One-Stop)	Crystal City, TX	10/16/18	10/15/18
94234	Global Brands Group (State/One-Stop)	Los Angeles, CA	10/16/18	10/12/18
94235	MedPlast—Viant (State/One-Stop)	Monticello, IA	10/16/18	10/15/18
94236	Virginia Plot-Media Companies, LLC (State/One-Stop)	Norfolk, VA	10/16/18	10/15/18

APPENDIX—Continued

[116 TAA petitions instituted between 9/17/18 and 10/19/18]

TA–W	Subject firm (petitioners)	Location	Date of institution	Date of petition
94237	Trelleborg (State/One-Stop)	Houston, TX	10/16/18	10/15/18
94238	Wilbrecht LEDCO, Inc. (State/One-Stop)	Huron, SD	10/16/18	10/15/18
94239	Carlson Wagonlit Travel (State/One-Stop)	Minnetonka, MN	10/17/18	10/16/18
94240	D & H Corporation (State/One-Stop)	San Francisco, CA	10/17/18	10/16/18
94241	Daikin Applied (State/One-Stop)	Verona, VA	10/17/18	10/16/18
94242	IBM Corporation (State/One-Stop)	Southbury, CT	10/17/18	10/16/18
94243	Indivior Pharmaceuticals (State/One-Stop)	Richmond, VA	10/17/18	10/16/18
94244	Pitney Bowes Inc. (State/One-Stop)	Neenah, WI	10/17/18	10/16/18
94245	Wargaming (State/One-Stop)	Redmond, WA	10/17/18	10/15/18
94246	Centric Parts (State/One-Stop)	Carson, CA	10/18/18	10/17/18
94247	TaskEasy (Company)	Salt Lake City, UT	10/19/18	10/18/18
94248	Loud Audio LLC (State/One-Stop)	Woodinville, WA	10/19/18	10/16/18

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DEPARTMENT OF LABOR

Employment and Training Administration

Post-Initial Determinations Regarding Eligiblity To Apply for Trade Adjustment Assistance

In accordance with Sections 223 and 284 (19 U.S.C. 2273 and 2395) of the Trade Act of 1974 (19 U.S.C. 2271, *et seq.*) (''Act''), as amended, the Department of Labor herein presents Notice of Affirmative Determinations Regarding Application for Reconsideration, summaries of Negative Determinations Regarding Applications for Reconsideration, summaries of Revised Certifications of Eligibility, summaries of Revised Determinations (after Affirmative Determination Regarding Application for Reconsideration), summaries of Negative Determinations (after Affirmative Determination Regarding Application for Reconsideration), summaries of Revised Determinations (on remand from the Court of International Trade), and summaries of Negative Determinations (on remand from the Court of International Trade) regarding eligibility to apply for trade adjustment assistance under Chapter 2 of the Act (''TAA'') for workers by (TA–W) number issued during the period of *September 17th, 2018 through October 19th, 2018.* Post-initial determinations are issued after a petition has been certified or denied. A post-initial determination may revise a certification, or modify or affirm a negative determination.

Affirmative/Negative Determinations Regarding Applications for Reconsideration

The certifying officer may grant an application for reconsideration under the following circumstances: (1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous; (2) If it appears that the determination complained of was based on a mistake in the determination of facts previously considered; or (3) If, in the opinion of the certifying officer, a misinterpretation of facts or of the law justifies reconsideration of the determination. See 29 CFR 90.18(c).

Affirmative Determinations Regarding Applications for Reconsideration

The following Applications for Reconsideration have been received and granted. See 29 CFR 90.18(d). The group of workers or other persons showing an interest in the proceedings may provide written submissions to show why the determination under reconsideration should or should not be modified. The submissions must be sent no later than ten days after publication in **Federal Register** to the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW, Washington, DC 20210. See 29 CFR 90.18(f).

TA–W No.	Subject firm	Location
93,702	Koppers Inc.	Follansbee, WV.

Summary of Statutory Requirement

(This Notice primarily follows the language of the Trade Act. In some places however, changes such as the inclusion of subheadings, a reorganization of language, or ''and,'' ''or,'' or other words are added for clarification.)

Section 222(a)—Workers of a Primary Firm

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements under Section 222(a) of the Act (19 U.S.C. 2272(a)) must be met, as follows:

(1) The first criterion (set forth in Section 222(a)(1) of the Act, 19 U.S.C. 2272(a)(1)) is that a significant number or proportion of the workers in such workers' firm (or ''such firm'') have become totally or partially separated, or are threatened to become totally or partially separated;

AND (2(A) or 2(B) below)

(2) The second criterion (set forth in Section 222(a)(2) of the Act, 19 U.S.C. 2272(a)(2)) may be satisfied by either (A) the Increased Imports Path, or (B) the Shift in Production or Services to a Foreign Country Path/Acquisition of Articles or Services from a Foreign Country Path, as follows:

(A) Increased Imports Path:

(i) the sales or production, or both, of such firm, have decreased absolutely;

AND (ii and iii below)

(ii) (I) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased; OR

(II)(aa) imports of articles like or directly competitive with articles into

which one or more component parts produced by such firm are directly incorporated, have increased; OR

(II)(bb) imports of articles like or directly competitive with articles which are produced directly using the services supplied by such firm, have increased; OR

(III) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

AND

(iii) the increase in imports described in clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; OR

(B) Shift in Production or Services to a Foreign Country Path OR Acquisition of Articles or Services from a Foreign Country Path:

(i)(I) there has been a shift by such workers' firm to a foreign country in the production of articles or the supply of services like or directly competitive with articles which are produced or services which are supplied by such firm; OR

(II) such workers' firm has acquired from a foreign country articles or services that are like or directly competitive with articles which are produced or services which are supplied by such firm;

AND

(ii) the shift described in clause (i)(I) or the acquisition of articles or services described in clause (i)(II) contributed importantly to such workers' separation or threat of separation.

Section 222(b)—Adversely Affected Secondary Workers

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements of Section 222(b) of the Act (19 U.S.C. 2272(b)) must be met, as follows:

(1) a significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

AND

(2) the workers' firm is a supplier or downstream producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act (19 U.S.C. 2272(a)), and such supply or production is related to the article or service that was the basis for such certification (as defined in subsection 222(c)(3) and (4) of the Act (19 U.S.C. 2272(c)(3) and (4));

AND

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; OR

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation determined under paragraph (1).

Section 222(e)—Firms Identified by the International Trade Commission

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements of Section 222(e) of the Act (19 U.S.C. 2272(e)) must be met, by following criteria (1), (2), and (3) as follows:

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1) of the Act (19 U.S.C. 2252(b)(1)); OR

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1) of the Act (19 U.S.C. 2436(b)(1)); OR

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

AND

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) of the Trade Act (19 U.S.C. 2252(f)(1)) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3) (19 U.S.C. 2252(f)(3)); OR

(B) notice of an affirmative determination described in subparagraph (B) or (C) of paragraph (1) is published in the **Federal Register**;

AND

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); OR

(B) notwithstanding section 223(b) of the Act (19 U.S.C. 2273(b)), the 1-year period preceding the 1-year period described in paragraph (2).

Revised Certifications of Eligibility

The following revised certifications of eligibility to apply for TAA have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination, and the reason(s) for the determination.

The following revisions have been issued.

TA–W No.	Subject firm	Location	Impact date	Reason(s)
93,786	Owens Corning Technical Fabrics, LLC	Brunswick, ME	5/1/2017	Worker Group Clarification.
91,915	DST Brokerage Solutions	Baltimore, MD	6/13/2015	Ownership Change of a Successor Firm.
91,915A	DST Systems, Inc	Kansas City, MO	12/13/2015	Ownership Change of a Successor Firm.
92,182	Gerdau Ameristeel US, Inc	Calvert City, KY	9/6/2015	Worker Group Clarification.
93,871	Thermo Fisher Scientific	Austin, TX	5/31/2017	Wages Reported Under Different FEIN Number.
92,846	Ericsson, Inc	Plano, TX	4/26/2016	Worker Group Clarification.
92,846A	Ericsson, Inc	Richardson, TX	4/26/2016	Worker Group Clarification.
92,846B	Ericsson, Inc	Irving, TX	4/26/2016	Worker Group Clarification.
93,517	Triumph Aerostructures	Grand Prairie, TX	2/2/2017	Worker Group Clarification.
93,619	AES Ohio Generation (DP&L)	Aberdeen, OH	3/6/2017	Worker Group Clarification.
93,924	Bombardier Transportation (Holdings) USA, Inc.	Pittsburgh, PA	8/21/2017	Other.

TA–W No.	Subject firm	Location	Impact date	Reason(s)
93,924A ...	Pro-Tech, Belcan, Cyient, IKOS	Pittsburgh, PA	6/26/2017	Other.

Revised Determinations (After Affirmative Determination Regarding Application for Reconsideration)

The following revised determinations on reconsideration, certifying eligibility to apply for TAA, have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following revised determinations on reconsideration, certifying eligibility to apply for TAA, have been issued. The requirements of Section 222(a)(2)(B) (Shift in Production or Services to a Foreign Country Path or Acquisition of Articles or Services from a Foreign Country Path) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
92,945	Progress Rail Locomotive, Inc	Hodgkins, IL	6/12/2016

Signed at Washington, DC, this 21st day of October 2018.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2018–26189 Filed 11–30–18; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Trade Adjustment Assistance

In accordance with the Section 223 (19 U.S.C. 2273) of the Trade Act of 1974 (19 U.S.C. 2271, *et seq.*) (''Act''), as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance under Chapter 2 of the Act (''TAA'') for workers by (TA–W) number issued during the period of *September 17, 2018 through October 19, 2018.* (This Notice primarily follows the language of the Trade Act. In some places however, changes such as the inclusion of subheadings, a reorganization of language, or ''and,'' ''or,'' or other words are added for clarification.)

Section 222(a)—Workers of a Primary Firm

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements under Section 222(a) of the Act (19 U.S.C. 2272(a)) must be met, as follows:

(1) The first criterion (set forth in Section 222(a)(1) of the Act, 19 U.S.C. 2272(a)(1)) is that a significant number or proportion of the workers in such workers' firm (or ''such firm'') have become totally or partially separated, or are threatened to become totally or partially separated;

AND (2(A) or 2(B) below)

(2) The second criterion (set forth in Section 222(a)(2) of the Act, 19 U.S.C. 2272(a)(2)) may be satisfied by either (A) the Increased Imports Path, or (B) the Shift in Production or Services to a Foreign Country Path/Acquisition of Articles or Services from a Foreign Country Path, as follows:

(A) Increased Imports Path

(i) the sales or production, or both, of such firm, have decreased absolutely;

AND (ii and iii below)

(ii) (I) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased; OR

(II)(aa) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased; OR

(II)(bb) imports of articles like or directly competitive with articles which are produced directly using the services supplied by such firm, have increased; OR

(III) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

AND

(iii) the increase in imports described in clause (ii) contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; OR

(B) Shift in Production or Services to a Foreign Country Path OR Acquisition of Articles or Services From a Foreign Country Path

(i) (I) there has been a shift by such workers' firm to a foreign country in the production of articles or the supply of services like or directly competitive with articles which are produced or services which are supplied by such firm; OR

(II) such workers' firm has acquired from a foreign country articles or services that are like or directly competitive with articles which are produced or services which are supplied by such firm;

AND

(ii) the shift described in clause (i)(I) or the acquisition of articles or services described in clause (i)(II) contributed importantly to such workers' separation or threat of separation.

Section 222(b)—Adversely Affected Secondary Workers

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements of Section 222(b) of the Act (19 U.S.C. 2272(b)) must be met, as follows:

(1) a significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

AND

(2) the workers' firm is a supplier or downstream producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act (19 U.S.C. 2272(a)), and such supply or production is related to the article or service that was the basis for such certification (as defined in subsection

222(c)(3) and (4) of the Act (19 U.S.C. 2272(c)(3) and (4));

AND

(3) either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; OR

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation determined under paragraph (1).

Section 222(e)—Firms identified by the International Trade Commission

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for TAA, the group eligibility requirements of Section 222(e) of the Act (19 U.S.C. 2272(e)) must be met, by following criteria (1), (2), and (3) as follows:

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1) of the Act (19 U.S.C. 2252(b)(1)); OR

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1) of the Act (19 U.S.C. 2436(b)(1)); OR

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

AND

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) of the Trade Act (19 U.S.C. 2252(f)(1)) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3) (19 U.S.C. 2252(f)(3)); OR

(B) notice of an affirmative determination described in subparagraph (B) or (C) of paragraph (1) is published in the **Federal Register**;

AND

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); OR

(B) notwithstanding section 223(b) of the Act (19 U.S.C. 2273(b)), the 1-year period preceding the 1-year period described in paragraph (2).

Affirmative Determinations for Trade Adjustment Assistance

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (Increased Imports Path) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
93,922	Abbott Associates, Inc., Steadfast Staffing Solutions, LLC	Milford, CT	June 22, 2017.
93,990	StrongArm, LLC, AVM Industries, Trico-Group, LLC, Environmental Staffing Carolina Office.	Marion, SC	July 18, 2017.
94,030	The Hartz Mountain Corporation, Staffing Resources	Logansport, IN	July 27, 2017.
94,033	AF Gloenco, AFGlobal Corporation	Newport, NH	July 23, 2017.
94,053	MasterBrand Cabinets, Inc., Fortune Brands Home & Security, Inc	Auburn, AL	August 8, 2017.
94,069	Oregon Canadian Forest Products, Inc., Aerotek, Xpand Staffing, Express Employment Professionals.	North Plains, OR	August 20, 2017.
94,164	Kayser-Roth Corporation, GoldenPointe SpA, Right Time Right Place Staffing, Metro Industrial, etc.	Dayton, TN	September 21, 2017.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (Shift in Production or Services to a Foreign Country Path or Acquisition of Articles or Services from a Foreign Country Path) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
92,945	Progress Rail Locomotive, Inc., Caterpillar, Inc., APL Logistics Warehouse Management Services, Inc.	Hodgkins, IL	June 12, 2016.
93,582	Ericsson, Inc., BNEW GSO SEU HES PSE2 CS Group	Plano, TX	February 27, 2017.
93,711	Ericsson, Inc., Networks Engineering Services Network Configuration Operations, etc.	Overland Park, KS	April 10, 2017.
93,717	Jabil Inc., Adecco	Poughkeepsie, NY	April 12, 2017.
93,737	Ocwen Financial Corporation, Kelly Vendor Management Services (KVMS)	Addison, TX	April 17, 2017.
93,764	Work Market, Insight Global, EMC Storage Management Support, BNT, etc., ATOS IT Solutions and Services, Inc.	Mason, OH	April 25, 2017.
93,764A	ATOS IT Solutions and Services, Inc., NSC Global Managed Services, LLC	Mason, OH	October 17, 2017.
93,765	Ergotron, Inc., Tualatin Division, Dongguan Ergotron Precision Technology, Randstad, etc.	Tualatin, OR	April 25, 2017.
93,913	Regal Beloit America Inc., Blytheville, Arkansas Division, Regal Beloit Corporation.	Blytheville, AR	June 21, 2017.
93,917	General Electric Company, GE Transportation Parts, Transportation Division, etc.	Erie, PA	June 24, 2018.
93,917A	Association of Corporate Counsel America Chicago Chapter, Bay Area Techworkers, Capgemini America, Inc., Dornerworks, Ltd., etc.	Erie, PA	June 22, 2017.
93,951	El Paso Specialty Hospital, El Paso Orthopaedic Group	El Paso, TX	July 3, 2017.
93,960	NTT DATA Services, LLC, Infrastructure Cloud Security, Platform Engineering Storage Services.	Plano, TX	July 6, 2017.

TA–W No.	Subject firm	Location	Impact date
93,963	Amdocs, Inc., GSS Legacy Division, Amdocs Ltd., IQN	Chesterfield, MO	July 9, 2017.
93,980	Deluxe Media Inc., Deluxe Entertainment Services Group Inc., Deluxe Shared Services Inc., etc.	Burbank, CA	July 9, 2017.
93,982	MetrixLab US, Inc., Acturus, Inc., Graphics, Marketing, and Finance Teams, Macromill Group.	Farmington, CT	July 12, 2017.
93,985	Regal Beloit Corporation	Nixa, MO	July 13, 2017.
94,005	Ernst & Young LLP, Sprint Property Tax Division	Wichita, KS	July 23, 2017.
94,011	Rivulis Irrigation, Inc., Rivulis Irrigation, Express Employment Professionals, Ambassador Personnel.	Valdosta, GA	July 25, 2017.
94,028	Biosense Webster Inc., Irwindale-New Product Development Team, Ethicon USA Inc., Kelly Services.	Irwindale, CA	July 30, 2017.
94,028A	Biosense Webster Inc., Baldwin Park Distribution Center, Ethicon USA Inc., Kelly Services.	Baldwin Park, CA	July 30, 2017.
94,038	CDK Global, LLC, Product Management, CDK Global, Pro Unlimited, etc	Portland, OR	August 1, 2017.
94,040	DWK Life Sciences, Inc., One Equity Partners	Millville, NJ	July 25, 2017.
94,041	Centrex Revenue Solutions, LLC, EMS Revenue Cycle Solutions, Returned Mail, Centrex Revenue Solutions, etc.	Akron, OH	August 2, 2017.
94,047	Massachusetts Mutual Life Insurance Company, MM Technology Administration Applications & Operations Support Unit, etc.	Enfield, CT	August 7, 2017.
94,048	Parexel International, Corporate Business Unit	Billerica, MA	August 3, 2017.
94,054	UTC Aerospace Systems, Air Management Systems, United Technologies Corporation.	Windsor Locks, CT	August 8, 2017.
94,055	The Scott Fetzer Company d/b/a Ginsu Brands, Ginsu Brands Division, Advance Services, Inc., Staffmark.	Walnut Ridge, AR	August 9, 2017.
94,056	International Business Machines (IBM), Q01A Supply Assurance, IBM Systems Division, Manpower.	San Jose, CA	August 9, 2017.
94,062	Xerox Business Services, Communication Services, Xerox	Webster, NY	August 13, 2017.
94,065	Barnett Outdoors, LLC, Alliance, Flexicorp	Tarpon Springs, FL	August 17, 2017.
94,071	Prestolite Electric Incorporated, Broad Ocean Motor, LLC, Adecco Employment Services.	Arcade, NY	November 23, 2018.
94,072	R&M Sea Level Marine LLC, Hood River Division, R&M Ship Technologies USA, Inc.	Hood River, OR	August 21, 2017.
94,080	Ernst & Young LLP, EY Technology Division	Secaucus, NJ	August 22, 2017.
94,081	Finastra USA Corporation, Finastra Technology Inc., Finastra Merchant Services, Inc., etc.	New York, NY	August 22, 2017.
94,081A	Finastra USA Corporation, Finastra Technology Inc., Finastra Merchant Services, Inc., etc.	Burlington, MA	August 22, 2017.
94,082	Health Care Service Corporation (HCSC), Remote Workers from Virginia Reporting to Chicago, Illinois.	Chicago, IL	August 22, 2017.
94,083	Hologic, Inc., Cynosure-Ellman Division	Hicksville, NY	August 22, 2017.
94,087	Royal Caribbean Cruises Ltd., Royal Caribbean International Division, Customer Contact Services Center.	Springfield, OR	August 22, 2017.
94,099	CH2M Hill Engineers, Inc., Jacobs Engineering Group, CH2M Hill, The Bergaila Companies, etc.	Corvallis, OR	August 28, 2017.
94,100	Clockwork Acquisition II, Inc., Direct Energy, RGS Holding Corporation, American Cyber Systems, etc.	Tempe, AZ	August 28, 2017.
94,103	Nokia of America Corporation, Nokia, Nokia Solutions & Networks LLC, Alcatel-Lucent.	Murray Hill, NJ	August 29, 2017.
94,106	Nokia of America Corporation, Nokia, Nokia Solutions & Networks LLC, Alcatel-Lucent USA Inc.	Dublin, OH	August 30, 2017.
94,107	Fujitsu Network Communications, Inc., Fujitsu Limited	Richardson, TX	September 4, 2017.
94,109	Ricoh USA, Inc., Ricoh Americas Holdings, Inc	Houston, TX	August 7, 2017.
94,109A	Ricoh USA, Inc., Ricoh Americas Holdings, Inc	Houston, TX	August 7, 2017.
94,112	Caterpillar Inc., CR Coatings, The Tool & Gage House, Vonachen Services Inc., Securitas.	Joliet, IL	August 6, 2018.
94,112A	On-Site Leased Workers From APTIM, Caterpillar Inc	Joliet, IL	September 6, 2017.
94,115	ITT Inc. Connect & Control Technologies, ITT Cannon, LLC Division, ITT Inc.	Irvine, CA	September 6, 2017.
94,116	Williamson Dickie Manufacturing Company, Image Wear Division, VF Corporation.	Uvalde, TX	September 5, 2017.
94,120	TE Connectivity, Corporate Finance Department	Middletown, PA	September 6, 2017.
94,130	Nortek Global HVAC, Light Commercial Division, Melrose Industries PLC	Mercer, PA	September 13, 2017.
94,133	Schmidtâ€™s Deodorant Company, LLC, Begin Right Employment Services, Express Employment Professionals, etc.	Portland, OR	September 13, 2017.
94,136	Kranos Corporation dba Schutt Sports, Schutt Reconditioning, Epic Personnel Partners LLC, Express Employment.	Easton, PA	September 12, 2017.
94,137	Acuity Brands Lighting, Inc., Juno Lighting Division, Acuity Brands, Inc., Superior Staffing.	Des Plaines, IL	September 17, 2017.
94,144	Walmart Optical Lab, #9065, Walmart, Inc	Crawfordsville, IN	September 17, 2017.
94,146	DJO Global, Aerotek, C.F.S., PrincetonOne, TempForce, Medix, Stephen James, etc.	New Brighton, MN	September 18, 2017.
94,150	Healthcare Management Administrators, Inc. (HMA), Regence Blue Shield, Robert Half Technology, Aerotek, Inc., etc.	Bellevue, WA	September 18, 2017.
94,153	Respironics Novametrix, LLC, Respironics, Inc., Randstad	Wallingford, CT	September 19, 2017.

TA–W No.	Subject firm	Location	Impact date
94,162	Horizon Travel Services LLC DBA AlliedTPro, Escorted Tours Department	Henderson, NV	September 21, 2017.
94,179	Voxpro LLC	Athens, GA	September 26, 2017.
94,196	Maximum Solutions, ACTIVE Network LLC, Robert Half International Inc., IRIS Consulting Corp.	Edina, MN	October 2, 2017.
94,206	Sonoco Products, Plastics Division, Manpower, Kelly Services Inc, Infinity Staffing, etc.	Hollister, CA	October 4, 2017.
94,209	Computerized Management Services, Inc	Simi Valley, CA	October 5, 2017.

The following certifications have been issued. The requirements of Section 222(b) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
93,863	Chemtrade Solutions LLC, Acid/SPPC Division, Chemtrade Logistics Inc	Augusta, GA	May 21, 2017.

The following certifications have been issued. The requirements of Section 222(e) (firms identified by the International Trade Commission) of the Trade Act have been met.

TA–W No.	Subject firm	Location	Impact date
93,895	Keystone Consolidated Industries, Inc., Keystone Steel & Wire Division, ManPower, Kelly Services.	Peoria, IL	July 8, 2018.
93,911	Columbia Forest Products, All in a Day Temporary Services, Inc. (A.I.D.).	Trumann, AR	December 27, 2016.
93,961	Nucor Steel Birmingham, Inc., Nucor Corporation, ITAC Solutions, PangeaTwo, Randstad, etc.	Birmingham, AL	July 7, 2016.
93,964	REG Seneca Renewable Energy Group, Inc	Seneca, IL	December 28, 2016.
94,020	Columbia Forest Products, Express Employment Professionals, BBSI.	Boardman, OR	December 27, 2016.
94,021	Columbia Forest Products, Express Employment Professionals	Klamath Falls, OR	December 27, 2016.
94,024	States Industries, Selectemp, Elwood, Express Staffing Services	Eugene, OR	December 27, 2016.
94,039	Roseburg Forest Products, Hardwood Plywood Division	Dillard, OR	December 27, 2016.
94,073	REG Ralston, LLC, REG Biofuels, LLC	Ralston, IA	December 28, 2016.
94,074	REG Mason City, LLC, REG Fuels, LLC	Mason City, IA	December 28, 2016.
94,075	REG Newton, LLC, Reg Fuels, LLC	North Newton, IA	December 28, 2016.
94,076	AG Processing Inc a cooperative	Algona, IA	December 28, 2016.
94,077	AG Processing Inc a cooperative	Sergeant Bluff, IA	December 28, 2016.
94,078	Cargill's Agricultural Supply Chain, North America, Cargill Incorporated.	Iowa Falls, IA	December 28, 2016.
94,088	W2Fuel LLC	Crawfordsville, IA	December 28, 2016.
94,089	Western Dubuque Biodiesel, LLC	Farley, IA	December 28, 2016.

Negative Determinations for Worker Adjustment Assistance

In the following cases, the investigation revealed that the eligibility criteria for TAA have not been met for the reasons specified.

The investigation revealed that the requirements of Trade Act section 222 (a)(1) and (b)(1) (significant worker total/partial separation or threat of total/partial separation), or (e) (firms identified by the International Trade Commission), have not been met.

TA–W No.	Subject firm	Location	Impact date
93,923	Cascade Steel Rolling Mills, Inc., Schnitzer Steel Industries, Inc	McMinnville, OR.	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both), or (a)(2)(B) (shift in production or services to a foreign country or acquisition of articles or services from a foreign country), (b)(2) (supplier to a firm whose workers are certified eligible to apply for TAA or downstream producer to a firm whose workers are certified eligible to apply for TAA), and (e) (International Trade Commission) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
93,958	Lam Research Corporation, Deposition Business Unit, Superior Talent Resources, Inc.	Tualatin, OR.	

TA–W No.	Subject firm	Location	Impact date
94,058	Pacific Stainless Products, Inc	Saint Helens, OR.	

The investigation revealed that the criteria under paragraphs (a)(2)(A) (increased imports), (a)(2)(B) (shift in production or services to a foreign country or acquisition of articles or services from a foreign country), (b)(2) (supplier to a firm whose workers are certified eligible to apply for TAA or downstream producer to a firm whose workers are certified eligible to apply for TAA), and (e) (International Trade Commission) of section 222 have not been met.

TA–W No.	Subject firm	Location	Impact date
93,706	Chesapeake Operating, LLC, Oklahoma City Corporate Office, Chesapeake Energy Corporation, etc.	Oklahoma City, OK	
93,706A	Chesapeake Operating, LLC, Waynoka Field Office, Chesapeake Energy Corporation, AFS Petrologix, etc.	Waynoka, OK.	
93,738	Free People, Urban Outiftters, Inc	Philadelphia, PA.	
93,800	Qorvo US, Inc., Qorvo, Inc., Volt Workforce Solutions, Two Degrees, Aston Carter, etc.	Hillsboro, OR.	
93,851	Hillphoenix, Inc., Dover Corporation, Advantastaff, Inc., Ajilon Staffing.	Colonial Heights, VA.	
93,859	Intertek USA, Inc. dba Intertek Pilot Plant Services, Intertek Group PLC, Apex Life Sciences.	Pittsburgh, PA.	
93,948	Clearwater Paper Company, Consumer Products Division, Express Employment Professions.	Lewiston, ID.	
93,978	Ardagh Glass Inc., Ardagh Holdings Ltd	Simsboro, LA.	
93,991	Bank of America, Bank of America, N.A., Global Financial Services Division.	Westlake, CA.	
93,992	IMAX (Rochester) Inc., IMAX USA, Inc., IMAX Corporation	Rochester, NY.	
94,004	Ericsson Inc., AT-Tech, Artech, HL Yoh, Insight Global, Project People.	Overland Park, KS.	
94,009	DST Pharmacy Solutions, Midwest Consulting Group, Ecco Select, RMK Consulting.	Kansas City, MO.	
94,013	Guynes Packaging and Printing dba Boutwell, Owens & Co. Inc., Job Connection.	El Paso, TX.	
94,031	iQor Holdings US LLC	Simi Valley, CA.	
94,032	Nu-World Amaranth dba Nu-World Foods	Naperville, IL.	
94,032A	Nu-World Amaranth dba Nu-World Foods, 594 6th Avenue NW	Dyersville, IA.	
94,032B	Nu-World Amaranth dba Nu-World Foods, 612 6th Avenue NW	Dyersville, IA.	
94,032C	Nu-World Amaranth dba Nu-World Foods, 2330 Industrial Parkway.	Dyersville, IA.	

Determinations Terminating Investigations of Petitions for Trade Adjustment Assistance

After notice of the petitions was published in the **Federal Register** and on the Department's website, as required by Section 221 of the Act (19 U.S.C. 2271), the Department initiated investigations of these petitions.

The following determinations terminating investigations were issued because the petitioner has requested that the petition be withdrawn.

TA–W No.	Subject firm	Location	Impact date
94,061	US Foods	Sioux City, IA.	
94,092	Aerotek, Inc., International Business Machines (IBM), Seretus, Inc	Hillsboro, OR.	

The following determinations terminating investigations were issued because the worker group on whose behalf the petition was filed is covered under an existing certification.

TA–W No.	Subject firm	Location	Impact date
93,739	Ericsson, Inc., Regional North America Engagement Practices Consulting & Systems, etc.	Richardson, TX.	
93,739A	Ericsson, Inc., Regional North America Engagement Practices Consulting & Systems, etc.	Irving, TX.	
93,838	U.S. Security Associates, Gerdau Ameristeel US, Inc., Calvert City Mill Division.	Calvert City, KY.	
93,966	Bonney Staffing Center, Owens Corning Technical Fabrics, LLC, Owens Corning Composite Materials.	Brunswick, ME.	

TA–W No.	Subject firm	Location	Impact date
93,969	Penske Logistics, El Paso Distribution Center, Customer Service Group & Accounts Payment, etc.	El Paso, TX.	
93,970	Applied Biosystems, Thermo Fisher Scientific, Genetic Sciences Division, A.P.R., Inc., etc.	Austin, TX.	
93,975	DST Brokerage Solutions, DST Systems, Inc., DST Technologies, SS&C Technologies, Inc.	Baltimore, MD.	
93,975A	DST Systems, Inc., SS&C Technologies, Inc	Kansas City, MO.	
93,984	Hewlett Packard Enterprise, Global Support Delivery Supply Chain Division, HP Inc.	Andover, MA.	
94,035	Necco	Revere, MA.	
94,060	Environmental Assurance Company Inc., AES Ohio Generation (DP&L), JMSS Division.	Aberdeen, OH.	
94,063	Triumph Aerostructures, Marshall Street Facility, Triumph Aerospace Structure Division, etc.	Grand Prairie, TX.	
94,134	Bombardier Transportation (Holdings) USA, Inc., Americas Region (AME) Division, Systems Division and Rolling Stock, etc.	Pittsburgh, PA.	
94,134A	Pro-Tech, Belcan, Cyient, IKOS, Bombardier Transportation (Holdings) USA, Inc., Americas Region (AME), etc.	Pittsburgh, PA.	

I hereby certify that the aforementioned determinations were issued during the period of *September 17, 2018 through October 19, 2018.* These determinations are available on the Department's website *https://www.doleta.gov/tradeact/taa/taa_search_form.cfm* under the searchable listing determinations or by calling the Office of Trade Adjustment Assistance toll free at 888–365–6822.

Signed at Washington, DC, this 31st day of October 2018.

Hope D. Kinglock,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2018–26190 Filed 11–30–18; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Wage and Hour Division (WHD) sponsored information collection request (ICR) titled, ''Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before January 2, 2019.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201806-1235-002* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–WHD, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration information collection. Migrant and Seasonal Agricultural Worker Protection Act (MSPA) section 101 provides that no individual may perform farm labor contracting activities without a certificate of registration. *See* 29 U.S.C. 1811. Form WH–530 is the application form that provides the DOL with the information necessary to issue certificates specifying the farm labor contracting activities authorized. In addition, certain vehicle and safety standards are required of a farm- labor contractor applicant and such data is collected via forms WH–514, WH–514a, and WH–515. MSPA sections 102, 105, and 511 authorize this information collection. *See* 29 U.S.C. 1811(b), 1812, 1815, 1861.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1235–0016.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on November 30, 2018. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection

requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on April 24, 2018 (83 FR 17855).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1235–0016. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–WHD.

Title of Collection: Application for a Farm Labor Contractor or Farm Labor Contractor Employee Certificate of Registration.

OMB Control Number: 1235–0016.

Affected Public: Private Sector—businesses or other for-profits, farms, and not-for-profit institutions.

Total Estimated Number of Respondents: 15,026.

Total Estimated Number of Responses: 23,196.

Total Estimated Annual Time Burden: 9,334 hours.

Total Estimated Annual Other Costs Burden: $462,680.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: November 26, 2018.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018–26109 Filed 11–30–18; 8:45 am]

BILLING CODE 4510–27–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; H–2A Sheepherder Recordkeeping Requirement

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL or Department) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, ''H–2A Sheepherder Recordkeeping Requirement,'' to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act (PRA) of 1995. Public comments on the ICR are invited.

DATES: OMB will consider all written comments that the agency receives on or before January 2, 2019.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201811-1205-002* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor—OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks to extend PRA authority for the H–2A Sheepherder Recordkeeping Requirement information collection. Under the foreign labor certification programs administered by ETA, the H–2A temporary labor certification program enables employers to bring nonimmigrant foreign workers to the U.S. to perform agricultural work of a temporary or seasonal nature as defined in 8 U.S.C. 1101(a)(15)(H)(ii)(a). The H–2A program also permits employers to employ foreign sheepherders and goatherders and those working in open-range production of livestock.

In order to meet its statutory responsibilities under the Immigration and Nationality Act, the Department must request information from employers seeking to hire and import foreign labor. The Department uses the information collected to determine whether employers engaging in sheep herding, goat herding, or open-range production of livestock have met their obligations under Federal law. This ICR pertains to program obligations for employers seeking to hire foreign temporary agricultural workers for job opportunities in herding or production of livestock on the open range. Among the issues addressed through this ICR are timekeeping requirements of employers. In order to determine eligibility for the program based on the amount of work performed on the range, this ICR requires employers to note whether employees spend days on the ranch or on the range. This ICR also requires employers to record the reason for the worker's absence where the employer chooses to prorate the required wage.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. DOL obtains OMB approval for this information collection under Control Number 1205–0519. The current approval is scheduled to expire on November 30, 2018; however, DOL notes that existing information collection requirements submitted to OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For

additional substantive information about this ICR, see the related notice published in the **Federal Register** on August 23, 2018 (83 FR 42697).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0519. OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–ETA.

Title of Collection: H–2A Sheepherder Recordkeeping Requirement.

OMB Control Number: 1205–0519.

Affected Public: Private Sector—Farms.

Total Estimated Number of Respondents: 654.

Total Estimated Number of Responses: 34,008.

Total Estimated Annual Time Burden: 3,401 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Dated: November 26, 2018.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018–26110 Filed 11–30–18; 8:45 am]

BILLING CODE 4510–FP–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Submission for OMB Review, Comment Request, Proposed Collection Requests: Community Catalyst Initiative (CCI): The Roles of Libraries and Museums as Enablers of Community Vitality and Co-Creators of Positive Community Change Program Cohort Evaluation

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and the Humanities.

ACTION: Submission for OMB review, comment request.

SUMMARY: The Institute of Museum and Library Services announces the following information collection has been submitted to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. By this notice, IMLS is soliciting comments concerning a proposed cohort evaluation project related to the ''Community Catalyst Initiative: Roles of Libraries and Museums as Enablers of Community Vitality and Co-Creators of Positive Community Change'' grant program and document processes related to community engagement, partnerships, and associated outcomes for the benefit of the museum and library fields.

A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Comments must be submitted to the office listed in the **FOR FURTHER INFORMATION CONTACT** section below on or before December 31, 2018.

OMB is particularly interested in comments that help the agency to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of responses).

ADDRESSES: Comments should be sent to Office of Information and Regulatory Affairs, *Attn.:* OMB Desk Officer for Education, Office of Management and Budget, Room 10235, Washington, DC 20503, (202) 395–7316.

FOR FURTHER INFORMATION CONTACT: Dr. Sandra Webb, Director of Grant Policy and Management, Institute of Museum and Library Services, 955 L'Enfant Plaza North SW, Suite 4000, Washington, DC 20024–2135. Dr. Webb can be reached by Telephone: 202–653–4718 Fax: 202–653–4608, or by email at *swebb@imls.gov,* or by teletype (TTY/TDD) for persons with hearing difficulty at 202–653–4614.

SUPPLEMENTARY INFORMATION:

I. Background

The Institute of Museum and Library Services is the primary source of federal support for the nation's libraries and museums. We advance, support, and empower America's museums, libraries, and related organizations through grant making, research, and policy development. Our vision is a nation where museums and libraries work together to work together to transform the lives of individuals and communities. To learn more, visit *www.imls.gov.*

II. Current Actions

IMLS plays an essential role in ensuring that the public dollars invested in museums and libraries benefit the communities they serve. To remain vital to the communities they serve, museums and libraries are increasingly expected to contribute to community wellbeing through activities that promote community assets and address community needs. Making such contributions, however, requires knowledge and skills for community engagement that are not typically part of educational programs that prepare people for professions in these institutions. In addition, organizational structures and processes in museums and libraries are not typically set up to support and facilitate such engagement.

In recognition of this capacity-building opportunity, IMLS designed

CCI, a grant program for museums, libraries, and their community partners interested in enhancing the benefits of their collaborative, community-based efforts (*i.e.,* asset-focused, community-driven collaboration) through (1) intensive training to build museums and libraries capacity for asset-based community engagement, (2) consulting to support implementation of the project grants in local communities, and (3) creating peer opportunities for the museum and library grantees, along with their core partners, to learn from each other and share innovative ideas and promising practices. One- to two-year grants were awarded to 12 organizations in each of two consecutive cohorts, the first in the fall of 2017 and the second in the fall of 2018. Grantee organizations are either museums, libraries, or other institutions that proposed to collaborate closely with museums and libraries.

This proposed evaluation supports the Agency's FY 2018–2022 Strategic Plan, which frames how the Agency plans to meet the essential information, education, research, economic, cultural, and civic needs of the American public. Under the Strategic Plan, IMLS's objectives include ''adapt to the changing needs of the museum and library fields by incorporating proven approaches as well as new ideas into IMLS programs and services'' (4.2), ''encourage library and museum professionals and institutions to share and adopt best practices and innovations'' (2.2), and ''identify trends in the museum and library fields to help organizations make informed decisions'' (2.3).

This proposed study will be the first evaluation of the entire CCI initiative. It is a summative assessment of CCI implementation and initial outcomes across the two cohorts of grantees and their 24 diverse projects. This assessment builds on the 24 grantees' evaluations of their own individual projects. It uses a set of common indicators to assess implementation and interim outcomes among museums, libraries, local networks, and communities across all grantee projects.

Agency: Institute of Museum and Library Services.

Title: Community Catalyst Initiative: The Roles of Libraries and Museums as Enablers of Community Vitality and Co-Creators of Positive Community Change Program Cohort Evaluation.

OMB Number: 3137–TBD.

Frequency: One-time collection anticipated.

Affected Public: Libraries, community agencies, institutions of higher education, museums, and other entities that are associated with or advance the museum and library fields.

Number of Respondents: 599.

Estimated Average Burden per Response: $24.26.

Estimated Total Annual Burden Hours: 668.

Total Annualized capital/startup costs: n/a.

Total Annual costs: $18,528.

Dated: November 28, 2018.

Kim Miller,

Grants Management Specialist, Office of Grants Policy and Management.

[FR Doc. 2018–26210 Filed 11–30–18; 8:45 am]

BILLING CODE 7036–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Intent To Seek Approval To Renew an Information Collection

AGENCY: National Science Foundation.

ACTION: Notice and request for comments.

SUMMARY: The National Science Foundation (NSF) is announcing plans to request OMB's approval to renew this collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, we are providing an opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare a submission requesting OMB clearance for this collection for no longer than three years.

DATES: Interested persons are invited to send comments regarding the burden or any other aspect of this collection of information by February 1, 2019.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Ave., Rm. W 18253, Alexandria, VA 22314; telephone: (703) 292–7556; email: *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including federal holidays).

SUPPLEMENTARY INFORMATION:

Comments: Written 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 of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; or (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title of Collection: Grantee Reporting Requirements for the Research Experiences for Undergraduates (REU) Program.

OMB Approval Number: 3145–0224.

Expiration Date: February 28, 2019.

Overview of information collection: The Research Experiences for Undergraduates (REU) Program Module is a component of the NSF Project Reports System that is designed to gather information about students participating in REU Sites and Supplements projects. All NSF Principal Investigators are required to submit annual and final project reports through *Research.gov*. If NSF cannot collect information about undergraduate participants in undergraduate research experiences, NSF will have no other means to consistently document the number and diversity of participants, types of participant involvement in the research, and types of institutions represented by the participants.

NSF is committed to providing program stakeholders with formation regarding the expenditure of taxpayer funds on these types of activities, which provide authentic research experiences and related training for postsecondary students in STEM fields.

Consultation with Other Agencies and the Public: This information collection is specific to NSF grantees. NSF has not consulted with other agencies but has gathered information from its grantee community through attendance at PI conferences. A request for public comments will be solicited through announcement of data collection in the **Federal Register**.

Background: All NSF Principal Investigators are required to use the project reporting functionality in Research.gov to report on progress, accomplishments, participants, and activities annually and at the conclusion of their project. Information from annual and final reports provides yearly updates on project inputs, activities, and outcomes for use by NSF program officers in monitoring projects and for agency reporting purposes.

If project participants include undergraduate students supported by the Research Experiences for Undergraduates (REU) Sites Program or by an REU Supplement, then the

Principal Investigator is required to complete the REU Program Module.

Respondents: Individuals (Principal Investigators).

Number of Principal Investigator Respondents: 2,300 annually.

Burden on the Public: 383 total hours.

Dated: November 27, 2018.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2018–26137 Filed 11–30–18; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings; National Science Board

The National Science Board, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended, (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice of a revision to an announcement of meetings for the transaction of National Science Board business.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 83 FR 59423–24, published on November 23, 2018.

PREVIOUSLY ANNOUNCED AGENDA OF ONE SESSION:

Thursday, November 29, 2018

Plenary Open Session: 1:15–1:45 p.m.

- Chair's Opening Remarks
- Director's Remarks
- Approval of Prior Minutes
- Open Committee Reports
- Vote: OIG Semiannual Report and Management Response
- Chair's Closing Remarks

REVISED AGENDA OF ONE SESSION:

Thursday, November 29, 2018

Plenary Open Session: 1:15–1:45 p.m.

- Chair's Opening Remarks
- Ceremonial Swearing-in of New Members
- Director's Remarks
- Approval of Prior Minutes
- Open Committee Reports
- Vote: OIG Semiannual Report and Management Response
- Chair's Closing Remarks

CONTACT PERSON FOR MORE INFORMATION: Brad Gutierrez, *bgutierr@nsf.gov,* 703/292–7000. Please refer to the National Science Board website for additional information. Meeting information and schedule updates (time, place, subject matter, and status of meeting) may be found at *http://www.nsf.gov/nsb/meetings/notices.jsp#sunshine.*

Chris Blair,

Executive Assistant, National Science Board Office.

[FR Doc. 2018–26301 Filed 11–29–18; 11:15 am]

BILLING CODE 7555–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2018–137; MC2019–31 and CP2019–32; MC2019–32 and CP2019–33; MC2019–33 and CP2019–34; MC2019–34 and CP2019–35; MC2019–35 and CP2019–36]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* December 5, 2018 and December 6, 2018.

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: The December 5, 2018 comment due date applies to Docket Nos. CP2018–137; MC2019–31 and CP2019–32; MC2019–32 and CP2019–33; MC2019–33 and CP2019–34; MC2019–34 and CP2019–35.

The December 6, 2018 comment due date applies to Docket Nos. MC2019–35 and CP2019–36.

Table of Contents

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* CP2018–137; *Filing Title:* USPS Notice of Amendment to Priority Mail & First-Class Package Service Contract 72, Filed Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Christopher C. Mohr; *Comments Due:* December 5, 2018.

2. *Docket No(s).:* MC2019–31 and CP2019–32; *Filing Title:* USPS Request to Add Priority Mail Contract 484 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Christopher C. Mohr; *Comments Due:* December 5, 2018.

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

3. *Docket No(s).:* MC2019–32 and CP2019–33; *Filing Title:* USPS Request to Add Priority Mail Express Contract 68 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Christopher C. Mohr; *Comments Due:* December 5, 2018.

4. *Docket No(s).:* MC2019–33 and CP2019–34; *Filing Title:* USPS Request to Add First-Class Package Service Contract 96 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Curtis E. Kidd; *Comments Due:* December 5, 2018.

5. *Docket No(s).:* MC2019–34 and CP2019–35; *Filing Title:* USPS Request to Add Priority Mail Express & Priority Mail Contract 76 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Curtis E. Kidd; *Comments Due:* December 5, 2018.

6. *Docket No(s).:* MC2019–35 and CP2019–36; *Filing Title:* USPS Request to Add Priority Mail Express & Priority Mail Contract 77 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* November 27, 2018; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3020.30 *et seq.,* and 39 CFR 3015.5; *Public Representative:* Curtis E. Kidd; *Comments Due:* December 6, 2018.

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,

Secretary.

[FR Doc. 2018–26176 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on November 27, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 484 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2019–31, CP2019–32.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–26114 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express and Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on November 27, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & Priority Mail Contract 77 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2019–35, CP2019–36.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–26118 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express and Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on November 27, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & Priority Mail Contract 76 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2019–34, CP2019–35.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–26117 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on November 27, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add First-Class Package Service Contract 96 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2019–33, CP2019–34.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–26116 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* December 3, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on November 27, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express Contract 68 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2019–32, CP2019–33.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–26115 Filed 11–30–18; 8:45 am]

BILLING CODE 7710–12–P

RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

Summary: In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Title and purpose of information collection: Application for Survivor Death Benefits; OMB 3220–0031.

Under Section 6 of the Railroad Retirement Act (RRA), lump-sum death benefits are payable to surviving widow(er)s, children, and certain other dependents. Lump-sum death benefits are payable after the death of a railroad employee only if there are no qualified survivors of the employee immediately eligible for annuities. With the exception of the residual death benefit, eligibility for survivor benefits depends on whether the deceased employee was ''insured'' under the RRA at the time of death. If the deceased employee was not insured, jurisdiction of any survivor benefits payable is transferred to the Social Security Administration and survivor benefits are paid by that agency instead of the RRB. The requirements for applying for benefits are prescribed in 20 CFR 217, 219, and 234.

The collection obtains the information required by the RRB to determine entitlement to and amount of the survivor death benefits applied for. To collect the information, the RRB uses Forms AA–21, *Application for Lump-Sum Death Payment and Annuities Unpaid at Death;* AA–21cert, *Application Summary and Certification;* G–131, *Authorization of Payment and Release of All Claims to a Death Benefit or Accrued Annuity Payment;* and G–273a, *Funeral Director's Statement of Burial Charges.* One response is requested of each respondent. Completion is required to obtain benefits.

The RRB proposes the following changes to Forms AA–21, AA–21cert, and G–273a:

- Forms AA–21 and AA–21cert—Update the fraud language in the Certification statement to make it consistent with other RRB applications;
- Form G–273a—Add clarifying language above Item 10 to inform a funeral home when to file for a lump-sum death benefit.

The RRB proposes no changes to Form G–131.

ESTIMATE OF ANNUAL RESPONDENT BURDEN

Form No.	Annual responses	Time (minutes)	Burden (hours)
AA–21cert with assistance	3,500	20	1,167
AA–21 without assistance	200	40	133
G–131	100	5	8
G–273a	4,000	10	667
Total	7,800		1,975

Additional Information or Comments: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Brian Foster at (312) 751–4826 or *Brian.Foster@rrb.gov.* Comments regarding the information collection should be addressed to Brian Foster, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–1275 or emailed to *Brian.Foster@rrb.gov.* Written comments should be received within 60 days of this notice.

Brian Foster,

Clearance Officer.

[FR Doc. 2018–26124 Filed 11–30–18; 8:45 am]

BILLING CODE 7905–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84663; File No. SR–CboeEDGX–2018–043]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Allow the Post Only Order Instruction on Complex Orders

November 27, 2018.

On October 1, 2018, Cboe EDGX Exchange, Inc. (the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities

Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to allow the Post Only order instruction on complex orders that route to its electronic book for trading options. The proposed rule change was published for comment in the **Federal Register** on October 16, 2018.[3] On November 21, 2018, the Exchange filed Amendment No. 1 to the proposal.[4] The Commission has received no comment letters regarding the proposed rule change.

Section 19(b)(2) of the Act [5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is November 30, 2018. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[6] designates January 14, 2019, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–CboeEDGX–2018–043).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26145 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 84393 (October 10, 2018), 83 FR 52264.

[4] In Amendment No. 1, the Exchange added definitions of ''Book Only complex order'' and ''Post Only complex order,'' added rule text that further describes the handling of Post Only complex orders, and provided examples demonstrating the operation of Post Only complex orders. The text of Amendment No. 1 is available at *https://www.sec.gov/comments/sr-cboeedgx-2018-043/srcboeedgx2018043-4678696-176565.pdf.*

[5] 15 U.S.C. 78s(b)(2).

[6] *Id.*

[7] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84659; File No. SR–BX–2018–056]

Self-Regulatory Organizations; Nasdaq BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate the Exchange's Options Exercise and Delivery Rules

November 27, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 14, 2018, Nasdaq BX, Inc. (''BX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to relocate the Exchange's options exercise and delivery rules, currently in Chapter VIII of the Exchange' rulebook (''Rulebook''), to Options 5, Section 100 in the Rulebook's shell structure.[3]

The text of the proposed rule change is available on the Exchange's website at *http://nasdaqbx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to relocate the Exchange's options exercise and delivery rules, currently in Chapter VIII of the Rulebook, to Options 5, Section 100 in the Rulebook's shell structure. The relocation of the options exercise and delivery rules is part of the Exchange's continued effort to promote efficiency and the structural conformity of its processes with those of its Affiliated Exchanges.[4] The Exchange believes that the migration of the options exercise and delivery rules to their new location will facilitate the use of the Rulebook by members of the Exchange who are members of other Affiliated Exchanges. Moreover, the proposed changes are of a non-substantive nature and will not amend the relocated rules other than to update their numbers, redesignate the current ''Supplementary Material'' as ''Commentary'', and make conforming cross-reference changes.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by promoting efficiency and structural conformity of the Exchange's processes with those of the Affiliated Exchanges and by making the Exchange's Rulebook easier to read and more accessible to its members. The Exchange believes that the relocation of the options exercise and delivery rules and the cross-reference updates are of a non-substantive nature.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes do not impose a burden on competition because, as

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] In 2017 the Exchange added a shell structure to its Rulebook with the purpose of improving efficiency and readability and to align its rules closer to those of its five sister exchanges, The Nasdaq Stock Market LLC; Nasdaq PHLX LLC; Nasdaq ISE, LLC; Nasdaq GEMX, LLC; and Nasdaq MRX, LLC (''Affiliated Exchanges''). *See* Securities Exchange Act Release No. 82174 (November 29, 2017), 82 FR 57492 (December 5, 2017) (SR–BX–2017–054).

[4] *See* footnote 3.

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

previously stated, they (i) are of a non-substantive nature, (ii) are intended to harmonize the numbering convention of the Exchange's rules with those of its Affiliated Exchanges, and (iii) are intended to organize the Rulebook in a way that it will ease the members' navigation and reading of the rules across the Affiliated Exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6) thereunder.[8]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act[9] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii)[10] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become operative upon filing. Waiver of the operative delay would allow the Exchange to promptly relocate the Exchange's options exercise and delivery rules, which the Exchange believes will improve the organization and readability of the Exchange's Rulebook. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[11]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

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–BX–2018–056 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–BX–2018–056. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–BX–2018–056 and should be submitted on or before December 24, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26138 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84660; File No. SR–NASDAQ–2018–094]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate the Exchange's Options Exercise and Delivery Rules

November 27, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 14, 2018, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to a proposal to relocate the Exchange's options exercise and delivery rules, currently in Chapter VIII of the Exchange's rulebook (''Rulebook''), to Options 5, Section 100 in the Rulebook's shell structure.[3]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] In 2017 the Exchange added a shell structure to its Rulebook with the purpose of improving efficiency and readability and to align its rules

The text of the proposed rule change is available on the Exchange's website at *http://nasdaq.cchwallstreet.com,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to relocate the Exchange's options exercise and delivery rules, currently in Chapter VIII of the Rulebook, to Options 5, Section 100 in the Exchange's rulebook's (''Rulebook'') shell structure. The relocation of the options exercise and delivery rules is part of the Exchange's continued effort to promote efficiency and the structural conformity of its processes with those of its Affiliated Exchanges.[4] The Exchange believes that the migration of the options exercise and delivery rules to their new location will facilitate the use of the Rulebook by members of the Exchange who are members of other Affiliated Exchanges. Moreover, the proposed changes are of a non-substantive nature and will not amend the relocated rules other than to update their numbers, redesignate the current ''Supplementary Material'' as ''Commentary'', and make conforming cross-reference changes.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by promoting efficiency and the structural conformity of the Exchange's processes with those of the Affiliated Exchanges and by making the Exchange's Rulebook easier to read and more accessible to its members. The Exchange believes that the relocation of the options exercise and delivery rules and the cross-reference updates are of a non-substantive nature.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes do not impose a burden on competition because, as previously stated, they (i) are of a non-substantive nature, (ii) are intended to harmonize the numbering of the Exchange's rules with those of its Affiliated Exchanges, and (iii) are intended to organize the Rulebook in a way that it will ease the members' navigation and reading of the rules across the Affiliated Exchanges.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and Rule 19b–4(f)(6) thereunder.[8]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act[9] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii)[10] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become operative upon filing. Waiver of the operative delay would allow the Exchange to promptly relocate the Exchange's options exercise and delivery rules, which the Exchange believes will improve the organization and readability of the Exchange's Rulebook. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[11]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2018–094 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.

closer to those of its five sister exchanges, Nasdaq BX, Inc.; Nasdaq PHLX LLC; Nasdaq ISE, LLC; Nasdaq GEMX, LLC; and Nasdaq MRX, LLC (''Affiliated Exchanges''). *See* Securities Exchange Act Release No. 82175 (November 29, 2017), 82 FR 57494 (December 5, 2017) (SR–NASDAQ–2017–125).

[4] *See* footnote 3.

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[9] 17 CFR 240.19b–4(f)(6).

[10] 17 CFR 240.19b–4(f)(6)(iii).

[11] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

All submissions should refer to File Number SR–NASDAQ–2018–094. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–NASDAQ–2018–094 and should be submitted on or before December 24, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26143 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84661; File No. SR–CboeEDGX–2018–055]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating To Modify Certain Routing Fees

November 27, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on November 13, 2018, Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to modify certain Routing Fees.

The text of the proposed rule change is also available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its fee schedule to amend pricing for orders routed to Cboe EDGA Exchange, Inc., (''EDGA'') for securities at or above $1.00, which yield fee codes A, I, RA and RR.[3] Particularly, as of November 1, 2018, EDGA implemented pricing changes for transactions that add and remove liquidity.[4] The filing generally proposes that orders that add liquidity will be assessed a fee of $0.00300 per share and orders that remove liquidity will be provided a rebate of $0.00240 per share. Based on the changes in pricing at EDGA, the Exchange proposes the pricing changes described below.

First, the Exchange notes that orders routed to EDGA using ALLB routing strategy (which yield fee code AA) and orders routed to EDGA using DIRC routing strategy (which yield fee code RR) are currently assessed $0.00030 per share. The Exchange proposes to eliminate this fee and instead provide a rebate of $0.00240 per share for these orders. Similarly, orders routed to EDGA (which yield fee code I) are currently assessed $0.00290 per share, but the Exchange proposes to eliminate the fee and instead provide a rebate of $0.00240 per share. Lastly, the Exchange notes that orders routed to EDGA that add liquidity (which yield fee code RA) are assessed $0.00030 per share. The Exchange proposes to increase the rate from $0.00030 per share to $0.00300 per share.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6 of the Act,[5] in general, and furthers the objectives of Section 6(b)(4),[6] in particular, as it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities.

The Exchange believes the proposed changes are reasonable because they reflect a pass-through of the pricing changes by EDGA described above. The Exchange further believes the proposed fee change is non-discriminatory because it applies uniformly to all Members. The Exchange lastly notes that routing through the Exchange is voluntary and that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues or providers of routing services if they deem fee levels to be excessive.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed routing fee changes will not impose an undue burden on competition because the Exchange will uniformly assess the affected routing fees on all Members.

[12] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Exchange initially filed the proposed fee changes on November 1, 2018 (SR–CboeEDGX–2018–050). On business date November 13, 2018, the Exchange withdrew that filing and submitted this filing.

[4] *See* SR–CboeEDGA–2018–017.

[5] 15 U.S.C. 78f.

[6] 15 U.S.C. 78f(b)(4).

Additionally, Members may opt to disfavor the Exchange's pricing if they believe that alternatives offer them better value or if they view the proposed fee as excessive. The Exchange also notes the proposed changes to the EDGA-related routing fees are meant to pass through the fees and rebates associated with executing orders on that market, and is therefore not designed to have any significant impact on competition. Further, excessive fees for participation would serve to impair an exchange's ability to compete for order flow and members rather than burdening competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any written comments from members or other interested parties.

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) of the Act [7] and paragraph (f) of Rule 19b–4 [8] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CboeEDGX–2018–055 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CboeEDGX–2018–055. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR–CboeEDGX–2018–055 and should be submitted on or before December 24, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26144 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f).

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84658; File No. SR–BOX–2018–14]

Self-Regulatory Organizations; BOX Options Exchange LLC; Notice of Designation of Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Adopt Rules Governing the Trading of Complex Qualified Contingent Cross Orders and Complex Customer Cross Orders

November 27, 2018.

On May 22, 2018, BOX Options Exchange LLC (''BOX'' or the ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt rules governing the trading of Complex Qualified Contingent Cross Orders and Complex Customer Cross Orders. The proposed rule change was published for comment in the **Federal Register** on June 8, 2018.[3] On July 16, 2018, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.[5] On September 5, 2018, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.[7] The Commission received one comment letter from the Exchange in response to the Order Instituting Proceedings.[8]

Section 19(b)(2) of the Act [9] provides that, after initiating disapproval proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 83367 (June 4, 2018), 83 FR 26719.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 83647, 83 FR 34635 (July 20, 2018). The Commission designated September 6, 2018, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to approve or disapprove, the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 84031, 83 FR 46003 (September 11, 2018) (''Order Instituting Proceedings'').

[8] *See* letter to Brent J. Fields, Secretary, Commission, from Alanna Barton, General Counsel, BOX, dated October 12, 2018.

[9] 15 U.S.C. 78s(b)(2).

days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. In this case, the proposed rule change was published for notice and comment in the **Federal Register** on June 8, 2018.[10] December 5, 2018, is 180 days from that date, and February 3, 2019, is 240 days from that date.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, the issues raised in the Order Instituting Proceedings, and the Exchange's response in its comment letter. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[11] designates February 3, 2019, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–BOX–2018–14).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[12]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26139 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84662; File No. SR–C2–2018–021]

Self-Regulatory Organizations; Cboe C2 Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Allow the Post Only Order Instruction on Complex Orders

November 27, 2018.

On October 1, 2018, Cboe C2 Exchange, Inc. (''C2'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to allow the Post Only order instruction on complex orders that route to its electronic book. The proposed rule change was published for comment in the **Federal Register** on October 16, 2018.[3] On November 20, 2018, C2 filed Amendment No. 1 to the proposal.[4] The Commission has received no comment letters regarding the proposed rule change.

Section 19(b)(2) of the Act[5] provides that, within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is November 30, 2018. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[6] designates January 14, 2019, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–C2–2018–021).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–26140 Filed 11–30–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, the Securities and Exchange Commission will hold an Open Meeting on Wednesday, December 5, 2018 at 10:00 a.m.

PLACE: The meeting will be held in Auditorium LL–002 at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will begin at 10:00 a.m. (ET) and will be open to the public. Seating will be on a first-come, first-served basis. Visitors will be subject to security checks. The meeting will be webcast on the Commission's website at *www.sec.gov.*

MATTERS TO BE CONSIDERED: The subject matters of the Open Meeting will be the Commission's consideration of:

- Whether to issue a Request for Comment on the nature and content of quarterly reports and earnings releases issued by reporting companies.
- Whether to adopt Rule of Practice 194 pursuant to Section 15F(b)(6) of the Securities Exchange Act of 1934.
- Whether to propose rules under Section 15F(i)(2) of the Securities Exchange Act of 1934 that would require security-based swap dealers and major security-based swap participants to comply with certain risk mitigation techniques with respect to portfolios of security-based swaps not submitted for clearing to a central counterparty.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

CONTACT PERSON FOR MORE INFORMATION: For further information and to ascertain what, if any, matters have been added, deleted or postponed; please contact Brent J. Fields from the Office of the Secretary at (202) 551–5400.

Dated: November 28, 2018.

Brent J. Fields,

Secretary.

[FR Doc. 2018–26277 Filed 11–29–18; 11:15 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15800 and #15801; Hawaii Disaster Number HI–00051]

Administrative Declaration of a Disaster for the State of Hawaii

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Hawaii dated 11/20/2018.

Incident: Hurricane Lane, including Wildfires and Floods.

[10] *See supra* note 3.

[11] 15 U.S.C. 78s(b)(2).

[12] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 84399 (October 10, 2018), 83 FR 52253.

[4] In Amendment No. 1, C2 added definitions of ''Book Only complex order'' and ''Post Only complex order,'' added rule text that further describes the handling of Post Only complex orders, and provided examples demonstrating the operation of Post Only complex orders. The text of Amendment No. 1 is available at *https://www.sec.gov/comments/sr-c2-2018-021/src22018021-4668149-176527.pdf.*

[5] 15 U.S.C. 78s(b)(2).

[6] *Id.*

[7] 17 CFR 200.30–3(a)(31).

Incident Period: 08/22/2018 through 08/29/2018.

DATES: Issued on 11/20/2018.

Physical Loan Application Deadline Date: 01/22/2019.

Economic Injury (EIDL) Loan Application Deadline Date: 08/20/2019.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Hawaii, Maui

Contiguous Counties: None

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	4.000
Homeowners without Credit Available Elsewhere	2.000
Businesses with Credit Available Elsewhere	7.350
Businesses without Credit Available Elsewhere	3.675
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.675
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 15800 8 and for economic injury is 15801 0.

The State which received an EIDL Declaration # is Hawaii.

(Catalog of Federal Domestic Assistance Number 59008)

Dated: November 20, 2018.

Linda E. McMahon,

Administrator.

[FR Doc. 2018–26183 Filed 11–30–18; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #15802 and #15803; Alabama Disaster Number AL–00089]

Administrative Declaration of a Disaster for the State of Alabama

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of ALABAMA dated 11/20/2018.

Incident: Hurricane Michael.

Incident Period: 10/10/2018 through 10/13/2018.

DATES: Issued on 11/20/2018.

Physical Loan Application Deadline Date: 01/22/2019.

Economic Injury (EIDL) Loan Application Deadline Date: 08/20/2019.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations. The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Geneva, Houston.

Contiguous Counties:

Alabama: Coffee, Covington, Dale, Henry.

Florida: Holmes, Jackson, Walton.

Georgia: Early, Seminole.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	4.000
Homeowners without Credit Available Elsewhere	2.000
Businesses with Credit Available Elsewhere	7.350
Businesses without Credit Available Elsewhere	3.675
Non-Profit Organizations with Credit Available Elsewhere	2.500
Non-Profit Organizations without Credit Available Elsewhere	2.500
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	3.675
Non-Profit Organizations without Credit Available Elsewhere	2.500

The number assigned to this disaster for physical damage is 15802 8 and for economic injury is 15803 0.

The States which received an EIDL Declaration # are Alabama, Florida, Georgia.

(Catalog of Federal Domestic Assistance Number 59008)

Dated: November 20, 2018.

Linda E. McMahon,

Administrator.

[FR Doc. 2018–26182 Filed 11–30–18; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

ACTION: 60-Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) of 1995 requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before January 23, 2019.

ADDRESSES: Send all comments to Brittany Sickler, FAST Program Manager, Office of Investment and Innovation, Small Business Administration, 409 3rd Street, 6th Floor, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Brittany Sickler, FAST Program Manager, Office of Investment and Innovation, Small Business Administration, *FAST@sba.gov,* 202–710–5163, or Curtis B. Rich, Management Analyst, 202–205–7030, *curtis.rich@sba.gov.*

SUPPLEMENTARY INFORMATION: The Federal and State Technology Partnership (FAST) Program is a competitive grants program designed to strengthen the technological competitiveness of small businesses seeking funding from the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. Congress

established the FAST Program under the Consolidated Appropriations Act of 2001, codified at 15 U.S.C. 657d(c). The program expired on September 30, 2005 and was reestablished under the Consolidated Appropriations Act of 2010.

FAST provides funding to organizations to execute state/regional programs that increase the number of SBIR/STTR proposals (through outreach and financial support); increase the number of SBIR/STTR awards (through technical assistance and mentoring); and better prepare SBIR/STTR awardees for commercialization success (through technical assistance and mentoring).

The FAST Quarterly Reporting Form will collect data from FAST award recipients which will be used to improve program performance. The Quarterly Reports will collect ongoing performance and outcome data from FAST awardees on a required, quarterly basis. As well as improving program management, the data collected will inform the Annual Reports to the Senate Committee on Small Business & Entrepreneurship; the Senate Committee on Commerce, Science, and Transportation; the House Committee on Science, Space, and Technology; and the House Committee on Small Business, as required in the Small Business Act 34(c)(1)(2).

Solicitation of Public Comments

SBA is requesting comments on (a) whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

Summary of Information Collection

Title: FAST Program Quarterly Reporting Form.

Description of Respondents: FAST award recipients, including Small Business and Technology Development Centers (SBTDCs), state and local economic development agencies, and other FAST award recipients.

Form Number: N/A.

Total Estimated Annual Responses: 96.

Total Estimated Annual Hour Burden: 192 hours.

Curtis Rich,

Management Analyst.

[FR Doc. 2018–26154 Filed 11–30–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice: 10624]

Notice of Intent To Prepare a Supplemental Environmental Impact Statement for the Proposed Keystone XL Pipeline

ACTION: Notice of Intent.

SUMMARY: The U.S. Department of State (Department) issues this Notice of Intent (NOI) to announce that it will prepare a Supplemental Environmental Impact Statement (SEIS)—consistent with the National Environmental Policy Act (NEPA) of 1969—to analyze the potential environmental impacts of the Keystone XL Pipeline.

FOR FURTHER INFORMATION CONTACT: Detailed records on the proposed Project are available at: *https://keystonepipeline-xl.state.gov.*

Marko Velikonja, Keystone XL Program Manager, Office of Environmental Quality and Transboundary Issues, U.S. Department of State. 2201 C Street NW, Washington, DC 20520. (202) 647–4828, *VelikonjaMG@state.gov.*

SUPPLEMENTARY INFORMATION: On January 26, 2017, TransCanada Keystone Pipeline, L.P. (TransCanada) resubmitted its 2012 Presidential permit application for the border facilities for the proposed Keystone XL Pipeline. The Under Secretary of State for Political Affairs determined that issuance of a Presidential permit to TransCanada to construct, connect, operate, and maintain pipeline facilities at the northern border of the United States to transport crude oil from Canada to the United States would serve the national interest. Accordingly, on March 23, 2017, the Under Secretary issued a Presidential permit to TransCanada for the Keystone XL Pipeline border facilities. Subsequently, on November 20, 2017, the Nebraska Public Service Commission approved the Mainline Alternative Route for that pipeline in the State of Nebraska. TransCanada's application to the Bureau of Land Management for a right-of-way remains pending with that agency.

On July 30, 2018, the Department issued a *Notice of Availability of the Draft Environmental Assessment for the Proposed Keystone XL Pipeline Mainline Alternative Route in Nebraska* (83 FR 36659).

On September 24, 2018, the Department issued a Notice of Availability of the Draft SEIS for the Proposed Keystone XL Pipeline Mainline Alternative Route in Nebraska (83 FR 48358).

On November 8, 2018, the Federal District Court for the District of Montana ordered the Department to supplement the analysis in the 2014 *Supplemental Environmental Impact Statement for the Keystone XL Pipeline* relating to greenhouse gas emissions, oil spills, cultural resources, and market analysis. In response to this ruling, the Department intends to issue the updated SEIS referred to in this **Federal Register** Notice.

Brian P. Doherty,

Director, Office of Environmental Quality and Transboundary Issues, Department of State.

[FR Doc. 2018–26146 Filed 11–30–18; 8:45 am]

BILLING CODE 4710–09–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 785X)]

CSX Transportation, Inc.—Discontinuance of Service Exemption—in Vermilion County, Ill

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152, subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 3.6-mile rail line on its Woodlands Subdivision between milepost QSK 0.0 and milepost QSK 3.6, the end of the line in Vermilion County, Ill. (the Line). The Line traverses United States Postal Service Zip Code 61832.

CSXT has certified that: (1) No freight traffic has moved over the Line for at least two years; (2) any overhead traffic on the Line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) [1] to subsidize continued rail service has been received, this exemption will be effective on January 2, 2019, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2) [2] must be filed by December 13, 2018.[3] Petitions for reconsideration must be filed by December 24, 2018, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001.

A copy of any petition filed with Board should be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available on our website at *www.stb.gov.*

Decided: November 28, 2018.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2018–26227 Filed 11–30–18; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Random Drug and Alcohol Testing Percentage Rates of Covered Aviation Employees for the Period of January 1, 2019, Through December 31, 2019

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The FAA has determined that the minimum random drug and alcohol testing percentage rates for the period January 1, 2019, through December 31, 2019, will remain at 25 percent of safety-sensitive employees for random drug testing and 10 percent of safety-sensitive employees for random alcohol testing.

FOR FURTHER INFORMATION CONTACT: Ms. Vicky Dunne, Office of Aerospace Medicine, Drug Abatement Division, Program Policy Branch (AAM–820), Federal Aviation Administration, 800 Independence Avenue SW, Room 806, Washington, DC 20591; Telephone (202) 267–8442.

Discussion: Pursuant to 14 CFR 120.109(b), the FAA Administrator's decision on whether to change the minimum annual random drug testing rate is based on the reported random drug test positive rate for the entire aviation industry. If the reported random drug test positive rate is less than 1.00%, the Administrator may continue the minimum random drug testing rate at 25%. In 2017, the random drug test positive rate was 0.659%. Therefore, the minimum random drug testing rate will remain at 25% for calendar year 2019.

Similarly, 14 CFR 120.217(c), requires the decision on the minimum annual random alcohol testing rate to be based on the random alcohol test violation rate. If the violation rate remains less than 0.50%, the Administrator may continue the minimum random alcohol testing rate at 10%. In 2017, the random alcohol test violation rate was 0.108%. Therefore, the minimum random alcohol testing rate will remain at 10% for calendar year 2019.

SUPPLEMENTARY INFORMATION: If you have questions about how the annual random testing percentage rates are determined please refer to the Code of Federal Regulations Title 14, section 120.109(b) (for drug testing), and 120.217(c) (for alcohol testing).

Issued in Washington, DC, on November 20, 2018.

Michael A. Berry,

Federal Air Surgeon.

[FR Doc. 2018–26199 Filed 11–30–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2018–0008–N–11]

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of information collection; request for comment.

SUMMARY: Under the Paperwork Reduction Act of 1995 (PRA) and its implementing regulations, FRA seeks approval of the Information Collection Requests (ICRs) abstracted below. Before submitting these ICRs to the Office of Management and Budget (OMB) for approval, FRA is soliciting public comment on specific aspects of the activities identified below.

DATES: Interested persons are invited to submit comments on or before February 1, 2019.

ADDRESSES: Submit written comments on the ICRs activities by mail to either: Mr. Robert Brogan, Information Collection Clearance Officer, Office of Railroad Safety, Regulatory Analysis Division, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33–497, Washington, DC 20590; or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34–212, Washington, DC 20590. Commenters requesting FRA to acknowledge receipt of their respective comments must include a self-addressed stamped postcard stating, ''Comments on OMB Control Number 2130–XXXX,'' (the relevant OMB control number for each ICR is listed below) and should also include the title of the ICR. 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, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W33–497, Washington, DC 20590 (telephone: (202) 493–6292); or Ms. Kim Toone, Information Collection Clearance Officer, Office of Information Technology, Federal Railroad Administration, 1200 New Jersey Avenue SE, Room W34–212, Washington, DC 20590 (telephone: (202) 493–6132).

SUPPLEMENTARY INFORMATION: The PRA, 44 U.S.C. 3501–3520, and its

[1] The Board modified its OFA procedures effective July 29, 2017. Among other things, the OFA process now requires potential offerors, in their formal expression of intent, to make a preliminary financial responsibility showing based on a calculation using information contained in the carrier's filing and publicly available information. *See Offers of Financial Assistance,* EP 729 (STB served June 29, 2017); 82 FR 30997 (July 5, 2017).

[2] Each OFA must be accompanied by the filing fee, which currently is set at $1,800. *See* 49 CFR 1002.2(f)(25).

[3] Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

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 of the activities. *See* 44 U.S.C. 3506, 3507; 5 CFR 1320.8 through 1320.12. Specifically, FRA invites interested parties to comment on the following ICRs regarding: (1) Whether the information collection activities are 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 activities, 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 activities on the public, including the use of automated collection techniques or other forms of information technology. *See* 44 U.S.C. 3506(c)(2)(A); 5 CFR 1320.8(d)(1).

FRA believes that soliciting public comment may reduce the administrative and paperwork burdens associated with the collection of information that Federal regulations require. In summary, FRA reasons that comments received will advance three objectives: (1) Reduce reporting burdens; (2) organize 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.

The summaries below describe the ICRs that FRA will submit for OMB clearance as the PRA requires:

Title: Certification of Glazing Materials.

OMB Control Number: 2130–0525.

Abstract: The collection of information is set forth under 49 CFR part 223, which requires the certification and permanent marking of glazing materials by the manufacturer. The manufacturer is also responsible for making available test verification data to railroads and FRA upon request.

Form Number(s): N/A.

Affected Public: Businesses.

Respondent Universe: Railroads/Manufacturers.

Frequency of Submission: On occasion.

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
223.3—Application	692 railroads	400 marked tools (small hammers) with instructions.	30 minutes	200
—Locomotives, passenger cars, and cabooses built after 1945 used only for excursion, educational, recreational, or private transportation purposes that must comply with emergency window requirements: Marked tools with instruction.				
223.11—Locomotive placed in designated service due to a damaged or broken cab window so that the window fails to permit good visibility.	692 railroads	15 designated locomotives.	30 seconds	.125
223.17—Request to manufacturer of glazing certification information.	5 manufacturers	10 requests	15 minutes	3
—Identification/marking of each unit of glazing material.	5 manufacturers	25,000 marked pieces of glazing.	480 pieces per hour	52
—Test verification data	5 manufacturers	1 test	14 hours	14

Total Estimated Responses: 25,426.

Total Estimated Total Annual Burden: 269 hours.

Status: Regular Review.

Title: Disqualification Proceedings.

OMB Control Number: 2130–0529.

Abstract: FRA regulations at 49 CFR part 209, subpart D, explain FRA's responsibilities, and the rights and responsibilities of railroads and railroad employees, regarding disqualification procedures. Specifically, 49 CFR 209.331, enforcement of a disqualification order, requires: (a) A railroad employing or formerly employing a disqualified individual to disclose the terms and conditions of the order to the individual's new or prospective employer railroad; (b) a railroad considering hiring an individual in a safety-sensitive position to inquire from the individual's prior employer railroad whether the individual is serving under a disqualification order; and (c) a disqualified individual to inform his employer of the disqualification order and provide a copy of the order to the employer and to inform a prospective employer railroad of the disqualification order and provide a copy of the order. Additionally, 49 CFR 209.333(b) prohibits a railroad from employing a person subject to a disqualification order in any manner inconsistent with the order.

Form Number(s): N/A.

Affected Public: Businesses.

Respondent Universe: 40,000 railroad employees (safety sensitive)/741 railroads.

Frequency of Submission: On occasion.

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
209.307—Reply by railroad employee to disqualification charges.	40,000 railroad employees.	1 reply	3 hours	3
209.309—Informal response by railroad employee to a notice of proposed disqualification.	40,000 railroad employees.	1 response	1 hour	1

CFR section	Respondent universe	Total annual responses	Average time per response	Total annual burden hours
209.331—Railroad enforcement of disqualification order: RR employing or formerly employing a person serving under a disqualification order must inform other prospective employers.	741 railroads	1 notification letter + 1 informational letter.	15 minutes + 15 minutes.	.50
209.331—Person subject to disqualification order must inform his/her employer and provide copy to employer within 5 days after receipt of such order.	40,000 railroad employees.	1 disqualification letter + 1 copy of disqualification order.	15 minutes + 15 minutes.	.50

Total Estimated Responses: 3.

Total Estimated Total Annual Burden: 5 hours.

Status: Regular Review.

Title: Ballast Defects and Conditions–Importance of Identification and Repair in Preventing Development of Unsafe Combinations of Track Conditions.

OMB Control Number: 2130–0614.

Respondent Universe: 741 Railroads.

Safety advisory 2015–04	Respondent universe	Total annual responses	Average time per response (minutes)	Total annual burden hours
(1) RR Assessment and Update of Engineering Instructions to provide Guidance to Its Track Inspectors on How to Identify and Repair Ballast Defects and Other Ballast Conditions.	741 Railroads	100 assessments + 100 engineering instruction updates.	60	200
(2) RR Training of Its Track Inspectors on Updated Engineering Instructions and FRA Safety Advisory 2015–04.	741 Railroads	10,000 trained track inspectors/records.	60	10,000

Form Number(s): N/A.

Frequency of Submission: One-time; on occasion.

Total Estimated Responses: 10,200.

Total Estimated Annual Burden: 10,200 hours.

Status: Regular Review.

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.

Juan D. Reyes III,

Chief Counsel.

[FR Doc. 2018–26177 Filed 11–30–18; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT:

OFAC: Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or the Department of the Treasury's Office of the General Counsel: Office of the Chief Counsel (Foreign Assets Control), tel.: 202–622–2410.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Action(s)

On November 27, 2018, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authorities listed below.

Individuals

1. Murillo De Ortega, Rosario Maria, Managua, Nicaragua; DOB 22 Jun 1951; nationality Nicaragua; Gender Female; Passport A00000106 (Nicaragua) (individual) [Nicaragua].

Designated pursuant to section 1(a)(iii) of Executive Order XX of November 27, 2018, ''Blocking Property of Certain Persons Contributing to the Situation in Nicaragua'' (E.O. XX) for being an official of the Government of Nicaragua or to having served as an official of the Government of Nicaragua at any time on or after January 10, 2007.

2. Moncada Lau, Nestor (a.k.a. ''CHEMA''); DOB 02 Mar 1954; POB Managua, Nicaragua; nationality Nicaragua; Gender Male (individual) [Nicaragua].

Designated pursuant to section 1(a)(v) of E.O. XX for having acted or purported to have acted for or on behalf of, directly or indirectly, Rosario Maria Murillo De Ortega, a person whose property and interests in property are blocked pursuant to E.O. XX.

Dated: November 27, 2018.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2018–26126 Filed 11–30–18; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Extension of Information Collection Request Submitted for Public Comment

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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 information collections, as required by the Paperwork Reduction Act of 1995. Currently, the IRS is soliciting comments concerning TD 9575, regulations regarding disclosure of the summary of benefits and coverage and the uniform glossary for group health plans and health insurance coverage in the group and individual markets under the Patient Protection and Affordable Care Act.

DATES: Written comments should be received on or before February 1, 2019 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Charles G. Daniel at (202) 317–5754, at Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *Charles.G.Daniel@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Affordable Care Act Uniform Explanation of Coverage Documents.

OMB Number: 1545–2229.

Regulation Number: TD 9575.

Abstract: This document contains regulations regarding disclosure of the summary of benefits and coverage and the uniform glossary for group health plans and health insurance coverage in the group and individual markets under the Patient Protection and Affordable Care Act. This document implements the disclosure requirements to help plans and individuals better understand their health coverage, as well as other coverage options.

Current Actions: There are no changes being made to the regulation at this time.

Type of Review: Extension of a previously approved collection.

Affected Public: Businesses and other for-profit organizations, Not-for-profit institutions.

Estimated Number of Responses: 71,252,326.

Estimated Time per Response: Less than 1 minute.

Estimated Total Annual Burden Hours: 431,553 hours.

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: November 27, 2018.

Laurie Brimmer,

Senior Tax Analyst.

[FR Doc. 2018–26162 Filed 11–30–18; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation Project

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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 continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning qualified plug-in electric vehicle credit.

DATES: Written comments should be received on or before February 1, 2019 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form should be directed to Kerry Dennis, at (202) 317–5751 or Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet, at *Kerry.Dennis@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Qualified Plug-in Electric Vehicle Credit (Notice 2009–89, as modified by Notice 2012–54).

OMB Number: 1545–2137.

Form Number: 8936.

Abstract: Notice 2009–54 sets forth interim guidance, pending the issuance of regulations, relating to the qualified plug-in electric drive motor vehicle credit under § 30D of the Internal Revenue Code, as in effect for vehicles acquired after December 31,2009. Notice 2012–54 modifies Notice 2009–89, by providing a new address to which a vehicle manufacturer (or, in the case of a foreign vehicle manufacturer, its domestic distributor) must send vehicle certifications and quarterly reports under Notice 2009–89.

Form 8936, is used for tax years beginning after 2008, to figure the credit for qualified plug-in electric drive motor vehicles placed in service during your tax year. The credit attributable to depreciable property (vehicles used for business or investment purposes) is treated as a general business credit. Any credit not attributable to depreciable property is treated as a personal credit.

Current Actions: There are changes being made to the burden associated with the collection.

Type of Review: Revision of a currently approved collection.

Affected Public: Individual, Businesses, and other for-profit organizations.

Notice 2012–54:

Estimated Number of Respondents: 12.

Estimated Time per Respondent: 24 hours.

Estimated Total Annual Burden Hours: 280.

Form 8936:

Estimated Number of Respondents: 500.

Estimated Time per Respondent: 7 hours.

Estimated Total Annual Burden Hours: 35,000.

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: November 28, 2018.

Laurie Brimmer,

Senior Tax Analyst.

[FR Doc. 2018–26208 Filed 11–30–18; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Notice 97–34

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service (IRS), 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 information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Information Reporting on Transactions With Foreign Trusts and on Large Foreign Gifts.

DATES: Written comments should be received on or before February 1, 2019 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.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this notice should be directed to Martha R. Brinson, at (202)317–5753, or 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: Information Reporting on Transactions With Foreign Trusts and on Large Foreign Gifts.

OMB Number: 1545–1538.

Notice Number: Notice 97–34.

Abstract: Notice 97–34 provides guidance on the foreign trust and foreign gift information reporting provisions contained in the Small Business Job Protection Act of 1996.

Current Actions: There is no change to the paperwork burden previously approved by OMB.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households, business or other for-profit organizations, and not-for-profit institutions.

Estimated Number of Responses: 5,000.

Estimated Time per Response: 45 mins.

Estimated Total Annual Burden Hours: 3,750.

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. Comments will be 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 has 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 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: November 26, 2018.

Laurie Brimmer,

Senior Tax Analyst.

[FR Doc. 2018–26161 Filed 11–30–18; 8:45 am]

BILLING CODE 4830–01–P

FEDERAL REGISTER

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Part II

Department of Homeland Security

8 CFR Part 214
Registration Requirement for Petitioners Seeking To File H–1B Petitions on Behalf of Cap-Subject Aliens; Proposed Rule

DEPARTMENT OF HOMELAND SECURITY

8 CFR Part 214

[CIS No. 2609–17; DHS Docket No. USCIS–2008–0014]

RIN 1615–AB71

Registration Requirement for Petitioners Seeking To File H–1B Petitions on Behalf of Cap-Subject Aliens

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Homeland Security (''DHS'' or ''the Department'') is proposing to amend its regulations governing petitions filed on behalf of H–1B beneficiaries who may be counted toward the 65,000 visa cap established under the Immigration and Nationality Act (''H–1B regular cap'') or beneficiaries with advanced degrees from U.S. institutions of higher education who are eligible for an exemption from the regular cap (''advanced degree exemption''). The proposed amendments would require petitioners seeking to file H–1B petitions subject to the regular cap, including those eligible for the advanced degree exemption, to first electronically register with U.S. Citizenship and Immigration Services (''USCIS'') during a designated registration period. USCIS would select from among the registrations timely received a sufficient number projected as needed to meet the applicable H–1B allocations. DHS also proposes to change the process by which USCIS counts H–1B registrations (or petitions, if the registration requirement is suspended), by first selecting registrations submitted on behalf of *all* beneficiaries, including those eligible for the advanced degree exemption. USCIS would then select from the remaining registrations a sufficient number projected as needed to reach the advanced degree exemption. Changing the order in which USCIS counts these separate allocations would likely increase the number of beneficiaries with a master's or higher degree from a U.S. institution of higher education to be selected for further processing under the H–1B allocations.

DATES: Written comments must be received on or before January 2, 2019.

ADDRESSES: You may submit comments, identified by DHS Docket No. USCIS–2008–0014, by any one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the website instructions for submitting comments.
- *Mail:* You may submit written comments directly to USCIS by mail by sending correspondence to Samantha Deshommes, Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 20 Massachusetts Avenue NW, Washington, DC 20529. To ensure proper handling, please reference DHS Docket No. USCIS–2008–0014 on your correspondence.

FOR FURTHER INFORMATION CONTACT: Elizabeth Buten, Adjudications (Policy) Officer, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security, 20 Massachusetts Avenue NW, Suite 1100, Washington, DC 20529–2140; Telephone (202) 631–3555.

SUPPLEMENTARY INFORMATION:

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I. Public Participation

All interested parties are invited to participate in this rulemaking by submitting written data, views, comments and/or arguments on all aspects of this proposed rule. DHS and USCIS also invite comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. Comments that will provide the most assistance to USCIS in developing these procedures will reference a specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

Instructions: All submissions must include the agency name and DHS Docket No. USCIS–2008–0014 for this rulemaking. Regardless of the method used for submitting comments or material, all submissions will be posted without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* including any personal information provided. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary public comment submission you make to DHS. DHS may withhold information providing comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov.*

II. Executive Summary

A. Purpose and Summary of the Regulatory Action

The H–1B nonimmigrant visa program allows U.S. employers to temporarily employ foreign workers in specialty occupations, defined by statute as occupations that require the theoretical and practical application of a body of highly specialized knowledge and a bachelor's or higher degree in the specific specialty, or its equivalent. *See* INA sections 101(a)(15)(H)(i)(b) and 214(i); 8 U.S.C 1101(a)(15)(H)(i)(b) and 1184(i). A key goal of the program is to help U.S. employers obtain the employees they need to meet their business needs and thus remain competitive in the global marketplace.[1]

[1] *See* 144 Cong. Rec. S12741, S12748 (daily ed. Oct. 21, 1998) (statement of Sen. Spencer Abraham) (explaining, in discussing the goals of the H–1B provisions in the American Competitiveness and Workforce Improvement Act that the continued competitiveness of the U.S. high-technology sector is ''crucial for [U.S.] economic well-being as a

Congress intended for the program to, among other things, supplement the U.S. workforce that lacked certain types of skilled workers, and placed a limit on the number of workers that generally may be issued an initial H–1B visa or otherwise provided H–1B status each year. Congressional deliberations ahead of the enactment of the American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) describe the H–1B program's purpose as intended to both fill shortages and create opportunities for innovation and expansion.[2] Congress set the current annual cap for the H–1B visa category at 65,000 (''regular cap'').[3] Congress has also set up several cap exemptions. For example, workers who will be employed at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965, as amended) or a related or affiliated nonprofit entity and workers who will be employed at a nonprofit or governmental research organization are exempt from the cap. These exemptions are unlimited. *See* INA sec. 214(g)(5)(A)–(B), 8 U.S.C. 1184(g)(5)(A)–(B). Congress also provides an exemption for 20,000 new H–1B visas each fiscal year for foreign nationals who hold U.S. master's or higher degrees (''advanced degree exemption'').[4]

On April 18, 2017, the President issued Executive Order 13788, Buy American and Hire American, instructing DHS to ''propose new rules and issue new guidance, to supersede or revise previous rules and guidance if appropriate, to protect the interests of United States workers in the administration of our immigration system.'' Executive Order 13788, Buy American and Hire American, 82 FR 18837, sec. 5 (Apr. 18, 2017) (''E.O. 13788''). E.O. 13788 specifically mentioned the H–1B program and directed DHS and other agencies to ''suggest reforms to help ensure that H–1B visas are awarded to the most-skilled or highest-paid petition beneficiaries.'' *See id.* at sec. 5(b).

In addition, as part of ongoing review of regulations under Executive Orders 13563 *Improving Regulation and Regulatory Review,* 76 FR 3821 (Jan. 21, 2011) and 13771 *Reducing Regulation and Controlling Regulatory Costs,* 82 FR 9339 (Feb. 3, 2017) and the review of agency's compliance with the Paperwork Reduction Act, USCIS determined that it could introduce a cost-saving, innovative solution to facilitate the filing of H–1B cap-subject petitions and selection of beneficiaries, by creating a streamlined process for the identification and selection of H–1B beneficiaries for whom H–1B cap subject petitions would be filed. This H–1B registration process would reduce the cost, paperwork burden, and complexity of participation in the H–1B program because it would alleviate the burden of preparing and filing H–1B cap-subject petitions, unless the petitioner's registration for a specific beneficiary has been selected under the regular cap or advanced degree exemption.

DHS is proposing to require petitioners seeking to file H–1B cap-subject petitions, which includes petitions subject to the regular cap and those asserting eligibility for the advanced degree exemption, to first electronically register with USCIS. Under the proposal, DHS would establish a designated registration period prior to the date that petitions could be filed. At the end of the initial registration period, if USCIS determines that it has received more registrations than needed to reach the H–1B regular cap during the initial registration period for the new fiscal year, USCIS would close the registration period for the H–1B regular cap and would randomly select a sufficient number of electronic registrations projected as needed to meet the cap. H–1B cap-subject petitions could only be filed on behalf of a beneficiary whose registration was selected by USCIS.

Under this proposed rule, if USCIS determines that it has received fewer registrations than needed to meet the projected number of petitions to reach the H–1B regular cap during the initial registration period for the new fiscal year, USCIS would notify all registered petitioners that all registrations have been selected and they are eligible to file H–1B cap-subject petitions on behalf of those beneficiaries named in the registration during the applicable filing period. USCIS would notify the registered petitioner of the applicable filing period and where to file the H–1B cap-subject petition. In this scenario, USCIS would continue to accept and select registrations until a sufficient number of registrations have been received to meet the H–1B regular cap. These registrations would be selected on a rolling basis until a sufficient number of registrations have been received (*e.g.,* at the end of each day, USCIS would review the number of registrations received during that day and determine if sufficient numbers remain available to select all of the registrations filed during that day). Once USCIS has received more registrations than needed to meet the projected number of petitions to reach the H–1B regular cap, USCIS would close the registration period for the H–1B regular cap and may randomly select a sufficient number of electronic registrations from the final registration date to meet the regular H–1B cap.

Unselected registrations would remain on reserve in the system for the applicable fiscal year. If USCIS determines that it needs to increase the number of registrations projected to meet the regular cap or advanced degree exemption, and select additional registrations, USCIS would select from among the registrations that are on reserve a sufficient number to meet the cap or advanced degree exemption or re-open the registration period if additional registrations are needed to meet the new projected amount. If the registration period will be re-opened, USCIS would announce the start of the re-opened registration period on its website before the start of the re-opened registration period. Once a sufficient number of registrations have been received to meet the new projected amount to meet the regular cap or advanced degree exemption, as applicable, USCIS would close the re-opened registration period, identify the new final registration date, and, if needed, may randomly select from among registrations received on the new final registration date a sufficient number of registrations projected to meet the regular cap or advanced degree exemption, as applicable.

DHS proposes this new process to reduce costs for petitioners who currently spend significant time and resources preparing petitions and supporting documentation for each intended beneficiary without knowing whether such petitions will be accepted for processing by USCIS due to the statutory allocations. The proposed mandatory registration process also would help to alleviate administrative burdens on USCIS service centers that process H–1B petitions since USCIS would no longer need to physically receive and handle hundreds of thousands of H–1B petitions (and the accompanying supporting documentation) before conducting the

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nation, and for increased economic opportunity for American workers'').

[2] *See id.* at S12749 (statement of Sen. Abraham) (''[T]his issue [of increasing H–1B visas is not only about shortages, it is about opportunities for innovation and expansion.''

[3] Up to 6,800 visas are set aside from the 65,000 each fiscal year for the H–1B1 visa program under terms of the legislation implementing the U.S.-Chile and U.S.-Singapore free trade agreements. *See* INA secs. 101(a)(15)(H)(i)(b1), 214(g)(8), 8 U.S.C. 1101(a)(15)(H)(i)(b1), 1184(g)(8).

[4] *See* INA section 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C). In this rule, the 20,000 exemptions under section 214(g)(5)(C) from the H–1B regular cap also may be referred to as the ''advanced degree exemption allocation'' or ''advanced degree exemption numerical limitation.''

random selection process. The requirement to register electronically is in line with the OMB consolidated plan reforming the Executive Branch, which favorably references the USCIS e-processing initiative.[5] Finally, H–1B petitioners are accustomed to filing electronically given that the Department of Labor (DOL) generally has required the electronic filing of Labor Condition Applications (LCAs) in support of H–1B petitions since 2005.[6] USCIS is not proposing a fee for registration at this time.

Consistent with E.O. 13788's direction to ''suggest reforms to help ensure that H–1B visas are awarded to the most-skilled or highest-paid petition beneficiaries,'' DHS is also proposing to amend its regulations establishing the sequence for considering petitions filed on behalf of H–1B beneficiaries who may be counted under the H–1B regular cap or under the H–1B advanced degree exemption. Specifically, DHS proposes to amend the process by which USCIS selects H–1B petitions toward the projected number of petitions needed to reach the regular cap and advanced degree exemption. The proposed amendment would change the order in which petitions are selected.

Currently, in years when a sufficient number of petitions needed to reach the regular cap or advanced degree exemption are received during the first five business days that H–1B cap-subject petitions may be filed, USCIS selects qualifying petitions towards the H–1B advanced degree exemption first. H–1B cap-subject petitions eligible for the advanced degree exemption, but not selected for the advanced degree exemption, are then included in the H–1B regular cap random selection process. Under the proposed amendments, USCIS would select all registrations toward the projected number of petitions needed to meet the regular cap first until the regular cap is reached. Once the projected number of registrations needed to meet the regular cap is reached, USCIS would then select registrations that are eligible for the advanced degree exemption until the projected number of registrations needed to meet the advanced degree exemption is reached. USCIS is proposing to count all registrations toward the H–1B regular cap projections first, even in years when a random selection process at the end of the initial registration period may not be necessary. In such years, USCIS would continue to count all registrations toward the H–1B regular cap projections until such time as the projected number of registrations needed to reach the H–1B regular cap is met.

Changing the order in which USCIS selects beneficiaries under these separate allocations will likely increase the total number of petitions selected under the regular cap for H–1B beneficiaries who possess a master's or higher degree from a U.S. institution of higher education each fiscal year, particularly in years of high demand for new H–1B visas when USCIS is likely to receive a greater number of petitions for beneficiaries who qualify for the advanced degree exemption. Conversely, this process will likely decrease the total number of petitions selected for H–1B beneficiaries with less than a master's degree from a U.S. institution of higher education and those with master's or higher degrees from foreign institutions of higher education. DHS believes that amending its regulations in this manner would increase the chances that beneficiaries with a master's degree or higher from a U.S. institution of higher education would be selected under the H–1B regular cap, which is generally consistent with congressional intent in enacting section 214(g)(5)(C) to prioritize these workers and the administration's goal to improve policies such that H–1B visas are more likely to be awarded to the most-skilled and highest paid beneficiaries.

B. Legal Authority

The Secretary of Homeland Security's authority for these proposed regulatory amendments is found in various sections of the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.,* and the Homeland Security Act of 2002 (HSA), Public Law 107–296, 116 Stat. 2135, 6 U.S.C. 101 *et seq.* General authority for issuing the proposed rule is found in section 103(a) of the INA, 8 U.S.C. 1103(a), which authorizes the Secretary to administer and enforce the immigration and nationality laws, as well as section 102 of the HSA, 6 U.S.C. 112, which vests all of the functions of DHS in the Secretary and authorizes the Secretary to issue regulations. Further authority for the regulatory amendments in the proposed rule is found in:

- Section 214(a)(1) of the INA, 8 U.S.C. 1184(a)(1), which authorizes the Secretary to prescribe by regulation the terms and conditions of the admission of nonimmigrants;
- Section 214(c) of the INA, 8 U.S.C. 1184(c), which, *inter alia,* authorizes the Secretary to prescribe how an importing employer may petition for an H nonimmigrant worker, and the information that an importing employer must provide in the petition; and
- Section 214(g) of the INA, 8 U.S.C. 1184(g), which, *inter alia,* prescribes the H–1B and H–2B numerical limitations, various exceptions to those limitations, and criteria concerning the order of processing H–1B and H–2B petitions.

C. Summary of Costs and Benefits

DHS is proposing to amend its regulations governing the process for petitions filed on behalf of cap-subject H–1B workers. Specifically, DHS is proposing to add a registration requirement for petitioners seeking to file H–1B cap-subject petitions on behalf of foreign workers. Additionally, DHS is proposing to change the order in which H–1B cap-subject registrations would be selected towards the applicable projections needed to meet the annual H–1B regular cap and advanced degree exemption in order to increase the odds for selection for H–1B beneficiaries who have earned a master's or higher degree from a U.S. institution of higher education.

All petitioners seeking to file an H–1B cap-subject petition would have to submit a registration. However, under the proposed process, only those whose registrations are selected (termed

[5] On March 13, 2017, President Trump signed Executive Order 13781, entitled Comprehensive Plan for Reorganizing the Executive Branch, 82 FR 13959 (Mar 16, 2017). The order instructs the Director of the Office of Management and Budget (OMB) to propose a plan to improve the efficiency, effectiveness, and accountability of the Executive Branch. The resulting June 2018 OMB Report, ''Delivering Government Solutions in the 21st Century'' recognizes that an overarching source of government inefficiency is the outdated reliance on paper-based processes and proposes that Federal agencies transition to a fully electronic environment. Office of Management and Budget, Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations, available at: *https://www.whitehouse.gov/wp-content/uploads/2018/06/Government-Reform-and-Reorg-Plan.pdf; see id.* at 101–02 (citing USCIS' e-processing initiative as an example of agency efforts that conform to the President's directive). The report notes that Federal agencies collectively spend billions of dollars on paper management, including the processing, moving, and maintaining of large volumes of paper records. The report proposes transitioning from paper-based processes to a fully electronic environment across the government.

[6] DOL established elective use of electronic filing of LCAs in 2001. *See* Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H–1B Visas; Implementation of Electronic Filing, 66 FR 63298 (Dec. 5, 2001) (final rule) made electronic filing of LCAs mandatory in 2005. *See* Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H–1B Visas in Specialty Occupations and as Fashion Models, and Labor Attestation Requirements for Employers Using Nonimmigrants on H–1B1 Visas in Specialty Occupations; Filing Procedures, 70 FR 72556, (Dec. 5, 2005) ( ) ( )(final rule).

''selected registrant'' [7] for purposes of this analysis) would be eligible to file an H–1B cap-subject petition for those selected registrations and during the associated filing period. Therefore, as selected registrants under the proposed registration requirement, selected petitioners would incur additional opportunity costs of time to complete the electronic registration relative to the costs of completing and filing the associated H–1B petition, the latter costs being unchanged from the current H–1B petitioning process. Conversely, those who complete registrations that are unselected because of excess demand currently (termed ''unselected registrant'' for purposes of this analysis) would experience cost savings relative to the current process, as they would no longer have to complete an entire H–1B cap-subject petition that ultimately does not get selected for USCIS processing and adjudication as done by current unselected petitioners.

To estimate the costs of the proposed registration requirement, DHS compared the current costs associated with the H–1B petition process to the anticipated costs imposed by the additional proposed registration requirement. DHS compared costs specifically for selected and unselected petitioners because the impact of the proposed registration requirement to each population is not the same. Current costs to selected petitioners are the sum of filing fees associated with each H–1B cap-subject petition and the opportunity cost of time to complete all associated forms. Current costs to unselected petitioners are only the opportunity cost of time to complete forms and cost to mail the petition since USCIS returns the H–1B cap-subject petition and filing fees to unselected petitioners.

Under the proposed requirement, the opportunity cost of time associated with required registration would be a cost to all petitioners (selected and unselected), but those whose registrations are not selected would be relieved from the opportunity cost associated with completing and mailing an entire H–1B cap-subject petition. Therefore, DHS estimates proposed costs of this rule to selected petitioners for completing an H–1B cap-subject petition as the sum of new registration costs and current costs. DHS estimates that the costs of this proposed rule to unselected petitioners would only result from the estimated opportunity costs associated with the registration requirement. Overall, unselected petitioners would experience a cost savings relative to the current H–1B cap-subject petitioning process; DHS estimates these cost savings by subtracting new registration costs from current costs of preparing an H–1B cap-subject petition. These estimated quantitative cost savings would be a benefit that would accrue to only those with registrations that were not selected.

Currently, for selected petitioners the total costs to complete an entire H–1B cap-subject petition ranges from $128.4 million to $161.1 million, depending on who petitioners use to prepare a petition. These current costs to complete and file an H–1B cap-subject petition are based on a 5 year petition volume average and may differ across sets of fiscal years. Current costs are not changing for selected petitioners as a result of this proposed registration requirement. Rather, this proposed registration requirement would add a new opportunity cost of time to selected petitioners who will continue to face current H–1B cap-subject petition costs. DHS estimates the added opportunity cost of time to selected petitioners under this proposed registration requirement would range from $6.2 million to $10.3 million, again depending on who petitioners use to submit a registration and prepare a petition. Therefore, under the proposed registration requirement, DHS estimates an adjusted total cost to complete an entire H–1B cap-subject petition would range from $134.7 million to $171.4 million. Since these petitioners already file Form I–129, only the registration costs of $6.2 million to $10.3 million are considered as new costs.

Unselected petitioners would experience an overall cost savings, despite new opportunity costs of time associated with the proposed registration requirement. Currently for unselected petitioners, the total cost associated with the H–1B process is $53.5 million to $85.6 million, depending on who petitioners use to prepare the petition. The difference between total current costs for selected and unselected petitioners in an annual filing period consists of fees returned to unselected petitioners. DHS estimates the total costs to unselected petitioners from the registration requirement would range from $6.2 million to $10.1 million. DHS estimates a cost savings occurs because under the proposed requirement unselected petitioners would avoid having to file an entire H–1B cap-subject petition and only have to submit a registration. Therefore, the difference between current costs and proposed costs for unselected petitioners would represent a cost savings ranging from $47.3 million to $75.5 million, again depending on who petitioners use to submit the registration.

The government would also benefit from the proposed registration provision by no longer having to receive, handle and return large numbers of petitions that are currently rejected because of excess demand (unselected petitions). These activities would save DHS an estimated $1.6 million annually. USCIS would, however, have to expend a total of $279,149 in the development of the registration website in the first year after this proposed rule would become effective. In subsequent years, DHS would incur labor and maintenance costs of $200,000 per year. Over ten years, USCIS would incur maintenance costs of $2,079,149, resulting in an annualized amount of $225,269 discounted at 7 percent and $215,279 discounted at 3 percent, for that timeframe. Discounted over 10 years, this provision would result in costs to USCIS totaling $1.8 million based on a discount rate of 3 percent and $1.6 million based on a discount rate of 7 percent.

The net quantitative impact of this proposed registration requirement is an aggregate cost savings to petitioners and to government ranging from $42.4 million to $66.5 million annually. Using lower bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $424.8 million over ten years. Discounted over 10 years, these cost savings would be $373.2 million based on a discount rate of 3 percent and $319.2 million based on a discount rate of 7 percent. Using upper bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $666.4 million over ten years. Discounted over ten years, these cost savings would be $585.5 million based on a discount rate of 3 percent and $500.8 million based on a discount rate of 7 percent.

DHS notes that these overall cost savings result only in years when the demand for registrations and the subsequently filed petitions exceeds the number of available visas needed to meet the regular cap and the advanced degree exemption. For years where DHS has demand that is less than the number of available visas, this proposed registration requirement would result in increased costs. For this proposed rule to result in net quantitative cost savings, at least 110,182 petitions (registrations

[7] DHS notes that one entity may submit multiple registrations which could result in a mix of selected and unselected outcomes. For the purpose of this analysis, the terms ''selected registrant'' and ''unselected registrant'' refer to the originator of a submission based on its outcome and should not be deemed a unilateral label for a single entity. Using this terminology it is possible for a single entity to experience impacts simultaneously as a selected registrant and as an unselected registrant.

and subsequently filed petitions under the proposed rule) would need to be received by USCIS based on lower bound cost estimates. For upper bound cost estimates, USCIS would need to receive at least 111,137 registrations and subsequently filed petitions for this proposed rule to result in net quantitative cost savings.

The proposed provision to change the petition selection process would result in an estimated increase in the number of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education selected by 16 percent (or 5,340 workers). This increase could result in greater numbers of highly educated workers with degrees from U.S. institutions of higher education entering the U.S. workforce under the H–1B program.

Table 1 provides a detailed summary of the proposed changes and their impacts.

TABLE 1—SUMMARY OF PROVISIONS AND IMPACTS

Current and proposed provisions	Expected cost of the proposed provision	Expected benefit of the proposed provision
Currently, all petitioners who file on behalf of an H–1B worker must complete and file Form I–129 along with a certified DOL Labor Condition Application (LCA). For selected petitioners, the total current cost to file and complete an entire H–1B cap-subject petition ranges from $128.4 million to $161.1 million. For unselected petitioners, the total current cost is $53.5 million to $85.6 million. DHS is proposing to require all petitioners who seek to hire a cap-subject H–1B worker to register for each prospective H–1B worker for whom they seek to file a cap-subject H–1B petition. Only those petitioners whose registrations are selected may proceed to complete and file an H–1B cap-subject petition.	Petitioners— • For current selected petitioners, the proposed rule would add an additional annual opportunity cost of time ranging from $6.2 million to $10.3 million, depending on who the petitioner uses to submit the registration. Therefore, the total costs of registering and completing and filing H–1B cap-subject petitions would range from $134.7 million to $171.4 million to this population annually, depending on the type of petition preparer. • For current unselected petitioners they would experience an overall cost savings, though the proposed rule would add an opportunity cost of time ranging from $6.2 million to $10.1 million to this population annually, depending on who the petitioner uses to submit the registration. Government— • The proposed rule would cost the government $279,149 in the first year to develop the registration Web site. In subsequent years, USCIS would incur annual labor and maintenance costs of $200,000.	Petitioners— • Petitioners whose registrations are not selected would have cost savings that would range from $47.3 million to $75.5 million from no longer having to complete and file H–1B cap-subject petitions along with mailing costs despite new opportunity cost of time to submit registration Government— • USCIS would save $1.6 million annually in processing and return shipping costs, as fewer petitions will be filed with USCIS based on registrations that are not selected.
Under the current H–1B selection process, if the regular cap and advanced degree exemption are reached in the first five business days that cap-subject petitions can be filed, USCIS randomly selects sufficient H–1B petitions to reach the H–1B 20,000 advanced degree exemption first. Then, USCIS randomly selects sufficient H–1B petitions from the remaining pool of beneficiaries, including those not selected in the advanced degree exemption to reach the H–1B 65,000 regular cap limit. USCIS rejects all remaining unselected H–1B cap-subject petitions. The proposed process would reverse the selection process so that USCIS would randomly select registrations for the H–1B regular cap first, including registrations for petitions eligible for the H–1B advanced degree exemption. Then USCIS would randomly select registrations for the H–1B advanced degree exemption.	Petitioners— • The proposed selection process could decrease the number of cap-subject H–1B petitions for beneficiaries with bachelor's degrees, advanced degrees from U.S. for-profit universities, or foreign advanced degrees by up to 5,340 workers. This potential decrease could result in some higher labor costs to petitioners assuming that beneficiaries with bachelor's degrees, advanced degrees from U.S. for-profit universities or foreign advanced degrees are paid less than and replaced by beneficiaries with master's degrees from U.S. institutions of higher education. • DHS does not anticipate, as a result of the new selection process, petitioning employers would suffer economic harm from the decreased probability of selecting H–1B petitions eligible only under regular cap.	Petitioners and Government— • The proposed selection process could increase the number of cap-subject H–1B petitions that are selected for beneficiaries with master's degrees or higher from U.S. institutions of higher education by an estimated 16 percent (or 5,340 workers) annually. DHS believes the increase in the number of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education would likely result in more highly educated workers entering the U.S. workforce.

This proposed rule would also allow for the H–1B cap and advanced degree exemption selections to take place in the event that the registration system is inoperable for any reason and needs to be suspended. If temporary suspension of the registration system is necessary, then the costs and benefits described in this analysis resulting from registration for the petitioners and government would not apply during any period of temporary suspension. However, the proposed selection reversal process would still take place and is anticipated to yield a higher proportion of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education being selected.

III. Background

A. The 2011 Proposed Registration Rule

On March 3, 2011, DHS published a Notice of Proposed Rulemaking (NPRM) titled, ''Registration Requirement for Petitioners Seeking to File H–1B Petitions on Behalf of Aliens Subject to the Numerical Limitations'' (the ''2011 NPRM''). 76 FR 11686 (Mar. 3, 2011). Similar to this proposed rule, in the 2011 NPRM DHS proposed to require employers seeking to petition for H–1B workers subject to the cap to first electronically register with USCIS during a designated registration period. DHS sought public comments for a 60-

day period after the 2011 NPRM published, and received a total of 60 comments but never finalized the rule. Due to the passage of time, DHS, through this proposed rule, is superseding and withdrawing the 2011 NPRM. DHS invites those who commented on the 2011 NPRM to comment on this NPRM.

B. The H–1B Visa Program

The H–1B visa program allows U.S. employers to temporarily hire foreign workers to perform services in a specialty occupation, services related to a Department of Defense (DOD) cooperative research and development project or coproduction project, or services of distinguished merit and ability in the field of fashion modeling. *See* INA 101(a)(15)(H)(i)(b), 8 U.S.C. 1101(a)(15)(H)(i)(b); Public Law 101–649, section 222(a)(2), 104 Stat. 4978 (Nov. 29, 1990); 8 CFR 214.2(h). A specialty occupation is defined as an occupation that requires (1) theoretical and practical application of a body of highly specialized knowledge and (2) the attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum qualification for entry into the occupation in the United States. *See* INA 214(i)(l), 8 U.S.C. 1184(i)(l).

A U.S. employer seeking to temporarily employ a foreign national in the United States as an H–1B nonimmigrant may file a petition to obtain H–1B nonimmigrant classification on behalf of the individual. Before filing an H–1B petition, the petitioner (U.S. employer or agent) must first file a Labor Condition Application (LCA) with the U.S. Department of Labor (DOL) that covers the proposed dates of H–1B employment.[8] *See* INA sections 101(a)(15)(H)(i)(b) and 212(n), 8 U.S.C. 1101(a)(15)(H)(i)(b) and 1182(n); 8 CFR 214.2(h)(1)(ii)(B) and (h)(4)(i)(B)(*1*). After DOL certifies the LCA, the petitioner may then file an H–1B petition with USCIS on Form I–129, Petition for a Nonimmigrant Worker, seeking approval of H–1B classification for the worker (or ''beneficiary''). Once USCIS accepts a properly filed H–1B petition, it adjudicates the petition to determine eligibility for the benefit sought. USCIS may issue a written request for additional information or evidence, if the evidence in the record is insufficient to establish eligibility, before rendering a written decision to approve or deny the petition. *See* 8 CFR 103.2(b)(8) and 214.2(h)(9) and (10). If the H–1B petition is approved, H–1B classification may be authorized for a period of up to three years but may not exceed the validity period of the LCA.[9] *See* 8 CFR 214.2(h)(9)(iii)(A)(*1*). Subsequently, the original petitioner or a different petitioner may petition USCIS to authorize continued or new employment of the worker as an H–1B nonimmigrant. Such a renewal petition may include a request to extend the worker's stay in H–1B status, and if the worker is in the United States and (with limited exceptions) maintaining H–1B status at the time the petition is filed, the petition and extension of stay request may be approved. *See* 8 CFR 214.1(c)(1) and (4) and 214.2(h)(2)(i)(D) and (h)(14) and (15).

An extension of stay generally may only be granted for a period of up to three years, and the total period of the H–1B worker's admission generally cannot exceed six years. *See* INA 214(g)(4), 8 U.S.C. 1184(g)(4); 8 CFR 214.2(h)(15)(ii)(B)(*1*). As with initial H–1B petitions, the petitioner must first obtain a certified LCA from DOL that covers the location and proposed dates of H–1B employment before filing the petition extension. At the end of the six-year period, with limited exceptions,[10] the H–1B worker must change to another nonimmigrant status, seek permanent resident status, or depart the United States. The worker may be eligible for a new six-year maximum period of stay in H–1B nonimmigrant status if he or she resides and is physically present outside the United States for the immediate prior year. *See* 8 CFR 214.2(h)(13)(iii)(A).

C. H–1B Numerical Cap and Exemptions

As noted, Congress has established limits on the number of workers who may be granted initial H–1B nonimmigrant visas or status each fiscal year (commonly known as the ''cap''). See INA section 214(g), 8 U.S.C. 1184(g). The total number of workers who may be granted initial H–1B nonimmigrant status during any fiscal year currently may not exceed 65,000. See INA section 214(g), 8 U.S.C. 1184(g). However, some petitions do not count towards the 65,000 cap, including petitions filed on behalf of workers who: (1) Are employed or offered employment at an U.S. institution of higher education, or a related or affiliated nonprofit entity; (2) are employed or offered employment at a nonprofit research organization or a governmental research organization; or (3) have earned a master's or higher degree from a U.S. institution of higher education.[11] *See* INA section 214(g)(5), 8 U.S.C. 1184(g)(5). The annual exemption from the 65,000 cap for H–1B workers for those who have earned a qualifying U.S. master's or higher degree may not exceed 20,000 workers. *See* INA section 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C). The exemption under INA section 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C), is sometimes referred to as the ''H–1B master's cap'' because it is limited to 20,000 workers per year. Additionally, H–1B workers who have been previously counted against the cap or advanced degree exemption, and who are not eligible for the full six-year maximum period of stay, are generally considered to be exempt from the cap. *See* INA 214(g)(7), 8 U.S.C. 1184(g)(7). As such, H–1B petitions filed on behalf of such workers—including petitions seeking extensions of stay, new employer petitions, amended petitions, petitions for concurrent employment with a second employer, or those seeking to recapture time from a prior admission period—are generally exempt from the cap. *See* 8 CFR 214.2(h)(8)(ii)(A). The spouses and minor children of H–1B nonimmigrants, who hold H–4 nonimmigrant status, also do not count towards the cap. *See* INA 214(g)(2), 8 U.S.C. 1184(g)(2); 8 CFR 214.2(h)(8)(ii)(A).

D. Current Selection Process

Under the current H–1B cap filing and selection process, USCIS monitors the number of H–1B petitions it receives at each service center in order to manage the H–1B allocations. The first day on which petitioners may file H–1B petitions can be as early as six months ahead of the actual date of need (commonly referred to as the employment start date). See 8 CFR 214.2(h)(9)(i)(B). For example, a U.S. employer seeking an H–1B worker for a job beginning October 1 (the first day of the next fiscal year) can file an H–1B petition no earlier than April 1 of the current fiscal year. Thus, an H–1B employer requesting a worker for the

[8] Petitions for H–1B visas relating to Department of Defense cooperative research, development, and coproduction projects do not require petitioners to file a Labor Condition Application. *See* 8 CFR 214.2(h)(4)(vi).

[9] H–1B classification relating to Department of Defense cooperative research, development, and coproduction projects may be authorized for up to 5 years, and they may be renewed for a maximum cumulative period of 10 years. *See* Public Law 101–649, section 222(a)(2), 104 Stat. 4978 (Nov. 29, 1990); 8 CFR 214.2(h)(9)(iii)(A)(*2*).

[10] *See* 8 CFR 214.2(h)(13)(iii)(D) and (E), (h)(13)(v).

[11] For purposes of this H–1B numerical cap exemption, the term ''institution of higher education'' is given the same meaning as that set forth in section 101(a) of the Higher Education Act of 1965, Public Law 89–329, 79 Stat. 1224 (1965), as amended (codified at 20 U.S.C. 1001(a) (''Higher Education Act'')).

first day of fiscal year (FY) 2020, October 1, 2019, would be allowed to file an H–1B petition as early as April 1, 2019. Because of this, USCIS routinely receives hundreds of thousands of H–1B petitions in early April each year and this period is informally recognized as an H–1B ''cap season.'' Currently, USCIS monitors the number of H–1B cap-subject petitions received and notifies the public of the date that USCIS received a sufficient number of petitions needed to reach the numerical limit (the ''final receipt date''). See 8 CFR 214.2(h)(8)(ii)(B). USCIS then may randomly select from the cap-subject petitions received on the final receipt date the projected number of petitions needed to reach the limit. If the final receipt date falls on any of the first five business days on which cap-subject petitions may be filed, USCIS randomly selects the projected number of petitions from among all petitions received on any of those five business days. *Id.*

USCIS makes projections on the number of petitions it needs to select to meet the statutory H–1B allocations by taking into account historical data related to approvals, denials, revocations, and other relevant factors. See 8 CFR 214.2(h)(8)(ii)(B). Based on these projections, USCIS typically selects a quantity of petitions exceeding by approximately 10 to 15 percent the regular cap number [12] and approximately 5 to 10 percent more than the 20,000 for the advanced degree exemption, although the exact percentage and number of petitions may vary depending on the applicable projections for a particular fiscal year.

If USCIS receives sufficient H–1B petitions to reach the projected number of petitions to meet both the regular cap and the advanced degree exemption for the upcoming fiscal year within the first five business days, USCIS first randomly selects H–1B petitions subject to the advanced degree exemption filed within those first five business days. *Id.* Once the random selection process for the advanced degree exemption is complete, USCIS then conducts the random selection process for the regular cap, which includes the remaining unselected petitions filed for, but not selected in, the advanced degree exemption. Once the random selection process for the regular cap is complete, USCIS rejects all remaining H–1B cap-subject petitions not selected during one of the random selections. USCIS also rejects all H–1B cap-subject petitions for that fiscal year that are received after the final receipt date. *See* 8 CFR 214.2(h)(8)(ii)(D).

If a sufficient number of petitions needed to reach the H–1B allocations are not received during the first five days that cap-subject petitions may be filed, USCIS currently counts the regular cap and the advanced degree exemption separately. Those petitions filed for beneficiaries with a master's or higher degree from a U.S. institution of higher education and eligible for the advanced degree exemption are counted toward the projections needed to reach the advanced degree exemption allocation, and all other cap-subject H–1B petitions are counted toward the regular cap. Consistent with 8 CFR 214.2(h)(8)(ii)(B), once USCIS receives a sufficient number of petitions to reach the regular cap or advanced degree exemption, USCIS will identify the final receipt date and may randomly select a number of petitions needed to reach the projected number from among the petitions received on the applicable final receipt date. If the final receipt date for the advanced degree exemption is reached before the final receipt date for the regular cap, then unselected petitions eligible for the advanced degree exemption would be counted toward the regular cap projections until the regular cap is met. If the final receipt date for the regular cap is reached before the advanced degree exemption numerical limitation, then USCIS would continue to receive cap-subject petitions eligible for the advanced degree exemption until such time as USCIS receives a sufficient number of petitions to reach the advanced degree exemption projections.

E. Challenges With the Current Random Selection Process

USCIS has found that when it receives a significant number of H–1B petitions (such as 100,000 or more) within the first few days of the H–1B filing period, it is difficult to handle the volume of petitions received. USCIS has received well over 100,000 cap-subject petitions within the first few days of the H–1B filing period for the past five fiscal years (FYs). Table 2 shows the number of H–1B cap-subject petitions USCIS received during the first five business days of the H–1B filing period in the FY in which the beneficiary was selected.

TABLE 2—TOTAL NUMBER OF H–1B CAP-SUBJECT PETITIONS

Fiscal year in which beneficiary was selected	Number of H–1B cap-subject petitions received
2017	198,460
2016	236,444
2015	232,973
2014	172,581
2013	124,130

SOURCE: USCIS Service Center Operations (SCOPS), June 2017.

Further, after expending significant USCIS resources to ensure proper intake of these petitions, USCIS must reject and return those cap-subject petitions (and associated fees) that are not randomly selected. H–1B petitioners may also incur significant expenses preparing and filing petitions that are ultimately not selected and are rejected by USCIS under the current filing and selection process for cap-subject petitions.

This proposed rule is designed to alleviate many of the difficulties and inefficiencies stemming from the current H–1B cap-subject selection process and to create a more streamlined filing and selection process for cap-subject petitions. Requiring petitioners to electronically register before filing H–1B cap-subject petitions, and randomly selecting these registrations to determine which petitioners may file an H–1B cap-subject petition in years of excess demand for H–1B cap numbers, would allow USCIS to more efficiently administer the regular cap and advanced degree exemption numerical limitation. Implementing an internet-based electronic H–1B cap registration process would reduce the burden on USCIS since it would no longer need to physically receive, store, and process hundreds of thousands of cap-subject H–1B petitions, which in some cases contain hundreds of pages of supporting evidence, prior to conducting the random selection process. DHS also believes that requiring cap-subject petitioners to electronically register for selection would help to avoid repeating many of the same issues created by the current paper-based petition selection process, namely the physical receipt, processing, and storage of possibly hundreds of thousands of paper-based registration requests.

Some of the front-end processing activities associated with handling this exceptionally high volume of petitions include, but are not limited to, opening and sorting mail, manually assigning

[12] Congress set the current annual cap for the H–1B category at 65,000. Up to 6,800 visas are set aside from the 65,000 each fiscal year for the H–1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore free trade agreements. Unused visas in this group become available for H–1B use for the next fiscal year. INA section 214(g)(8), 8 U.S.C. 1184(g)(8).

unique identifier numbers to each petition for random selection, and returning the unselected and improperly filed petitions along with associated fees. USCIS also must store the voluminous petition filings while front-end processing is completed. USCIS has a fixed amount of storage at each service center and the current process causes a massive strain on USCIS operations during the filing period due to the processing and storage of hundreds of thousands of full petition filings.

Furthermore, preparing and mailing H–1B cap-subject petitions, with the required filing fees, can be burdensome and costly for petitioners, particularly if the petition must ultimately be returned because the numerical limit was reached and the petition was not selected in the random selection process. Requiring petitioners to file complete H–1B petitions before the random selection process is not the most efficient way to administer the random selection process. The current process could also have the unintended effect of deterring petitions by employers with a bona fide need, but who are reluctant to file given the high-cost involved in filing the petition versus the low likelihood of selection.

During years of high demand for H–1B workers, including in recent years, the H–1B regular cap and advanced degree exemption allocation have been reached within the first few days of the opening of the H–1B cap filing period. For example, for FY 2017, USCIS received 198,460 H–1B petitions during the first five business days that cap-subject petitions could be filed, which began April 3, and ended on April 7, 2017, and a sufficient number of petitions were received to meet the projections for both the H–1B regular cap and the advanced degree exemption allocations. Although fewer petitions were received for FY 2017 than FY 2016 during the first five business days that cap-subject petitions could be filed, the number of petitions received in FY 2017 was still much greater than the total projected amount needed to fill the regular cap and advanced degree exemption (85,000+x percent).

DHS proposes to alleviate administrative burdens and the current uncertainty faced by petitioners who must prepare and submit complete H–1B petitions for all intended beneficiaries. Petitioners often expend significant time, money, and resources to prepare the H–1B petition for submission. Under the current process, these resources and costs are expended for every H–1B worker the employer intends to hire, regardless of whether the petition will ultimately be selected toward the H–1B regular cap or advanced degree exemption allocation and adjudicated by USCIS, or rejected because the H–1B allocations were reached and the petition was not randomly selected.

As discussed in further detail in the Executive Orders 12866 and 13653 sections of this rule, the proposed rule would reduce the costs for employers whose registrations were not selected since they would no longer be required to file a complete H–1B cap-subject petition in order to be selected in the random selection process. These employers would only have to electronically register, which requires fewer resources and less time. However, the proposed rule would add some cost to those employers whose registrations are selected by imposing costs in resources and time to complete the electronic registration, as well as the H–1B cap-subject petition. The costs and cost-savings are fully discussed in the Executive Orders 12866 and 13653 sections of this rule.

IV. Proposed Changes to 8 CFR 214.2(h)(8)

A. Proposed H–1B Registration Program

DHS proposes to establish a mandatory internet-based electronic registration process for petitioners seeking to file H–1B petitions for beneficiaries that may be counted under the regular cap or advanced degree exemption. *See* proposed 8 CFR 214.2(h)(8)(iii). The electronic registration process would start before April 1, in advance of the period during which H–1B petitions can be filed for a new fiscal year. A registrant therefore could wait until they have been notified of selection before submitting the LCA to DOL for approval and preparing the corresponding H–1B petition on behalf of the beneficiary named in the selected registration.[13] DHS is not proposing a fee for registration at this time.

The registration process would be mandatory, and an H–1B cap-subject petition would not be considered properly filed unless it is based on a valid registration selection for that fiscal year. H–1B cap-subject petitions that are not properly filed would be rejected.

1. Announcement of the Registration Period

Under the proposed registration process, each petitioner would be required to electronically register through the USCIS website (*www.uscis.gov*) according to the instructions provided on the website. See proposed 8 CFR 214.2(h)(8)(iii)(A)(1). DHS proposes to establish a registration period that would begin at least fourteen calendar days before the first day of filing in each fiscal year. The registration period would last for a minimum period of fourteen calendar days. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(3). USCIS would give the public at least 30 days advance notice of the opening of the initial registration period for the upcoming fiscal year via the USCIS website (*www.uscis.gov*). USCIS will also separately announce the final registration date in any fiscal year on the USCIS website. If USCIS determines that it is necessary to re-open the registration period, it would announce the start of the re-opened registration period on its website before the start of the re-opened registration period. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*7*).

Because the public regularly uses the USCIS website, USCIS believes posting the information on the USCIS website would provide a timelier and more efficient method of communication with the public than publishing the information in the **Federal Register**. The public frequently turns to the USCIS website for information and routinely uses the USCIS website for general information on immigration benefits, rules, and processes; applicable statutes and regulations; downloadable immigration forms; specific case status information; and processing times at the various service centers and district offices. USCIS currently notifies the public when it will begin accepting petitions subject to the cap for a given fiscal year and when numerical limits have been reached through its website; maintaining this practice therefore would be consistent with settled expectations. With respect to the initial registration period, DHS is also considering announcing the opening date of the first registration period in the final rule resulting from this proposed rule to allow for maximum visibility for the regulated public.

DHS is proposing that a petitioner could submit a registration during the initial registration period only if the requested start date for the beneficiary is the first business day for the applicable fiscal year. If USCIS keeps the registration period open beyond the initial registration period, or determines that it is necessary to re-open the registration period, a petitioner could submit a registration with a requested start date after the first business day for the applicable fiscal year, as long as the

[13] Although the LCA is not required for registration, it is the petitioner's obligation to obtain a DOL-certified LCA before the deadline to file the Form I–129, which is explained below in greater detail.

date of registration is no more than 6 months before the requested start date. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*4*). USCIS proposes to limit submission of any additional registrations to within six months of the date of need in order to be consistent with existing rules at 8 CFR 214.2(h)(9)(i)(B) and allow us the ability to provide a filing window for registrations that would permit immediate filing of petitions upon selection. This window also would allow USCIS to effectively administer the registration process and intake of petitions across service centers by providing staggered petition filing windows during which a petitioner would be eligible to file the petition, but without USCIS having to review requested petition start dates to determine that the filing window to be provided to each petitioner would not conflict with the 6-month limitation at 8 CFR 214.2(h)(9)(i)(B).

USCIS would not accept any registrations either before the opening or after the close of the relevant registration period. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*5*) and (*6*). DHS invites the public to comment on whether the proposed duration and timing of the registration period would provide enough time for prospective petitioners to submit their registrations. Petitioners would be asked to provide basic information regarding the petitioner and beneficiary when registering. This information may include, but is not limited to: (1) The employer's name, employer identification number (EIN), and employer's mailing address; (2) the employer's authorized representative's name, job title, and contact information (telephone number and email address); (3) the beneficiary's full name, date of birth, country of birth, country of citizenship, gender, and passport number; (4) if the beneficiary has obtained a master's or higher degree from a U.S. institution of higher education; (5) the employer's attorney or accredited representative, if applicable (a Form G–28 should be also submitted electronically if this is applicable); and (6) any additional basic information requested by the registration system or USCIS. DHS is not proposing a separate fee for registration at this time.

The petitioner would also be required to attest, within the registration system, that the contents of each registration are true and accurate and that the petitioner intends to employ the beneficiary consistent with the registration. DHS recognizes that with the lowering of the burden and cost for participating in the H–1B cap selection process, there is a possibility that employers will utilize the registration system in a way to maximize their likelihood of being able to hire the best job candidates. To address potential issues of ''flooding the system'' with non-meritorious registrations, DHS is prohibiting petitioners from submitting more than one registration for the same beneficiary during the same fiscal year, and is requiring petitioners to make an attestation in the system indicating their intent to file an H–1B petition for the beneficiary in the position for which the registration is filed. This attestation is intended to ensure that each registration is connected with a bona fide job offer and, to the extent selected, will result in the filing of an H–1B petition.

DHS is particularly interested in preventing circumstances where petitioners submit large numbers of registrations but never follow up with the filing of H–1B petitions for the selected beneficiaries, thus in the short term impacting USCIS' H–1B cap projections, as well as increasing uncertainty for petitioners whose registrations were not selected. Such a scenario would necessarily lead to USCIS having to select additional registrations, including, if necessary, by reopening the registration period, which could lengthen the period of time between the submission of a registration and the adjudication of an H–1B petition for petitioners whose registrations were not selected during the initial lottery. USCIS intends to closely monitor whether selected registrations are resulting in the filing of H–1B petitions. If USCIS finds that petitioners are registering numerous beneficiaries but are not filing petitions for selected beneficiaries at a rate indicative of a pattern and practice of abuse of the registration system, USCIS would investigate those practices and could hold petitioners accountable for not complying with the attestations, consistent with its existing authority to prevent and deter fraud and abuse. *See DHS Delegation 0150.1(II)(I).* For example, USCIS may refer the matter to a law enforcement agency for further review and possible action. *See Id;.* However, given that the registration system is not intended to replace the petition system, DHS will not have a means for up-front determining whether a registration is meritorious until after it is selected and a petition resulting from such registration is properly filed. While DHS will be data mining the registration system and monitoring the filing rates of H–1B cap petitioners after the system is implemented, as well as employing its authority to investigate and sanction instances of fraud and abuse, DHS does not currently have a solution for the registration process, or any of its filing processes, that guarantees prevention of all non-meritorious registrations or filings prior to adjudication. DHS invites comments from stakeholders on other ways to enhance the integrity of the registration system and reduce the potential for abuse, such as enhancements to the accounts system for registration, increased vetting of registrants, and any other fraud and abuse prevention measures.

USCIS believes that the content noted above is the minimum amount of information that USCIS would need to identify the prospective H–1B petitioner and the named beneficiary, to eliminate duplicate registrations, and to match selected registrations with subsequently filed H–1B petitions. At least thirty calendar days before opening the initial registration period, USCIS would provide specific details on what information is required via the USCIS website. USCIS seeks public comments on the type and scope of information that should be submitted with each registration.

Note that each annual registration period would be treated as separate from any registration period for a prior fiscal year. Therefore, registrations from a prior fiscal year would not be automatically entered into a new registration period.

2. Registration Requirements

DHS proposes to require petitioners who participate in the registration process to electronically submit a single registration relating to each prospective H–1B beneficiary they intend to hire. Multiple prospective beneficiaries could not be listed on a single registration and a petitioner would be permitted to submit a registration relating to a particular H–1B beneficiary only once in any given fiscal year. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*2*). DHS believes that prohibiting petitioners from submitting more than one registration relating to the same beneficiary for the same fiscal year would prevent petitioners from abusing the system. Otherwise, a petitioner would be able to gain an unfair advantage by filing multiple registrations relating to the same beneficiary but listing different job offers when the positions are in fact the same or only very slightly different. This rationale is similar to those underpinning the limitations in 8 CFR 214.2(h)(2)(i)(G), which generally prevents petitioners from filing more than one H–1B cap-subject petition on

behalf of the same beneficiary in the same fiscal year.[14]

If a petitioner violates the limitation with regard to registrations relating to H–1B beneficiaries, all of the registrations filed by the petitioner relating to that beneficiary for that fiscal year would be considered invalid.

Each petitioner who submits a properly completed H–1B cap registration request online would receive an automatic electronic notification that the registration request has been received by USCIS (*Note:* Receipt is not the same as selection). *See* proposed 8 CFR 214.2(h)(8)(iii)(B). Petitioners would not be able to edit a registration request once it has been received by USCIS. USCIS intends to assign a unique identifying number for each registration. The automatic electronic registration receipt notification would be in a printable format and contain a unique identifying number for USCIS tracking and recordkeeping purposes.

3. Selection of Registrations

a. If the Number of Registrations Received Is Fewer Than the Projected Number of Petitions Needed To Reach the Regular Cap During the Initial Registration Period

If the number of registrations received during the initial registration period is *fewer* than the number of petitions USCIS projects are needed to meet the regular cap, USCIS would announce on its website that the registration period would remain open and all registrations received during that initial period would be selected. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*5*)(*i*). When USCIS determines it has enough registrations to reach the regular cap, it would announce that USCIS will no longer accept registrations under section 214(g)(1)(A) (the ''final registration date'') on the USCIS website. If USCIS determines it necessary, it may conduct a random selection from among all of the registrations received on the final registration date. Petitioners whose registrations are subject to that random selection and who receive notification that their registrations have been selected would be eligible to file an H–1B cap-subject petition on behalf of the prospective H–1B beneficiary named in the selected registration during the applicable filing period. *See* proposed 8 CFR 214.2(h)(8)(iii)(C) and (D). USCIS would hold in reserve registrations that are not selected. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*5*)(*i*).

b. If the Number of Registrations Received Is Sufficient To Reach the Projected Number of Petitions for the Regular Cap During the Initial Registration Period

At the end of the initial registration period, if USCIS determines that it has received enough registrations in the initial registration period to reach the projected number of petitions to meet the regular cap, USCIS would conduct a random selection of all of the registrations received during the initial registration period. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*5*)(*ii*). Under such process, USCIS would randomly select a number of registrations in the regular cap that USCIS projects would be sufficient to meet the cap. The number needed to meet the cap would be determined by USCIS in advance of each fiscal year's cap selection, and would be determined by projections taking into account historical approval, denial, revocation, rejection rates, and other relevant factors such as the percentage of registrants that ultimately decide not to file an H–1B petition. *See* proposed 8 CFR 214.2(h)(8)(iii)(E). USCIS would hold in reserve registrations which are not selected. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*7*).

c. Advanced Degree Exemption Selection

After USCIS has completed selecting registrations for the H–1B regular cap, USCIS would determine whether there is a sufficient number of remaining eligible registrations to meet the projected number of petitions to reach the H–1B advanced degree exemption numerical limitation. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*6*). USCIS is proposing to count all registrations toward the H–1B regular cap projections first, even in years when a random selection process at the end of the initial registration period is unnecessary.

i. Fewer Registrations Than Needed To Reach the Projected Number of Petitions To Meet the H–1B Advanced Degree Exemption Numerical Limitation

After USCIS has completed selecting registrations for the H–1B regular cap, if USCIS determines that it has received fewer registrations than needed to reach the projected number of petitions to meet the H–1B advanced degree exemption numerical limitation, USCIS will notify all petitioners that have properly registered that each registration has been selected. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*6*)(*i*). USCIS will continue to accept registrations that may be counted under section 214(g)(5)(C) of the INA until USCIS determines that it has received enough registrations as projected to meet the H–1B advanced degree exemption numerical limitation. USCIS will monitor the number of registrations received and will notify the public of the date that USCIS has received the necessary number of registrations (the ''final registration date''). The day the news is published will not control the applicable final registration date. When necessary to ensure the fair and orderly allocation of numbers under 214(g)(5)(C) of the INA, USCIS may randomly select the remaining number of registrations projected as necessary to meet the H–1B advanced degree exemption numerical limitation from among the registrations properly submitted on the final registration date. This random selection would be made by computer-generated selection. USCIS would hold in reserve registrations which are not selected.

ii. Sufficient Registrations To Reach the Projected Number of Petitions To Meet the H–1B Advanced Degree Exemption Numerical Limitation

After USCIS has completed selecting registrations for the H–1B regular cap, if USCIS determines that it has received enough eligible registrations to reach the projected number of petitions to meet the H–1B advanced degree exemption numerical limitation, USCIS would no longer accept registrations that may be counted under section 214(g)(5)(C) of the INA and would notify the public of the final registration date. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*6*)(*ii*). USCIS would randomly select the number of registrations projected as needed to meet the H–1B advanced degree exemption numerical limitation from among the remaining registrations that may be counted against the advanced degree exemption numerical limitation. This random selection would be made by computer-generated selection. USCIS would hold in reserve registrations which are not selected.

d. Availability of Cap Numbers

Once actual petition filings commence on the first day that H–1B cap-subject petitions may be filed (that is, April 1 or the next business day if April 1 falls on Saturday or Sunday) of each fiscal year, USCIS monitors petition receipts closely to ensure adherence to the H–1B allocations. By over-selecting registrations, there is a

[14] *See Petitions Filed on Behalf of H–1B Temporary Workers Subject to or Exempt From the Annual Numerical Limitation; Interim Rule;* 73 FR 15389, 15392 (Mar. 24, 2008) (explaining that USCIS wanted to ensure the fair and equitable distribution of cap numbers, and that allowing multiple H–1B petitions on behalf of the same alien would undermine the purpose of the H–1B numerical cap because multiple filings can result in the misallocation of the total available cap numbers.)

risk of exceeding the H–1B allocations; the challenge is to approve a sufficient number of petitions that would support issuance of H–1B visas or otherwise providing initial H–1B status to up to 85,000 aliens each year without exceeding the H–1B allocations. In order to stay within the numerical limits of the H–1B allocations, one option would be to select only 85,000 registrations (65,000 plus 20,000) in the lottery. However, by selecting only 85,000 registrations, USCIS would likely permit filing of too few petitions to meet the H–1B allocations because some petitions would be rejected, denied, or not filed following registration selection. Even if a petition is approved, the beneficiary might not apply for or be issued an H–1B visa or otherwise obtain H–1B status. Therefore, similar to the way USCIS determines the number of petitions it accepts for filing under the current process, under this proposed rule USCIS would use historical data to project a number above 85,000, and would use yearly projections to determine the number of registrations to select for the H–1B regular cap and advanced degree exemption allocation. USCIS recognizes that because the costs of registration are low relative to the costs of filing a complete petition, all of the selected registrants may not ultimately file petitions, but USCIS does not have reliable data aside from the historical data from past filings to project the number of registrations in the first year of implementation. In order to account for the changes, USCIS would create a reserve of registrations to pull from in the scenario that a sufficient number of selected registrants do not file petitions, and more registrations need to be added to the selected pool. USCIS is also proposing that it could re-open the registration period in the event the reserve of unselected registrations is insufficient to fill the H–1B cap projections for a given fiscal year.

Unselected registrations would remain on reserve for the applicable fiscal year. If USCIS determines that it needs to increase the number of registrations projected to meet the H–1B regular cap or advanced degree exemption allocation, and select additional registrations, USCIS would select from among the registrations that are on reserve a sufficient number to meet it or re-open the registration period if additional registrations are needed to meet the new projected amount. If the registration period will be re-opened, USCIS would announce the start of the re-opened registration period on its website before the start of the re-opened registration period. Once a sufficient number of registrations have been received to meet the new projected amount to meet the H–1B regular cap, or the advanced degree exemption numerical limitation, USCIS would close the re-opened registration period, identify the new final registration date, and, if necessary to ensure the fair and orderly allocation of numbers, may randomly select from among registrations received on the new final registration date a sufficient number of registrations projected to meet the applicable H–1B allocations. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*7*). If USCIS determines that the projections for both H–1B allocations fell short of the number of petition approvals needed to reach the regular cap and advanced degree exemption numerical limitation, such that additional registrations towards both are needed, USCIS would first re-open the registration for the regular cap, until a sufficient number of registrations have been received (counting all registrations) to meet the regular cap projections. After a new final registration date for the regular cap has been identified, USCIS would re-open the registration period for the advanced degree exemption numerical limitation.

e. Notification

USCIS would notify all petitioners with selected registrations that the petitioner is eligible to file an H–1B cap-subject petition on behalf of the named beneficiary within the designated filing period. *See* proposed 8 CFR 214.2(h)(8)(iii)(C). If the petitioner's registration was selected, the notice would indicate a filing location and the designated filing period during which the H–1B petition must be filed, and provide instructions on how to file. *See id.*

4. Filing the H–1B Petition Following Selection

a. Eligibility To File

DHS proposes to accept as properly filed only those H–1B cap-subject petitions that are based on selected registrations for the applicable fiscal year, and only for the specific H–1B beneficiary named in the original registration; others would be rejected (if caught at intake) or denied (if caught by an officer during an adjudicative review of the petition). See proposed 8 CFR 214.2(h)(8)(iii)(D). Employers would not be permitted to substitute beneficiaries. DHS recognizes that employer needs often change and intended workers may become unavailable for a variety of reasons. However, DHS is proposing to limit the filing of H–1B cap-subject petitions to the beneficiary named on the original registration request in an effort to guard against the possibility of abuse by unscrupulous petitioners who might otherwise attempt to monopolize petition filing ''slots'' or create an illegitimate market related to the sale of selected registrations if substitution were permissible.[15] In addition, allowing substitution of beneficiaries could undermine the prohibition on submitting multiple registrations for a single beneficiary. If substitutions are permissible, a petitioner could submit registrations for multiple individuals even though it does not actually intend to file a petition for each of the named individuals, but is doing so simply to improve its chances for having a sufficient number of selected registrations for those beneficiaries it seeks to employ as H–1B nonimmigrants. Thus, DHS believes that prohibiting substitution of beneficiaries complements the justification for prohibiting multiple registrations for one beneficiary, discussed in Section IV.A.2. above, as both would result in the potential gaming of the registration system. This restriction also is in line with current policy, which does not allow substitution of beneficiaries. USCIS may also require that petitioners submit copies of the registration information with the Form I–129 so that USCIS may verify the registration.

Furthermore, a petitioner is prohibited from filing more than one H–1B petition in the same fiscal year on behalf of the same beneficiary if the beneficiary is subject to either the regular cap or advanced degree exemption, *see* 8 CFR 214.2(h)(2)(i)(G), and likewise would be prohibited from filing more than one registration for the same beneficiary in the same fiscal year under this proposed rule. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*2*). Under the proposed process, USCIS would continue to apply the prohibition on the filing of multiple H–1B cap petitions for the same beneficiary. If the petitioner (including related entities, such as a parent, company, subsidiary or affiliate) files more than one H–1B cap petition for the same beneficiary in the same fiscal year, all of the H–1B cap petitions filed for that beneficiary by the related entities would be denied or revoked, unless the petitioner is able to

[15] For example, a petitioner could hoard selected registrations for itself and substitute beneficiaries, or hoard numbers in an attempt to sell selected registration ''slots'' to other petitioners for a fee, or to foreign nationals looking to come to the U.S. as H–1B nonimmigrants, thereby creating an illicit market where selected registrations could be bought and sold as a commodity.

demonstrate a legitimate business need for filing multiple petitions.

b. Filing Time Period

DHS proposes that petitioners would have a period of at least 60 days to properly file a completed H–1B cap-subject petition for the named beneficiary. USCIS would notify all petitioners with selected registrations that the petitioner is eligible to file an H–1B cap-subject petition on behalf of the named beneficiary within the designated filing period. *See* proposed 8 CFR 214.2(h)(8)(iii)(C) and (D). Allowing USCIS to specify the filing period in the selection notice would give USCIS the flexibility to stagger filings, as described below, and provide filing periods of longer than 60 days if necessary to accommodate processing backlogs or other operational needs.

If an H–1B cap-subject petition is filed before or after the applicable filing period noted on the selection notice, USCIS would reject the H–1B cap-subject petition (if caught at intake) or deny the petition (if caught by an officer during an adjudicative review of the petition). *See* proposed 8 CFR 214.2(h)(8)(iii)(D)(*2*). A selected registrant who does not file a petition on behalf of the named beneficiary within the timeframe stated on the selection notice would forego eligibility to file and any consideration for an available H–1B cap or advanced degree exemption number based on that selection notice.

DHS is proposing to set a filing period of at least 60 days to ensure that the petitioner has adequate time to prepare and file the H–1B petition. If, for example, a petitioner's selection notice dated March 22, contains a 60-day filing period beginning on April 1 and ending on May 31, the petition may not be filed before April 1 and must be filed no later than May 31, or USCIS would reject the petition. If the last day of the 60-day filing period is a Saturday, Sunday, or legal holiday, the petitioner would have until the following day that is not a Saturday, Sunday, or legal holiday to file the petition. *See* 8 CFR 1.2.

DHS anticipates that there would be several filing periods for each fiscal year. For example some selected registrations may be provided a filing window between April 1 and May 31, while other selected registrations may be provided a filing window between May 1 and June 30. Separate filing windows would help USCIS manage the surge of cap-subject petitions received after it conducts the lottery. Separate filing windows would allow USCIS to more efficiently use its resources (*e.g.,* personnel) to complete the intake process and allow for the most efficient processing and adjudication of cap-subject petitions. DHS believes that a 60-day filing window would allow a petitioner sufficient time to obtain an LCA, if they have not already, and prepare the full H–1B package for filing.

The proposed filing period in which a selected registrant may file a petition on behalf of the named beneficiary is not entirely consistent with the existing regulation that provides a petitioner the ability to file a petition up to six months before the date of actual need for the beneficiary's services or training, because the first day of the proposed filing period may be less than six months before the date of actual need. *See* current 8 CFR 214.2(h)(9)(i)(B); *see also* 20 CFR 655.730(b). For that reason, DHS clarifies that current 8 CFR 214.2(h)(9)(i)(B) establishes the outer limit of when an H petition may be filed, but that other regulatory provisions, such as proposed paragraph (h)(8)(iii)(D)(*2*), may shorten that filing period. DHS is also proposing to re-designate this paragraph as new paragraph (h)(2)(i)(I) so that it is grouped under petition filing procedures. DHS is also making a technical amendment to current 8 CFR 214.2(h)(9)(i) to combine 8 CFR 214.2(h)(9)(i) introductory text and (h)(9)(i)(A), but is making no other changes to this section.

B. Proposed Advanced Degree Exemption Allocation Amendment

DHS proposes to amend the regulations currently at 8 CFR 214.2(h)(8)(ii)(B) to change the process by which USCIS would select H–1B petitions that may be counted under section 214(g)(1)(A) or section 214(g)(5)(C) of the INA. *See* proposed 8 CFR 214.2(h)(8)(iii)(A)(*5*) and (*6*) and (h)(8)(iv). The proposed amendment would change the order in which registrations are counted towards the projected number needed to reach the H–1B allocations. Currently, USCIS counts petitions filed for beneficiaries with a master's degree or higher from a U.S. institution of higher education under the H–1B advanced degree exemption first until the projected number of petitions needed to meet the advanced degree exemption allocation is reached. Under the proposed amendments, USCIS would include registrations for petitions that are eligible for the H–1B advanced degree exemption under the regular cap first until the projected number needed to meet the regular cap is reached. Once the regular cap projected number is reached, USCIS would then count those registrations for petitions eligible for the advanced degree exemption and not selected under the regular cap toward the projected number needed to reach the advanced degree exemption allocation. Changing the order in which USCIS counts these prospective beneficiaries toward the applicable projections would likely increase the number of petitions filed for beneficiaries each fiscal year with a master's or higher degree from a U.S. institution of higher education, and in turn, increase the number of individuals with a master's or higher degree from a U.S. institution of higher education who are issued H–1B visas or otherwise provided H–1B status.[16]

Under Executive Orders 12866 and 13653 of this regulation, USCIS analyzed the current selection process and the proposed selection process to determine which process would increase the likelihood that H–1B petitions are granted for beneficiaries with a master's degree or higher from a U.S. institution of higher education. The proposed change would prioritize petitions filed on behalf of beneficiaries who have attained a master's or higher degree from a U.S. institution of higher education. DHS believes the advanced degree exemption statutory provision at section 214(g)(5)(C) is best read as intending to increase the number of individuals with advanced degrees from U.S. institutions issued H–1B visas or otherwise provided H–1B status by 20,000. As described, the current lottery system does not provide an optimal mechanism for achieving that aim because it dilutes the candidate pool in a manner that greatly diminishes the possibility of adding 20,000 such H–1B nonimmigrants beyond those that would be admitted without the advanced degree exemption allocation.

C. Cap Allocation Alternative: Temporary Suspension of the H–1B Registration Process

As an alternative to the proposal to implement a registration process for cap-subject H–1B petitions, as well as to address circumstances in which it may be necessary to suspend the registration process for H–1B cap-subject petitions, DHS proposes amending its regulations to allow for a change in how it counts a sufficient number of petitions needed to reach the regular cap or advanced degree exemption under the existing petition-based process (*i.e.,* reversing

[16] For clarification, as proposed in this rule, the selection of a number of registrations that USCIS projects would be sufficient to meet the regular cap and advanced degree exemption is distinct from the fulfillment of the cap or exemption through ''issu[ance] of visas or otherwise provid[ing H–1B] nonimmigrant status.'' *See* INA 214(g)(1)(A).

the selection order separate and apart from implementing a registration process). This approach primarily is intended to address rare circumstances in which USCIS may experience technical challenges with the H–1B registration process and/or the new electronic system that would be used to submit H–1B registrations, or where the system otherwise is inoperable for any reason. The approach would also allow USCIS to up-front delay the implementation of the H–1B registration process past the FY 2020 cap season, if necessary to complete all requisite user testing and vetting of the new H–1B registration system and process and to otherwise ensure the system and process are operable. Under this alternative, if USCIS suspends the registration process, USCIS would make an announcement on its website (*http://www.uscis.gov*) to inform the public that the registration requirement for that fiscal year is being suspended, and provide the opening date of the applicable petition-filing period. So while petitioners would not be required to register and be selected in order to properly file an H–1B cap-subject petition, USCIS would still reverse the order of counting the petitions toward the H–1B allocations such that it would first count all cap-subject H–1B petitions, including those that may be eligible for the advanced degree exemption, towards the regular cap until the projected number of petitions needed to meet the regular cap is reached. Once the regular cap projected number is reached, USCIS would then count those petitions eligible for the advanced degree exemption and not selected under the regular cap toward the projected number needed to reach the advanced degree exemption allocation. *See* proposed 8 CFR 214.2(h)(8)(iv)(B). This alternative would further the same goal of increasing the likelihood that more beneficiaries with advanced degrees from U.S. institutions of higher education would be selected and ultimately issued an H–1B visa or otherwise provided H–1B status. DHS may elect to finalize and implement changes to the selection process independently from the new H–1B registration process, or before such registration process is implemented. DHS seeks public comments on this alternative. DHS views the H–1B registration process and the new H–1B regular cap and advanced degree exemption allocation process as separate, and founded on different policy objectives, as set forth above, and has only included both proposals into a single rule in service of expediency. Therefore, DHS may opt to finalize and implement each proposal separately, and on a schedule most likely to ensure orderly and appropriate administration of the H–1B allocations.

D. Severability

In addition to the provisions that permit USCIS to implement changes to the H–1B regular cap and advanced degree exemption selection process independently from the registration process for H–1B cap-subject petitions, DHS is proposing to include in the regulation a severability clause. This clause would provide that DHS would continue to implement either the new H–1B regular cap and advanced degree exemption allocation process or the registration process independently in the event it cannot implement the both together (*e.g.,* if one of the processes is enjoined or invalidated by a court of a competent jurisdiction). *See* proposed 8 CFR 214.2(h)(8)(v).

E. Conforming Change to the H–2B Filing Period

DHS is proposing to remove a reference to the now outdated 120-day filing period for H–2B petitions currently contained in 8 CFR 214.2(h)(9)(i)(B), which is being redesignated in the proposed rule as 8 CFR 214.2(h)(2)(i)(I). Per 8 CFR 214.2(h)(6)(iv) and (v), an H–2B petition may not be filed with USCIS unless it is accompanied, in all cases, by an approved Temporary Labor Certification from DOL. Therefore, this proposed revision does not change existing filing procedures for H–2B petitions, but merely removes a timeframe in the regulatory provision that is no longer applicable because it intended to match a DOL regulation that has since been amended. Further, DHS clarifies that proposed 8 CFR 214.2(h)(2)(i)(I), as amended, would establish the outer limit for when a petition for H classification may be filed, but that other regulatory provisions, such as 8 CFR 214.2(h)(1)(ii)(D) and (h)(6)(iii)(C) (requiring that a TLC must be issued by the DOL or Governor of Guam before an H–2B petition may be filed with USCIS) or 8 CFR 214.2(h)(5)(i)(A) (requiring that an H–2A petition must be filed with a single, valid temporary agricultural labor certification) may shorten that filing period in a specified context.

F. Other Technical Amendments

DHS is proposing various technical amendments to 8 CFR 214.2(h)(8)(ii) to reflect the proposed changes. First, DHS would make a technical change by removing the discussion of H numerical limitation calculations in current 8 CFR 214.2(h)(8)(ii)(B) and adding new paragraphs discussing numerical limitations: Proposed paragraphs (h)(8)(iii) and (iv) discuss H–1B numerical limitations and paragraph (h)(8)(vii) discusses H–2B numerical limit calculations. DHS would also redesignate 8 CFR 214.2(h)(8)(ii)(C) and (D) as 8 CFR 214.2(h)(8)(ii)(B) and (C), respectively. In addition, DHS would redesignate 8 CFR 214.2(h)(8)(ii)(E) as 8 CFR 214.2(h)(8)(vi), as well as redesignate 8 CFR 214.2(h)(8)(ii)(F) as 8 CFR 214.2(h)(8)(iii)(F). DHS would also move the text of paragraph (h)(9)(i)(B) into paragraph (h)(2)(i)(I). These proposed redesignated paragraphs remain as currently codified; however, DHS would update cross reference citations in current 8 CFR 214.2(h)(8)(ii) to reflect these technical changes.

V. Statutory and Regulatory Requirements

A. Executive Orders 12866 and 13563

Executive Orders (E.O.) 12866 and 13563 direct agencies to assess the costs and benefits of available alternatives, and if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Information and Regulatory Affairs has determined that this rule constitutes an ''economically significant'' regulatory action under section 3(f) of E.O. 12866. Accordingly, the rule has been reviewed by the Office of Information and Regulatory Affairs.

1. Summary

DHS is proposing to amend its regulations governing the process for petitions filed on behalf of cap-subject H–1B workers. Specifically, DHS is proposing to add a registration requirement for petitioners seeking to file H–1B cap-subject petitions on behalf of foreign workers. Additionally, DHS is proposing to change the order in which H–1B cap-subject petitions would be selected towards the applicable projections needed to meet the annual H–1B allocations in order to increase the odds for selection for H–1B beneficiaries who have earned a master's or higher degree from a U.S. institution of higher education.

All petitioners seeking to file an H–1B cap-subject petition would have to submit a registration. However, under

the proposed process, only those whose registrations are selected (termed ''selected registrant'' [17] for purposes of this analysis) would be eligible to file an H–1B cap-subject petition for those selected registrations and during the associated filing period. Therefore as selected registrants under the proposed registration requirement, selected petitioners would incur additional opportunity costs of time to complete the electronic registration relative to the costs of completing and filing the associated H–1B petition, the latter costs being unchanged from the current H–1B petitioning process. Conversely, those who complete registrations that are unselected because of excess demand (termed ''unselected registrant'' for purposes of this analysis) would experience cost savings relative to the current process, as they would no longer have to complete an entire H–1B cap-subject petition that ultimately does not get selected for USCIS processing and adjudication as done by current unselected petitioners.

To estimate the costs of the proposed registration requirement, DHS compared the current costs associated with the H–1B petition process to the anticipated costs imposed by the additional proposed registration requirement. DHS compared costs specifically for selected and unselected petitioners because the impact of the proposed registration requirement to each population is not the same. Current costs to selected petitioners are the sum of filing fees associated with each H–1B cap-subject petition and the opportunity cost of time to complete all associated forms. Current costs to unselected petitioners are only the opportunity cost of time to complete forms and cost to mail the petition since USCIS returns the H–1B cap-subject petition and filing fees to unselected petitioners.

Under the proposed requirement, the opportunity cost of time associated with required registration would be a cost to all petitioners (selected and unselected), but those whose registrations are not selected would be relieved from the opportunity cost associated with completing and mailing an entire H–1B cap-subject petition. Therefore, DHS estimates proposed costs of this rule to selected petitioners for completing an H–1B cap-subject petition as the sum of new registration costs and current costs. DHS estimates that the costs of this proposed rule to unselected petitioners would only result from the estimated opportunity costs associated with the registration requirement. Overall, unselected petitioners would experience a cost savings relative to the current H–1B cap-subject petitioning process; DHS estimates these cost savings by subtracting new registration costs from current costs of preparing an H–1B cap-subject petition. These estimated quantitative cost savings would be a benefit that would accrue to only those with registrations that were not selected.

Currently, for selected petitioners the aggregated total costs to complete an entire H–1B cap-subject petition ranges from $128.4 million to $161.1 million, depending on who petitioners use to prepare a petition. These current costs to complete and file an H–1B cap-subject petition are based on a 5 year petition volume average and may differ across sets of fiscal years. Current costs are not changing for selected petitioners as a result of this proposed registration requirement. Rather, this proposed registration requirement would add a new opportunity cost of time to selected petitioners who will continue to face current H–1B cap-subject petition costs. DHS estimates the added opportunity cost of time to selected petitioners under this proposed registration requirement would range from $6.2 million to $10.3 million, again depending on who petitioners use to submit a registration and prepare a petition. Therefore, under the proposed registration requirement, DHS estimates an adjusted total cost to complete an entire H–1B cap-subject petition would range from $134.7 million to $171.4 million. Since these petitioners already file Form I–129, only the registration costs of $6.2 million to $10.3 million are considered as new costs.

Unselected petitioners would experience an overall cost savings, despite new opportunity costs of time associated with the proposed registration requirement. Currently for unselected petitioners, the total cost associated with the H–1B process is $53.5 million to $85.6 million, depending on who petitioners use to prepare the petition. The difference between total current costs for selected and unselected petitioners in an annual filing period consists of fees returned to unselected petitioners. DHS estimates the total costs to unselected petitioners from the registration requirement would range from $6.2 million to $10.1 million. DHS estimates a cost savings occurs because under the proposed requirement unselected petitioners would avoid having to file an entire H–1B cap-subject petition and only have to submit a registration. Therefore, the difference between current costs and proposed costs for unselected petitioners would represent a cost savings ranging from $47.3 million to $75.5 million, again depending on who petitioners use to submit the registration.

The government would also benefit from the proposed registration provision by no longer having to receive, handle and return large numbers of petitions that are currently rejected because of excess demand (unselected petitions). These activities would save DHS an estimated $1.6 million annually.[18] USCIS would, however, have to expend a total of $279,149 in the development of the registration website in the first year after this proposed rule would become effective. In subsequent years, DHS would incur labor and maintenance costs of $200,000 per year. Over ten years, USCIS would incur maintenance costs of $2,079,149, resulting in an annualized amount of $225,269 discounted at 7 percent and $215,279 discounted at 3 percent, for that timeframe. Discounted over 10 years, this provision would result in costs to USCIS totaling $1.8 million based on a discount rate of 3 percent and $1.6 million based on a discount rate of 7 percent.

The net quantitative impact of this proposed registration requirement is an aggregate cost savings to petitioners and to government ranging from $42.4 million to $66.5 million annually. Using lower bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $424.8 million over ten years. Discounted over 10 years, these cost savings would be $373.2 million based on a discount rate of 3 percent and $319.2 million based on a discount rate of 7 percent. Using upper bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $666.4 million over ten years. Discounted over ten years, these cost savings would be $585.5 million based on a discount rate of 3 percent and $500.8 million based on a discount rate of 7 percent.

DHS notes that these overall cost savings result only in years when the demand for registrations and the subsequently filed petitions exceeds the number of available visas needed to meet the regular cap and advanced

[17] DHS notes that entities may submit multiple registrations which could result in a mix of selected and unselected outcomes. For the purpose of this analysis, the terms ''selected registrant'' and ''unselected registrant'' refer to the originator of a submission based on its outcome and should not be deemed a unilateral label for a single entity. Using this terminology it is possible for a single entity to experience impacts simultaneously as a selected registrant and as an unselected registrant.

[18] Although DHS does not estimate the impact of the proposed registration provision to DOL processes, DHS recognizes DOL may have some cost savings due to fewer LCA adjudications.

degree exemption allocation. For years where DHS has demand that is less than the number of available visas, this proposed registration requirement would result in costs. For this proposed rule to result in net quantitative cost savings, at least 110,182 petitions (registrations and subsequently filed petitions under the proposed rule) would need to be received by USCIS based on lower bound cost estimates. For upper bound cost estimates, USCIS would need to receive at least 111,137 registrations and subsequently filed petitions for this proposed rule to result in net quantitative cost savings.

The proposed change to the petition selection process would result in an estimated increase in the number of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education selected by 16 percent (or 5,340 workers). This increase could result in greater numbers of highly educated workers with degrees from U.S. institutions of higher education entering the U.S. workforce under the H–1B program. DHS recognizes there could be a wage differential across industries, but due to the variance in the composition of the beneficiaries subject to the cap and their associated differences in educational level, whether any advanced degrees are from U.S. or foreign institutions of higher education, and the location of the ultimate job opportunity, DHS cannot reliably estimate the impact on wages under this proposed rule. Under an assumption that the change to the petition selection process resulted in 5,000 workers with an average fully loaded wage of at least $20,000 transferring from one market or industry to the other, then the rule would meet the $100 million threshold for economic significance.

Table 3 provides a detailed summary of the proposed changes and their impacts.

TABLE 3—SUMMARY OF PROVISIONS AND IMPACTS

Current and proposed provisions	Expected cost of the proposed provision	Expected benefit of the proposed provision
Currently, all petitioners who file on behalf of an H–1B worker must complete and file H–1B cap-subject petitions along with a certified DOL Labor Condition Application (LCA). For selected petitioners, the total current cost to file and complete an entire H–1B cap-subject petition ranges from $128.4 million to $161.1 million. For unselected petitioners, the total current cost is $53.5 million to $85.6 million. DHS is proposing to require all petitioners who seek to hire a cap-subject H–1B worker to register for each prospective H–1B worker for whom they seek to file a cap-subject H–1B petition. Only those petitioners whose registrations are selected may proceed to complete and file an H–1B cap-subject petition.	Petitioners— • For current selected petitioners, the proposed rule would add an additional annual opportunity cost of time ranging from $6.2 million to $10.3 million, depending on who the petitioner uses to submit the registration. Therefore, the total costs of registering and completing and filing H–1B cap-subject petitions would range from $134.7 million to $171.4 million to this population annually, depending on the type of petition preparer. • For current unselected petitioners, the proposed rule would add an opportunity cost of time ranging from $6.2 million to $10.1 million to this population annually, depending on who the petitioner uses to submit the registration. Government— • The proposed rule would cost the government $279,149 in the first year to develop the registration Website. In subsequent years, USCIS would incur annual labor and maintenance costs of $200,000.	Petitioners— • Petitioners whose registrations are not selected would have cost savings that would range from $47.3 million to $75.5 million from no longer having to complete and file H–1B cap-subject petitions along with mailing costs despite new opportunity cost of time to submit registration. Government— • USCIS would save $1.6 million annually in processing and return shipping costs, as fewer petitions will be filed with USCIS based on registrations that were not selected.
Under the current H–1B selection process, if the regular cap and advanced degree exemption are reached during the first five business days that cap-subject petitions can be filed, USCIS randomly selects sufficient H–1B petitions to reach the H–1B 20,000 advanced degree exemption first. Then, USCIS randomly selects sufficient H–1B petitions from the remaining pool of beneficiaries, including those not selected in the advanced degree exemption to reach the H–1B 65,000 regular cap limit. USCIS rejects all remaining unselected H–1B cap-subject petitions. The proposed process would reverse the selection process so that USCIS would randomly select registrations for the H–1B regular cap first, including registrations for petitions eligible for the H–1B advanced degree exemption. Then USCIS would randomly select registrations for the H–1B advanced degree exemption.	Petitioners— • The proposed selection process could decrease the number of cap-subject H–1B petitions for beneficiaries with bachelor's degrees, advanced degrees from U.S. for-profit universities, or foreign advanced degrees by up to 5,340 workers. This potential decrease could result in some higher labor costs to petitioners assuming that beneficiaries with bachelor's degrees, advanced degrees from U.S. for-profit universities or foreign advanced degrees are paid less than and replaced by beneficiaries with master's degrees from U.S. institutions of higher education. • DHS does not anticipate, as a result of the new selection process, petitioning employers would suffer economic harm from the decreased probability of selecting H–1B petitions eligible only under regular cap.	Petitioners and Government— • The proposed selection process could increase the number of cap-subject H–1B petitions that are selected for beneficiaries with master's degrees or higher from U.S. institutions of higher education by an estimated 16 percent (or 5,340 workers) annually. DHS believes the increase in the number of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education would likely result in more highly educated workers entering the U.S. workforce.

As discussed previously in the preamble, this proposed rule would also allow for the H–1B regular cap and advanced degree exemption selections to take place in the event that the registration system is inoperable for any reason and needs to be suspended. If temporary suspension of the registration system is necessary, then the cost and benefits described in this analysis resulting from registration for the petitioners and government would not

apply during any period of temporary suspension. However, the proposed selection reversal process would still take place and are anticipated to yield a higher proportion of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education being selected.

2. Background and Purpose of the Proposed Rule

The H–1B program allows U.S. employers to temporarily employ foreign workers in occupations that require the theoretical and practical application of a body of highly specialized knowledge and a bachelor's degree or higher in the specific specialty or its equivalent.

As the preamble explains, Congress limits the number of H–1B visas to 65,000 new visas annually (''regular cap''), with certain exemptions including a limited exemption for beneficiaries who have earned a master's or higher degree from a U.S. institution of higher education.[19] The annual exemption from the 65,000 cap for H–1B beneficiaries who have earned a qualifying U.S. master's or higher degree is limited to 20,000 beneficiaries (''advanced degree exemption'').[20]

Currently, when an employer wants to hire an H–1B worker who is subject to the regular cap or advanced degree exemption, the petitioner must first obtain a certified Labor Condition Application (LCA) from the U.S. Department of Labor (DOL) and then complete and file a Petition for a Nonimmigrant Worker (Form I–129) with USCIS during the H–1B cap filing period. The first day on which petitioners may file H–1B petitions can be as early as 6 months ahead of the projected employment start date.[21] For example, a U.S. employer seeking an H–1B beneficiary for a job beginning October 1 (the first day of the next fiscal year) can file an H–1B petition no earlier than April 1 of the current fiscal year. Thus, an H–1B employer requesting a beneficiary for the first day of Fiscal Year (FY) 2020, October 1, 2019, would be allowed to file an H–1B petition as early as April 1, 2019. Therefore, the cap filing period begins on or shortly after April 1 each year and generally ends when USCIS has received enough petitions projected as needed to fill the H–1B numerical limitations.

Each year USCIS monitors the number of H–1B cap-subject petitions it receives at its service centers. When USCIS determines that it has received a sufficient number of petitions projected as needed to reach the H–1B allocations, it announces on its website the final receipt date on which petitioners may file an H–1B cap-subject petition for that fiscal year.[22] USCIS then may randomly select from the cap-subject petitions received on the final receipt date the number of petitions projected as needed to reach the H–1B allocations. If the final receipt date falls on any of the first five business days on which cap petitions may be filed, USCIS randomly selects the requisite number of petitions from among all petitions received on any of those five business days.[23] USCIS rejects all H–1B cap-subject petitions received after the final receipt date.[24]

Each year, to administer the H–1B cap and advanced degree exemption, USCIS expends resources towards opening and sorting mail, identifying properly filed petitions, and removing duplicate petitions before proceeding with the petition selection process. In years of high petition volume, these duties present operational challenges for USCIS, including greater labor needs and limited space at Service Centers where petitions are stored, sorted, and selected.

Once the petitions have been sorted and assigned a case identification number, if USCIS determines that a lottery should be conducted, USCIS randomly selects a certain number of H–1B cap-subject petitions projected as needed to meet the numerical limitation. USCIS makes projections on the number of H–1B cap-subject petitions necessary to meet the numerical limit, taking into account historical data related to approvals, denials, revocations, and other relevant factors.[25] USCIS uses these projections to determine the number of petitions to select to meet, but not exceed, the 65,000 regular cap and 20,000 advanced degree exemption, although the exact percentage and number of petitions may vary depending on the applicable projections for a particular fiscal year. USCIS begins the H–1B cap and advanced degree selection process by first randomly selecting petitions that will apply to the projections needed to reach the 20,000 advanced degree exemption.[26] Once the selection process for the 20,000 advanced degree exemption is complete, USCIS then randomly selects petitions that apply to the projections needed to reach the 65,000 regular cap limit. USCIS then rejects all remaining H–1B petitions and returns the petition and associated fees to the petitioners. For petitions selected during the selection process, USCIS enters petition information into its database and notifies the petitioner of their selection, which includes receipting and depositing associated petition fees.

3. Proposed Changes

DHS proposes to establish a mandatory electronic registration requirement that would address some of the current operational challenges associated with the H–1B cap-subject petition process. The electronic registration would commence before the H–1B cap filing season, which currently begins on April 1 each year (or the next business day if April 1 falls on Saturday, Sunday or a legal holiday). The proposed rule would require petitioners to create an account and electronically register through the USCIS website each prospective H–1B worker on whose behalf the petitioner seeks to file an H–1B cap-subject petition. DHS estimates that each unique account creation by a petitioner would take 0.17 hours and each electronic registration for a unique beneficiary would take 0.5 hours to complete.[27] DHS describes in further detail how the proposed electronic registration process would work in the preamble.

Only those with a selected registration would be eligible to submit an associated H–1B cap-subject petition on behalf of a cap-subject H–1B worker to USCIS. As described previously in the preamble, registrants would receive notification of selection and could then proceed to obtaining a certified LCA from DOL and afterward proceed to preparing and filing H–1B cap-subject petitions with USCIS. Those with registrations that are not selected would not have to complete and file H–1B cap-subject petitions for the H–1B cap-subject worker named in the unselected registration, as they would be ineligible to file an H–1B cap-subject petition for that beneficiary in that fiscal year.

[19] *See* INA section 214(g)(1) and (g)(5), 8 U.S.C. 1184(g)(1) and (g)(5).

[20] *Id.*

[21] *See* 8 CFR 214.2(h)(9)(i)(B).

[22] *See* 8 CFR 214.2(h)(8)(ii)(B).

[23] *Id.*

[24] *See* 8 CFR 214.2(h)(8)(ii)(D).

[25] *See* 8 CFR 214.2(h)(8)(ii)(B).

[26] *Id.*

[27] DHS assumes petitioners would not need to expend additional funds to procure computer equipment or acquire internet connections since DOL already requires employers to electronically file Labor Condition Applications (LCAs), and an approved LCA is a requisite for requesting an H–1B employee. This assumption was made in the 2011 proposed rule, ''Registration Requirement for Petitioners Seeking to File H–1B Petitions on Behalf of Aliens Subject to the Numerical Limitations'' and USCIS received no comments regarding this assumption.

Additionally, DHS is proposing to change the H–1B random selection process to provide more H–1B visas to beneficiaries with master's degrees or higher from U.S. institutions of higher education. DHS is proposing to change the H–1B selection process by first selecting H–1B registrations towards the projected number of petitions needed to meet the 65,000 regular cap limit, which would include all cap-subject beneficiaries, including those with a master's degree or higher from a U.S. institution of higher education. Then USCIS would select registrations that are eligible for the 20,000 advanced degree exemption, which are those with master's degrees or higher from U.S. institutions of higher education, towards the projected number needed to reach the advanced degree exemption. This proposed process would allow those petitions with beneficiaries who have a master's degree or higher from U.S. institutions of higher education a greater chance to be selected.

4. Population

The population impacted by this proposed rule includes those petitioners who file on behalf of H–1B cap-subject beneficiaries (*i.e.,* beneficiaries who would be subject to the regular cap, and beneficiaries on whose behalf an H–1B petition asserting an advanced degree exemption would be filed). These petitioning entities are typically referred to as H–1B petitioners in DHS regulations and in this preamble. When discussing the proposed registration requirements, DHS refers to this same population as both registrants and petitioners for purposes of this analysis. Those terms refer to the same petitioning entities in the H–1B process.

a. Estimated Population Impacted by Proposed Registration Requirement

In order to estimate the population impacted by the proposed registration requirement, DHS uses historical filing data of H–1B cap-subject petitioners. These petitioners complete and file Form I–129. Petitioners may also choose or be required to complete and file the following USCIS forms:

- Request for Premium Processing Service (Form I–907), if seeking expedited petition processing, and/or
- Notice of Entry of Appearance as Attorney or Accredited Representative (Form G–28), if the petition is completed and filed by a lawyer or accredited representative.

Table 4 shows historical filings of Form I–129 for H–1B cap-subject petitions.

TABLE 4—H–1B CAP-SUBJECT PETITIONS RECEIVED BY USCIS, FY 2013–2017

Fiscal year	Total number of H–1B Cap-subject petitions filed	Total number of selected petitions		
		Number of Forms I–129 petitions randomly selected	Number of petitions filed with Form I–907	Number of petitions filed with Form G–28
2013	124,130	98,318	24,731	72,959
2014	172,581	98,034	25,860	74,424
2015	232,973	97,714	26,502	71,959
2016	236,444	95,622	30,622	68,503
2017	198,460	96,301	12,324	78,517
5-year average	192,918	97,198	24,008	73,272

Source: Total Number of H–1B Cap-Subject Petitions Filed FY 2013–2017, USCIS Service Center Operations (SCOPS), June, 2017. Total Number of Selected Petitions data, USCIS Office of Performance and Qualify (OPQ), Performance Analysis and External Reporting (PAER), January 2018.

[a] Premium processing service was suspended during FY 17 until September. The FY 17 count for premium processing requests (12,324 Form I–907) does not reflect requests accepted initially with Form I–129 during the suspension, rather it reflects premium processing requests received after the suspension was lifted for any pending petitions. This is because from September onward, petitioners could submit premium processing requests for petitions with a pending status.

In FY 2017, USCIS received 198,460 H–1B petitions in the first five days that cap-subject petitions could be filed, a 16 percent [28] decline in H–1B cap-subject petitions from FY 2016. Though the receipt of H–1B cap-subject petitions fell in FY 2017, the petitions received still far exceeded the numerical limitations, continuing a trend of excess demand since FY 2010.[29] DHS uses the five-year average of H–1B cap-subject petitions received from FY 2013 to FY 2017 (192,918) as the estimate of H–1B cap-subject petitions that would be received annually. DHS uses the historical five-year average of 192,918 as seen in Table 4 as a reasonable proxy for the number of registrations that would be submitted in an annual filing period. DHS recognizes that the use of this historical average does not include the possibility that the registration's lower barrier to entry will result in an increase in the number of registrations. Currently, DHS does not have data to estimate the likelihood of that occurrence. However, as discussed previously, this proposed rule incorporates measures to minimize the number of petitioners who might try to flood the registration in order to increase the chances of their petition being selected. Nevertheless, if these mitigation measures are not fully successful, the estimates based on historical averages may underestimate the actual numbers of registrations, and thus underestimate the costs of the rule.

Table 4 also shows historical filings for Form I–907 and Form G–28 that accompanied selected H–1B cap-subject petitions. DHS uses this data to obtain the numbers of H–1B cap-subject petitions that are filed with a Form I–907 and/or Form G–28. DHS notes that these forms are not mutually exclusive. Based on the five-year average, DHS estimates 25 percent [30] of selected petitions would include Form I–907 and 75 percent [31] of selected petitions would include Form G–28. Based on operational resource considerations, USCIS has announced temporary suspensions of the premium processing

[28] Calculation: (236,444 FY16 H–1B cap-subject petitions − 198,460 FY17 H–1B cap-subject petitions)/236,444 Form I–129 petitions = 16 percent (rounded).

[29] For H–1B filing petitions data prior to FY 2013, *see* USCIS Reports and Studies, retrieved at *https://www.uscis.gov/tools/reports-studies/reports-and-studies.* Visited March 3, 2018.

[30] Calculation: 24,008 Form I–907/97,198 Form I–129 petitions = 25 percent (rounded).

[31] Calculation: 73,272 Forms G–28/97,198 Form I–129 petitions = 75 percent (rounded).

service in the past.[32] For the purposes of this analysis, DHS assumes that Form I–907 would not be suspended and includes eligibility for petitioners to voluntarily incur such costs in both the baseline and proposed costs analysis.

Table 5 summarizes the population under the current filing process for selected petitions versus unselected petitions because the impact of the proposed registration requirement is not the same for selected and unselected petitioners. DHS estimates 95,720 unselected petitions by subtracting selected petitions from the total petitions filed .[33] DHS also distinguishes the number of petitions with premium processing fees (Form I–907) and the number of petitions filed by a lawyer or other accredited representative (Form G–28). Historical filings for Form I–907 and Form G–28 that accompanied selected petitions were estimated to be 25 percent and 75 percent respectively. DHS reasonably applies those percentages to the number of total petitions and estimates 47,651[34] Form I–907 and 145,431[35] Form G–28 were submitted with total petitions filed. Since DHS uses the five-year average of total petitions received (192,918) as the estimate of petitions that would be received annually, DHS also assumes the five-year average of Form I–907 (24,008) and Form G–28 (73,272) that accompany selected petitions is a reasonable annual estimate for each form. For unselected petitions, DHS estimates 23,643[36] Form I–907 and 72,158[37] Form G–28 by subtracting the estimated selected petitions from estimated total petitions.

TABLE 5—ANNUAL POPULATION OF THE H–1B FILING PROCESS

[Based on 5 year average]

Petitions	Total petitions filed	Selected petitions	Unselected petitions
Registrations—Not Applicable			
Form I–129	192,918	97,198	95,720
Form I–907	47,651	24,008	23,643
Form G–28	145,431	73,272	72,158

Source: USCIS analysis.

TABLE 6—ESTIMATED ANNUAL POPULATION UNDER THE PROPOSED REGISTRATION REQUIREMENT

	Total registrations filed	Selected registrations	Unselected registrations
Registrations			
	192,918	97,198	95,720
Petitions	Total forms filed	Selected petitions	Unselected petitions
Form I–129	97,198	97,198	0
Form I–907	24,008	24,008	0
Form G–28 *	73,272	73,272	0

Source: USCIS analysis.

* Refers specifically to Form G–28 submitted with a Form I–129 petition. DHS notes that under the proposed registration requirement, accredited representatives would be required to upload Form G–28 during registration and provides more detail later on in this analysis.

Table 6 presents populations DHS anticipates for the proposed registration process based on comparable historical data from Table 5. DHS assumes the historical five-year average of 192,918 as seen in Table 5 as a reasonable estimate for the number of total registrations that would be submitted in an annual filing period.[38] DHS also assumes that the historical five-year averages of selected and unselected petitions would be a reasonable estimate for the total number of registrations that are selected and not selected.

DHS estimates that 192,918 H–1B cap-subject registrations would be submitted annually and USCIS would select 97,198 registrations. Those with selected registrations would then be eligible to file, during an associated filing period, the H–1B cap-subject petition on behalf of the specific beneficiary named in the selected registration for that fiscal year. Therefore, DHS assumes under the proposed registration process, 97,198 petitions would result from the 97,198 selected registrants. Of the petitions resulting from selected registrations, DHS anticipates 24,008 (25 percent) petitions would include premium processing (Form I–907) and 73,272 (75 percent) petitions would include

[32] DHS notes USCIS temporarily suspended premium processing of all H–1B petitions on March 20, 2018. USCIS News Releases. ''USCIS Will Temporarily Suspend Premium Processing for Fiscal Year 2019 H–1B Cap Petitions.'' March 3, 2017. *https://www.uscis.gov/news/alerts/uscis-will-temporarily-suspend-premium-processing-fiscal-year-2019-h-1b-cap-petitions.* Visited April 13, 2018.

[33] Calculation: 192,918 total petitions filed − 97,198 selected petitions = 95,720 unselected petitions.

[34] Calculation: 192,918 * 25 percent = 47,651 Form I–907.

[35] Calculation: 192,918 * 75 percent = 145,431 Form G–28.

[36] Calculation: 47,651 Forms I − 907– 24,008 Forms I–907 = 23,643 Forms I–907 received with unselected petitions.

[37] Calculation: 145,431 Forms G–28 − 73,272 Forms G–28 = 72,158 Forms G–28 received with unselected petitions.

[38] DHS acknowledges the possibility that certain employers who currently decide against filing an H–1B petition may choose to file a registration under the proposal since the cost is much less. However, at this time DHS is not able to forecast this scenario with statistical validity. Therefore, for this purpose of this analysis DHS has estimated the registration population that would parallel the current petitioner population.

representation by a lawyer or accredited representative (Form G–28).[39] Those registrants who are not selected would not be eligible to file an H–1B cap-subject petition and therefore DHS does not estimate any petition volume for unselected registrations under the proposed registration requirement. DHS welcomes any public comments on the estimates provided for the registration or the methodology used to derive these estimates.

b. Estimated Population Impacted by the Proposed Selection Process

i. Selected Advanced Degree Exemption Petitions in the Current Selection Process

As discussed in section 4, DHS uses historical filing data of H–1B cap-subject petitions to estimate future registration populations. Table 7 shows historical filing data for H–1B cap-subject petitions categorized by regular cap and advanced degree exemption receipts. USCIS received an annual average of 192,918 H–1B cap-subject petitions. DHS calculates 71 percent[40] of petitions (137,017) were filed under the regular cap and 29 percent[41] of petitions (55,900) were filed under the advanced degree exemption. Therefore, DHS estimates that USCIS would receive a total of 192,918 registrations annually consisting of 137,017 registrations under the regular cap and 55,900 registrations under the advanced degree exemption.

TABLE 7—H–1B PETITIONS RECEIVED BY REGULAR CAP AND ADVANCED DEGREE EXEMPTION

[FY 2013–2017]

Fiscal year	Number of all petitions filed	Number of petitions received (regular cap)	Number of petitions received (advanced degree exemption)
2013	124,130	93,489	30,641
2014	172,581	132,063	40,518
2015	232,973	182,249	50,724
2016	236,444	166,206	70,238
2017	198,460	111,080	87,380
5-year average	192,918	137,017	55,900

Source: USCIS Service Center Operations (SCOPS), June, 2017.

Additionally, DHS uses 55,900 petitions in this analysis as a volume estimate of beneficiaries who have a master's degree or higher from a U.S. institution of higher education. Anecdotal evidence suggests that very few petitions do not align with the education requirements of the H–1B regular cap or advanced degree exemption under which the petition was submitted.

Under the current process, when the number of cap-subject petitions filed with USCIS during the first five days that such petitions may be filed exceeds the numerical limits, a certain number of petitions projected as needed to meet the 20,000 advanced degree exemption are randomly selected first from the 55,900 advanced degree petitions eligible for the advanced degree exemption.[42] Of the remaining 172,918 petitions, 35,900 (21 percent) of H–1B beneficiaries with a master's degree or higher from a U.S. institution of higher education remain in the pool to be selected in the 65,000 regular cap limit.[43] Then, USCIS randomly selects a certain number of petitions projected as needed to meet the 65,000 regular cap limit from the remaining pool, which includes H–1B beneficiaries with bachelor's degrees and beneficiaries with a master's or higher degree from a U.S. institution of higher education not selected under the advanced degree exemption. DHS estimates that an additional 13,495 petitions otherwise eligible for the advanced degree exemption but not selected under the advanced degree exemption would be randomly selected in the regular cap.[44] Therefore, USCIS currently selects an estimated total of 33,495 petitions filed for beneficiaries with a master's or higher degree from a U.S. institution of higher education, which accounts for 17 percent of the 192,918 Form I–129 petitions.[45]

ii. Selected Advanced Degree Exemption Petitions in the Proposed Selection Process

Under the proposed change to the H–1B cap-subject selection process, those seeking to file an H–1B cap-subject petition would have to submit an electronic registration for each beneficiary. Only those with selected registrations would be eligible to file an H–1B cap-subject petition during an associated filing period for that fiscal year. As previously stated, DHS continues to assume 192,918 registrations would be received annually. Under the proposed selection process, USCIS would first select a certain number of registrations projected as needed to meet the 65,000 regular cap limit from the 192,918 registrations. All 55,900 H–1B beneficiaries with a master's or higher degree from a U.S. institution of higher education (29 percent) would therefore be included in the pool for selection. DHS estimates that up to 18,835 advanced degree

[39] Based on the five-year averages from Table 4, DHS estimates 24 percent of selected petitions would include Form I–907 and 76 percent of selected petitions would include Form G–28.

[40] Calculation: 137,017 regular/192,918 Form I–129 petitions * 100 = 71 percent (rounded).

[41] Calculation: 55,900 advanced degree/192,918 Form I–129 petitions * 100 = 29 percent (rounded).

[42] DHS uses the mandated numerical limitations (65,000 for regular cap and 20,000 for advanced degree exemption) to demonstrate the statistical validity in the descriptions of selected advanced degree petitions in the current and proposed selection process.

[43] Calculation: 192,918 Form I–129 H–1B cap-subject petitions − 20,000 advanced degree = 172,918 advanced degree and regular; Calculation: 55,900 advanced degree − 20,000 advanced degree = 35,900 advanced degree; Calculation: 35,900 advanced degree/172,918 Form I–129 H–1B cap-subject petitions * 100 = 21 percent (rounded).

[44] Calculation: 65,000 regular cap limit * 21 percent = 13,495 advanced degree petitions.

[45] Calculation: 33,495 advanced degree/192,918 Form I–129 H–1B cap-subject petitions * 100 = 17 percent (rounded).

registrations could be selected during the selection for the regular cap.[46]

Next, USCIS would select a certain number of registrations projected to meet the 20,000 advanced degree exemption from the remaining pool of 37,065 advanced degree registrations.[47] In total, USCIS would select an estimated 38,835 registrations for petitioners seeking to file H–1B petitions under the advanced degree exemption.[48] These registrations would account for 20 percent of the 192,918 registrations.[49] Therefore, DHS estimates USCIS could accept up to 5,340 (or 16 percent) [50] more H–1B cap-subject petitions annually for beneficiaries with a master's or higher degree from a U.S. institution of higher education.[51]

DHS welcomes any public comments on the estimates provided for the numbers of randomly selected registrations for petitioners seeking to file petitions that may be counted under the regular cap and the advanced degree exemption under this proposed rule.

5. Costs

DHS estimates costs specifically for selected and unselected petitioners between the current H–1B petition process and the proposed registration environment because the impact for each population is different. Current costs to selected petitioners are an aggregate of filing fees associated with each H–1B cap-subject petition, mailing cost, and the opportunity cost of time to complete all associated forms. Current costs to unselected petitioners are just the opportunity cost of time to complete forms and mail the petition since USCIS returns the H–1B cap-subject petition and filing fees to unselected petitioners. The only difference between total current costs for selected and unselected petitioners in an annual filing period consists of fees returned to unselected petitioners.

The proposed registration requirement would pose additional opportunity costs of time to all petitioners to complete the required registration, but relieve petitioners with unselected registrations from the opportunity cost associated with completing an entire H–1B cap-subject petition. Therefore petitioners with selected registrations would face an additional cost and petitioners with unselected registrations would experience cost savings. Specifically, petitioners with selected registrations would face an additional opportunity cost of time to complete the required registration, as well as the current filing fees and opportunity costs of time to complete and file H–1B cap-subject petitions. Petitioners with unselected registrations would only experience the opportunity cost of time to complete the required registration.

The government would incur costs associated with developing and maintaining the electronic registration system on its website. Petitioners may also incur costs associated with the registration selection process that would increase the number of H–1B beneficiaries with a master's or higher degree from a U.S. institution of higher education in the form of higher salaries that might be paid to beneficiaries with advanced degrees from a U.S. institution of higher education. In order to determine the costs and cost savings of this proposed rule, DHS first estimates the current costs of completing and filing an H–1B petition.

a. Current Costs To Complete and File Form I–129 Petitions

Currently, an employer seeking to file a petition on behalf of an H–1B worker must complete and file Form I–129. Form I–129 is estimated to take 2.26 hours to complete per petition and includes a filing fee of $460.[52] Filing the Form I–129 petition includes the H Classification supplement and the H–1B and H–1B1 Data Collection and Filing Fee Exemption Supplement, which are estimated to take 2 hours and 1 hour per supplement to complete, respectively. Therefore, it is estimated to take a total of 5.26 hours to complete and file Form I–129. Petitioners may also choose or be required to complete the following forms:

- Form I–907 is estimated to take 0.5 hours to complete with a filing fee of $1,225, and/or
- Form G–28 is estimated to take 0.88 hours to complete and does not have a fee.

In order to estimate the opportunity costs of time in completing and filing Form I–129, and if necessary, Form I–907 or Form G–28, DHS assumes that a petitioner will use a human resources (HR) specialist, an in-house lawyer, or an outsourced lawyer to prepare Form I–129 petitions.[53] DHS uses the historical filings of Forms I–907 and Forms G–28 submitted with H–1B petitions to estimate the distribution of form submissions amongst type of petition preparer.

In section 4 of this analysis, DHS estimates that 75 percent of H–1B petitions were completed and filed by lawyers or other accredited representatives based on the submissions of Forms G–28. Table 5 presents the total number of Form G–28 accompanying total petitions, selected petitions and unselected petitions. DHS reasonably assumes the total number of Form G–28 represents the number of H–1B petitions that were completed and filed by lawyers or other accredited representatives and presents this in Table 8. DHS estimates the remaining petitions are completed and filed by HR specialists or other equivalent occupation. DHS estimates of total petitions filed, 47,487 [54] petitions were filed by HR specialists or other equivalent occupation. Of selected petitions, DHS estimates 23,926 [55] petitions were filed by HR specialists or other equivalent occupation. Of unselected petitions, DHS estimates 23,562 [56] petitions were filed by HR specialists or other equivalent occupation. Table 8 summarizes the estimated population of H–1B petition submissions based on the type of petition preparer.

[46] Calculation: 65,000 regular cap limit * 29 percent = 18,835 advanced degree petitions.

[47] Calculation: 55,900 advanced degree − 18,835 advanced degree = 37,065 advanced degree.

[48] Calculation: 18,835 selected advanced degree petitions + 20,000 advanced degree petitions = 38,835 total advanced degree petitions selected.

[49] Calculation: 38,835 advanced degree petitions/192,918 registrations = 20 percent (rounded).

[50] Calculation: (38,835 (proposed advanced degree petitions) − 33,495 (current advanced degree petitions))/33,495 (current advanced degree petitions) * 100 = 16 percent.

[51] Calculation: 38,835 proposed advanced degree petitions − 33,495 current advanced degree petitions = 5,340 additional petitions.

[52] DHS recognizes there are other fees associated with an H–1B petition, such as the ACWIA Fee, the Fraud Fee and Public Law 114–113 fee. These fees generally vary depending on the size of the petitioning entity. Therefore, DHS has not specifically included these fees in the calculations of H–1B cap-subject petitions though DHS acknowledges these fees are statutorily required.

[53] USCIS limited its analysis to HR specialists, in-house lawyers, and outsourced lawyers to present estimated costs. However, USCIS understands that not all entities employ individuals with these occupations and, therefore, recognizes equivalent occupations may also prepare and file these petitions.

[54] Calculation: 192,918 − 145,431 = 47,487 petitions prepared by HR specialists.

[55] Calculation: 97,198 − 73,272 = 23,926 selected petitions prepared by HR specialists.

[56] Calculation: 95,720 − 72,158 = 23,562 unselected petitions prepared by HR specialists.

TABLE 8—SUMMARY OF THE POPULATION OF H–1B PETITION SUBMISSIONS BASED ON PREPARER TYPE

Type of preparer	Total filed	Selected petitions	Unselected petitions
All H–1B petitions	192,918	97,198	95,720
H–1B petitions filed by lawyers or accredited representatives	145,431	73,272	72,158
H–1B petitions filed by HR specialists or other equivalent occupation	47,487	23,926	23,562

Source: USCIS analysis.

The relevant wage is currently $31.84[57] per hour for an HR specialist and $68.22[58] per hour for an in-house lawyer. DHS accounts for worker benefits when estimating the opportunity cost of time by calculating a benefits-to-wage multiplier using the Department of Labor, BLS report detailing the average employer costs for employee compensation for all civilian workers in major occupational groups and industries. DHS estimates that the benefits-to-wage multiplier is 1.46 and, therefore, is able to estimate the full opportunity cost per applicant, including employee wages and salaries and the full cost of benefits such as paid leave, insurance, and retirement.[59] DHS multiplied the average hourly U.S. wage rate for HR specialists and lawyers by 1.46 to account for the full cost of employee benefits, for a total of $46.49[60] per hour for an HR specialist and $99.60[61] per hour for an in-house lawyer. DHS recognizes that a firm may choose, but is not required, to outsource the preparation of these petitions and, therefore, has presented two wage rates for lawyers. To determine the full opportunity costs if a firm hired an outsourced lawyer, DHS multiplied the average hourly U.S. wage rate for lawyers by 2.5 for a total of $170.55[62] to approximate an hourly billing rate for an outsourced lawyer.[63] DHS requests comment on the estimated hourly billing rate for an outsourced lawyer and any supporting data that can be provided for the estimate.

Based on the time burden and relevant wages, the total opportunity costs of time to complete Form I–129 is $244.52 per petition[64] and for Form I–907 is $23.24[65] per petition if an HR specialist files. Although USCIS only requires petitioners to file Form I–129 and supplemental forms on behalf of an H–1B worker, DHS includes the opportunity cost of time for Form I–907 since some petitioners may file for premium processing. The opportunity cost of time for an in-house lawyer to complete Form I–129 is $523.90,[66] Form I–907 is $49.80,[67] and Form G–28 is $87.65.[68] The opportunity cost of time for an outsourced lawyer to complete Form I–129 is $897.09,[69] Form I–907 is $85.28,[70] and Form G–28 is $150.08.[71] DHS assumes that only Form I–129 petitions completed by in-house lawyers and outsourced lawyers would also complete Form G–28.

Based on the calculated opportunity costs of time, the total cost to complete and file Form I–129 is $704.52[72] and Form I–907 is $1,248.24[73] if an HR specialist files. The total cost to complete and file Form I–129 is $983.90,[74] Form I–907 is $1,274.80,[75] and Form G–28 is $87.65 if an in-house lawyer files. The total cost to complete and file Form I–129 is $1,357.09,[76] Form I–907 is $1,310.28,[77] and Form G–28 is $150.08 if an outsourced lawyer files.

As seen in Table 8, DHS estimates that 75 percent of selected petitions (73,272) were completed and filed by lawyers or other accredited representatives from the submitted Forms G–28. DHS assumes the remaining petitions (23,926 or 25 percent) are completed and filed by HR specialists. In order to determine the distribution of Forms I–907 among types of petition preparer, DHS uses historical filing data of Form I–907 submitted with H–1B petitions to estimate the number of Forms I–907 that are completed by HR specialists or lawyers.

Table 9 shows the number of Forms I–907 received with selected H–1B cap-subject petitions from fiscal years 2013 to 2017 categorized by accompaniment of a Form G–28. As previously stated, DHS assumes that only in-house lawyers and outsourced lawyers would complete Form G–28. Therefore, Form I–907 petitions received with a Form G–28 are assumed to be completed by a lawyer. Table 9 shows that among selected petitions over the last 5 years, 21,401 Forms I–907 (89 percent)[78] have been completed and filed by lawyers

[57] Bureau of Labor Statistics, U.S. Department of Labor, ''Occupational Employment Statistics, May 2017, Human Resources Specialist'': *https://www.bls.gov/oes/2017/may/oes131071.htm.* Visited April 13, 2018.

[58] Bureau of Labor Statistics, U.S. Department of Labor, ''Occupational Employment Statistics, May 2017, Lawyers'': *https://www.bls.gov/oes/2017/may/oes231011.htm.* Visited April 13, 2018.

[59] The benefits-to-wage multiplier is calculated as follows: (Total Employee Compensation per hour)/(Wages and Salaries per hour). *See* Economic News Release, U.S. Dep't of Labor, Bureau of Labor Statistics, Table 1. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group (December 2017), available at *https://www.bls.gov/news.release/archives/ecec_03202018.pdf* (viewed April 2018). The ECEC measures the average cost to employers for wages and salaries and benefits per employee hour worked.

[60] Calculation: $31.84 * 1.46 = $46.49 total wage rate for HR specialist.

[61] Calculation: $68.22 * 1.46 = $99.60 total wage rate for in-house lawyer.

[62] Calculation: $68.22 * 2.5 = $170.55 total wage rate for an outsourced lawyer.

[63] The DHS analysis in, ''Exercise of Time-Limited Authority To Increase the Fiscal Year 2018 Numerical Limitation for the H–2B Temporary Nonagricultural Worker Program'' (May 31, 2018), available at *https://www.federalregister.gov/documents/2018/05/31/2018-11732/exercise-of-time-limited-authority-to-increase-the-fiscal-year-2018-numerical-limitation-for-the,* used a multiplier of 2.5 to convert in-house attorney wages to the cost of outsourced attorney wages. DHS believes the methodology used in the Final Small Entity Impact Analysis remains sound for using 2.5 as a multiplier for outsourced labor wages in this rule.

[64] Calculation: $46.49 (HR wage) * 5.26 hours (time to complete Form I–129) = $244.52.

[65] Calculation: $46.49 (HR wage) * 0.5 hour (time to complete Form I–907) = $23.24.

[66] Calculation: $99.60 (in-house lawyer wage) * 5.26 hours (time to complete Form I–129) = $523.90.

[67] Calculation: $99.60 (in-house lawyer wage) * 0.5 hour (time to complete Form I–907) = $49.80.

[68] Calculation: $99.60 (in-house lawyer wage) * 0.88 hour (time to complete Form G–28) = $87.65.

[69] Calculation: $170.55 (outsourced lawyer wage) * 5.26 hours (time to complete Form I–129) = $897.09.

[70] Calculation: $170.55 (outsourced lawyer wage) * 0.5 hour (time to complete Form I–907) = $85.28.

[71] Calculation: $170.55 (outsourced lawyer wage) * 0.88 hour (time to complete Form G–28) = $150.08.

[72] Calculation: $244.52 opportunity cost + $460 Form I–129 filing fee = $704.52 total cost per Form I–129 if filed by an HR specialist.

[73] Calculation: $23.24 opportunity cost + $1,225 Form I–907 filing fee = $1,248.24 total cost per Form I–907 if filed by an HR specialist.

[74] Calculation: $523.90 opportunity cost + $460 filing fee = $983.90 total cost per Form I–129 if filed by an in-house lawyer.

[75] Calculation: $49.80 opportunity cost + $1,225 filing fee = $1,274.80 total cost per Form I–907 if filed by an in-house lawyer.

[76] Calculation: $897.09 opportunity cost + $460 = $1,357.09 total cost per Form I–129 if filed by an outsourced lawyer.

[77] Calculation: $85.28 opportunity cost + $1,225 = $1,310.28 total cost per Form I–907 if filed by an outsourced lawyer.

[78] Calculation: 21,401 petitions received with a Form I–907 and a Form G–28/24,008 Total Forms I–907 = 89 percent (rounded).

and 2,606 Forms I–907 (11 percent) [79] have not. Therefore, DHS estimates that 89 percent of Forms I–907 would be completed by lawyers and 11 percent would be completed by HR specialists for this analysis.

TABLE 9—NUMBER OF H–1B PETITIONS RECEIVED FOR PREMIUM PROCESSING (FORM I–907) FILED BY A LAWYER OR ACCREDITED REPRESENTATIVE (FORM G–28)

[FY 2013–2017]

Fiscal year	Number of Forms I–907 received without a Form G–28	Number of Forms I–907 received with a Form G–28	Total Forms I–907 received with selected H–1B Cap-Subject Petitions
2013	2,903	21,828	24,731
2014	2,800	23,060	25,860
2015	2,653	23,849	26,502
2016	3,652	26,970	30,622
2017	1,024	11,300	12,324
5-year average	2,606	21,401	24,008

Source: USCIS Office of Performance and Qualify (OPQ), Performance Analysis and External Reporting (PAER), January 2018.

For selected and unselected petitions, DHS presents costs by type of petition preparer. DHS estimates HR specialists would file 25 percent of Form I–129 H–1B petitions and 11 percent of Forms I–907. Since DHS uses two wages for lawyers, DHS presents these costs as if all in-house lawyers filed or all outsourced lawyers filed 75 percent of Form I–129 H–1B petitions and 89 percent of Forms I–907 (along with Form G–28). In reality, the costs estimated for lawyers are likely to be some distribution of the two ranges presented. To present total costs for an annual filing period, DHS aggregates HR specialist costs and lawyer costs, using in-house lawyer costs for a lower bound and outsourced lawyers as an upper bound.

i. Current Costs to Selected Petitioners

Table 10 shows the current total cost of filed petitions that were selected during the H–1B cap-subject selection process by type of petition preparer. To calculate mailing costs, DHS uses the shipping prices of United States Postal Service (USPS) Domestic Priority Mail Express Flat Rate Envelopes, which is currently priced at $25.80 per envelope.[80]

Under current procedures for H–1B cap-subject petitions, DHS estimates cost to complete and file selected Form I–129 H–1B cap-subject petitions prepared by HR specialists is $16.9 million,[81] Form I–907 is $3.3 million,[82] and mailing cost is $617,280 [83] (an aggregate $20.7 million). Similarly, DHS estimates the cost to complete and file selected Form I–129 H–1B cap-subject petitions prepared by in-house lawyers is $72.1 million,[84] Form I–907 is $27.2 million,[85] Form G–28 is $6.4 million,[86] and mailing cost is $1.9 million [87] (an aggregate $107.6 million). If prepared by an outsourced lawyer, DHS estimates the cost to complete and file selected Form I–129 H–1B cap-subject petitions is $99.4 million,[88] Form I–907 is $28.0 million,[89] Form G–28 is $11.0 million,[90] and mailing cost is $1.9 million [91] (an aggregate $140.3 million).

TABLE 10—ESTIMATED ANNUAL COSTS TO SELECTED PETITIONERS UNDER CURRENT H–1B CAP-SUBJECT PROCEDURE BY PREPARER TYPE

[Includes opportunity cost of time and filing fees]

	HR specialist	In-house lawyer	Outsourced lawyer
Form I–129	$16,856,064	$72,092,714	$99,437,241
Form I–907	3,252,913	27,281,995	28,041,302
Form G–28	.....	6,422,326	10,996,722
Mailing Cost	617,280	1,890,428	1,890,428

[79] Calculation: 2,606 petitions received with a Form I–907 and without a Form G–28/24,008 Total Forms I–907 = 11 percent (rounded).

[80] For the purposes of this analysis, we assume that petitioners would use the USPS ''Domestic Priority Mail Express Flat Rate Envelope'' shipping at the retail price to ensure delivery of Form I–129 petitions to USCIS. USCIS also assumes that the petition weighs five pounds and ships locally or in zone 1 or 2. However, USCIS acknowledges that a petitioner may choose other means of shipping. U.S. Postal Service, Price List: *https://pe.usps.com/text/dmm300/Notice123.htm#_c011*. Visited February 23, 2018.

[81] Calculation: 23,926 Forms I–129 filed by HR specialists * $704.52 total cost per petition = $ $16,856,064 (rounded).

[82] Calculation: 2,606 Forms I–907 (11 percent of 24,008 Forms I–907) * $1,248.24 total cost per Form I–907 = $3,252,913 (rounded).

[83] Calculation: 23,926 Forms I–129 filed by HR specialists * $25.80 mailing cost = $617,280 (rounded).

[84] Calculation: 73,272 Forms I–129 filed by lawyers * $983.90 total cost if filed by an in-house lawyer = $72,092,714 (rounded).

[85] Calculation: 21,401 Forms I–907 (89 percent of 24,008 Forms I–907) * $1,274.80 total cost if filed by an in-house lawyer = $27,281,995 (rounded).

[86] Calculation: 73,272 Forms G–28 filed by lawyers * $87.65 cost if filed by an in-house lawyer = $6,422,326 (rounded).

[87] Calculation: 73,272 Forms I–129 filed by lawyers * $25.80 mailing cost = $1,890,428 (rounded).

[88] Calculation: 73,272 Forms I–129 filed by lawyers * $1,357.09 total cost if filed by an outsourced lawyer = $99,437,241 (rounded).

[89] Calculation: 21,401 Forms I–907 (89 percent of 24,008 Forms I–907) * $1,310.28 total cost if filed by an outsourced lawyer = $28,041,302 (rounded).

[90] Calculation: 73,272 Forms G–28 filed by lawyers * $150.08 cost if filed by an outsourced lawyer = $10,996,722 (rounded).

[91] Calculation: 73,272 Forms I–129 filed by lawyers * $25.80 mailing cost = $1,890,428 (rounded).

TABLE 10—ESTIMATED ANNUAL COSTS TO SELECTED PETITIONERS UNDER CURRENT H–1B CAP-SUBJECT PROCEDURE BY PREPARER TYPE—Continued

[Includes opportunity cost of time and filing fees]

	HR specialist	In-house lawyer	Outsourced lawyer
Cost	20,726,257	107,687,463	140,365,693

Source: USCIS analysis.

ii. Current Costs to Unselected Petitioners

Table 11 shows the estimated costs for the H–1B petitioners whose cap-subject petitions are not selected for adjudication under current procedures for H–1B cap-subject petitions. The fees for these unselected petitions are returned to petitioners and, therefore, petitioners with unselected petitions incur costs only in the opportunity costs of time for completing the appropriate forms and mailing costs for those cap-subject petitions that were not selected. From Table 8 of this analysis, DHS estimates that 72,158 unselected Form I–129 H–1B cap-subject petitions were completed and filed by lawyers or other accredited representatives from the submitted Forms G–28. As seen in Table 8, DHS assumes the remaining H–1B cap-subject petitions (23,562) are completed and filed by HR specialists. DHS also estimates in Table 5 that 23,643 Forms I–907 were filed with H–1B cap-subject petitions that were not selected. USCIS continues to assume of Forms I–907 that were filed with H–1B cap-subject petitions that were not selected 89 percent are completed by lawyers and 11 percent are completed by HR specialists.

DHS estimates the annual cost to complete unselected Form I–129 H–1B cap-subject petitions prepared by HR specialists is $5.8 million,[92] Forms I–907 is $60,447,[93] and mailing costs is $607,900 [94] (an aggregate $6.4 million). DHS estimates the annual cost to complete unselected Form I–129 H–1B cap-subject petitions prepared by in-house lawyers is $37.8 million,[95] Form I–907 is $1 million,[96] Form G–28 is $6.3 million,[97] and mailing costs is $1.9 million [98] (an aggregate $47.0 million). If prepared by an outsourced lawyer, DHS estimates the annual cost to complete unselected Form I–129 H–1B cap-subject petitions is $64.7 million,[99] Form I–907 is $1.8 million,[100] Form G–28 is $10.8 million,[101] and mailing costs is $1.9 million [102] (an aggregate $79 million).

TABLE 11—ESTIMATED ANNUAL COSTS TO UNSELECTED PETITIONERS UNDER CURRENT H–1B CAP-SUBJECT PROCEDURE BY PREPARER TYPE

[Includes opportunity cost of time and excludes filing fees]

	HR specialist	In-house lawyer	Outsourced lawyer
Form I–129	$5,761,380	$37,803,576	$64,732,220
Form I–907	60,447	1,047,892	1,794,462
Form G–28	.....	6,324,649	10,829,473
Mailing Cost	607,900	1,861,676	1,861,676
Cost	6,429,727	47,037,793	79,217,831

Source: USCIS analysis.

iii. Total Current Costs for Selected and Unselected Petitioners in an Annual Filing Period

As discussed in Table 8 of this analysis, DHS estimates the distribution of HR specialists and lawyers based on historical filings. DHS estimates that 75 percent of H–1B petitions are prepared by lawyers or other accredited representatives, and 25 percent are completed and prepared by HR specialists or other equivalent occupation. Therefore in order to present total costs for an annual filing period, DHS aggregates HR specialist costs and lawyer costs. Since DHS uses two wages for lawyers, DHS presents lawyer costs as if all in-house lawyers filed or all outsourced lawyers filed. DHS assumes a reasonable lower bound estimate for annual filing costs would be HR specialist costs added with in-house lawyers. Similarly, DHS assumes an upper bound estimate for annual filing costs would be reasonably estimated by combining HR specialist costs added with outsourced lawyers. These lower and upper bound estimates reflect the range of total current petitioner costs associated with H–1B cap-subject process in an annual filing period.

Table 12 summarizes the estimated lower bound and upper bound for selected petitioners and unselected petitioners in an annual filing period.

[92] Calculation: 23,562 Forms I–129 filed by HR specialists * $244.52 opportunity cost = $5,761,380 (rounded).

[93] Calculation: 2,601 Forms I–907 (11 percent of 23,643 Forms I–907) * $23.24 opportunity cost = $60,447 (rounded).

[94] Calculation: 23,562 Forms I–129 filed by HR specialists * $25.80 mailing cost = $607,900 (rounded).

[95] Calculation: 72,158 Forms I–129 filed by lawyers * $523.90 opportunity cost if filed by an in-house lawyer = $37,803,576 (rounded).

[96] Calculation: 21,042 Forms I–907 (89 percent of 23,643 Forms I–907) * $49.80 opportunity cost if filed by an in-house lawyer = $1,047,892 (rounded).

[97] Calculation: 72,158 Forms G–28 filed by lawyers * $87.65 opportunity cost if filed by an in-house lawyer = $6,324,649 (rounded).

[98] Calculation: 72,158 Forms I–129 filed by lawyers * $25.80 mailing cost = $1,861,676 (rounded).

[99] Calculation: 72,158 Forms I–129 filed by lawyers * $897.09 opportunity cost if filed by an outsourced lawyer = $64,732,220 (rounded).

[100] Calculation: 21,042 Forms I–907 (89 percent of 23,643 Forms I–907) * $85.28 opportunity cost if filed by an outsourced lawyer = $1,794,462 (rounded).

[101] Calculation: 72,158 Forms G–28 filed by lawyers * $150.08 opportunity cost if filed by an outsourced lawyer = $10,829,473 (rounded).

[102] Calculation: 72,158 Forms I–129 filed by lawyers * $25.80 mailing cost = $1,861,676 (rounded).

TABLE 12—ESTIMATED COSTS FOR ALL (SELECTED AND UNSELECTED) PETITIONERS IN AN ANNUAL FILING PERIOD

Petitioner type	Lower bound [a]	Upper bound [b]
Selected Petitioners	$128,413,720	$161,091,950
Unselected Petitioners	53,467,520	85,647,558
All Petitioners	181,881,240	246,739,508

Source: USCIS analysis.
Note: DHS estimates that 75 percent of H–1B petitions are prepared by lawyers or other accredited representatives and 25 percent are completed and prepared by HR specialists or other equivalent occupation in an annual filing period. Therefore in order to present total costs for an annual filing period, DHS aggregates HR specialist costs and accredited representative costs.
[a] HR specialist cost + in-house lawyer cost = Total costs in annual filing period.
[b] HR specialist cost + outsourced lawyer cost = Total costs in an annual filing period.

As seen in Table 12, the total current costs for selected petitioners in an annual filing period ranges from $128.4 [103] million to $161.1 million,[104] depending on who petitioners use to prepare the petition. The total current costs for unselected petitioners in an annual filing period ranges from $53.5 [105] million to $85.6 million,[106] again depending on who petitioners use to prepare the petition. Fees returned to unselected petitioners make up the difference between total current costs for selected and unselected petitioners in an annual filing period.

For all petitioners, DHS estimates the total current cost to complete and file an H–1B petition for an annual filling period ranges from $181.9 million to $246.7 million, using lower bound and upper bound calculations. DHS welcomes public comments on the methodology used to calculate the current costs to petitioners in filing an H–1B cap-subject petition.

b. Costs From the Proposed Registration Requirement

In order to accurately describe the proposed requirements, and distinguish between the petitioner under the current H–1B process, DHS will use the term registrants when describing impacts to employers intending to petition for H–1B cap-subject beneficiaries under the proposed rule. The proposed registration requirement results in selected and unselected registrants. As seen in comparing Table 5 and Table 6, DHS estimates that the selected registrant population is equal to the selected petitioner population. Similarly, DHS estimates that the unselected registrant population is equal to the unselected petitioner population.

The proposed registration requirement would impose an additional cost to all registrants who are seeking to file H–1B cap-subject petitions. Selected registrants would be eligible to file an H–1B cap-subject petition. Therefore as selected registrants under the proposed registration requirement, DHS estimates current selected petitioners would incur additional opportunity costs of time to complete the electronic registration relative to the costs of completing and filing the associated H–1B petition. Unselected registrants would not be eligible to file an H–1B cap-subject petition. Therefore as unselected registrants under the proposed registration requirement, DHS estimates the costs of this proposed rule to unselected petitioners would only result from the estimated opportunity costs associated with the registration requirement. Overall, unselected petitioners would experience a cost savings relative to the current H–1B petitioning process since as unselected registrants they would not complete and file an entire H–1B cap-subject petition.

The proposed registration requirement would impose costs to registrants in terms of the opportunity costs of time to create an initial account per user and complete a registration for each prospective cap-subject H–1B worker. Additionally, under this proposed registration requirement, registrations that are completed by lawyers would require completion annually of Form G–28 once per lawyer-petitioner relationship. The proposed rule would require that all who seek to file an H–1B cap-subject petition (an estimated 192,918 petitions annually) would now be required to register. Only those whose registrations are selected would then be eligible to complete and file an H–1B cap-subject petition on behalf of a prospective H–1B worker for that fiscal year. DHS estimates a range of the total cost of the proposed registration requirement [107] by using the time burden estimated for each account creation (0.17 hours) and registration (0.5 hours) by the wages previously discussed for each type of petition preparer, in addition to the time burden to complete a Form G–28 for in-house and outsourced lawyers.[108]

Unlike the standard for current H–1B cap-subject petitions, lawyers and accredited representatives would not be required to file a separate Form G–28 for each electronic registration when submitting multiple registrations for the same employer. Instead, in the electronic registration environment, a lawyer or accredited representative that submits multiple electronic registrations for an employer would only be required to file Form G–28 once annually for that employer for purpose of filing H–1B cap registrations after which multiple registrations could be filed at various times. This creates efficiency for those lawyers that file multiple registrations for the same employer since the uploaded Form G–28 information can be provided once annually and linked automatically with all registrations filed by that lawyer or accredited representative for that employer. Lawyers and accredited representatives would still be required to complete one electronic registration per beneficiary, and a separate Form G–28 would still be required for each H–1B cap-subject petition subsequently filed based on a selected registration.[109]

[103] Calculation: $20,726,257 HR specialist cost + $107,687,463 in-house lawyer cost = $128,413,720 total annual cost (rounded).

[104] Calculation: $20,726,257 HR specialist cost + $140,365,693 outsourced lawyer cost = $161,091,950 total annual cost (rounded).

[105] Calculation: $6,429,727 HR specialist cost + $47,037,793 in-house lawyer cost = $53,467,520 total annual cost (rounded).

[106] Calculation: $6,429,727 HR specialist cost + $79,217,831 in-house lawyer cost = $85,647,558 total annual cost (rounded).

[107] As previously stated, DHS does not assume petitioners would need to expend additional funds to procure computer equipment or acquire internet connections because DOL already requires employers to use electronic filing of Labor Condition Applications (LCAs), and an approved LCA is a requisite for requesting an H–1B employee.

[108] Lawyers and accredited representatives who complete electronic registration would need to complete a paper Form G–28 and upload the paper form as a portable document format (PDF) file. One Form G–28 would need to be uploaded for each employer, and can be tied automatically to multiple registrations of beneficiaries under the same employer.

[109] The Form G–28 submission to authorize a lawyer or accredited representative to file

Continued

The total opportunity cost of time for an HR specialist to create an account would be $7.90 [110] and to register a single beneficiary would be $23.24.[111] The opportunity cost of time for an in-house lawyer to create an account would be $16.93,[112] to register a single beneficiary would be $49.80,[113] and to complete Form G–28 would be $87.65.[114] The opportunity cost of time for an outsourced lawyer to create an account would be $28.99,[115] to register a single beneficiary would be $85.28,[116] and to complete Form G–28 would be $150.08.[117] Therefore, based on the calculated opportunity costs of time, the total cost to submit a registration for a single beneficiary would be $31.14 [118] if submitted by an HR specialist, $154.38 [119] if submitted by an in-house lawyer, and $264.35 [120] if submitted by an outsourced lawyer.

In order to estimate how many accounts would be created for registration of beneficiaries, DHS used historical filings to identify the number of unique entities filing H–1B cap-subject petitions by employer identification number (EIN). DHS distinguishes the number of filings which included a Form G–28. DHS assumes petitions without a Form G–28 were filed by HR specialists and petitions with a Form G–28 were filed by lawyers.

Table 13 summarizes the filing history for the number of unique entities filing H–1B cap-subject petitions with and without associated Forms G–28.

TABLE 13—NUMBER OF UNIQUE ENTITIES FILING H–1B PETITIONS WITH OR WITHOUT FORM G–28, SELECTED H–1B CAP-SUBJECT PETITIONS FY 2013–2017

FY	Number of unique petitioners filing with Form G–28	Number of unique petitioners filing without Form G–28
2013	18,795	1,605
2014	19,639	1,892
2015	18,729	2,171
2016	18,573	2,231
2017	21,039	2,180
5-year average	19,355	2,016

Source: USCIS Office of Performance and Qualify (OPQ), Performance Analysis and External Reporting (PAER), January 2018.

For selected petitioners, DHS estimates 19,355 unique accounts would be created by lawyers and 2,016 unique accounts would be created by HR specialists for electronic registration based on the five-year historical averages in Table 13 (overall 21,371 unique entities).[121]

To estimate the number of unique accounts created by lawyers and HR specialists for unselected petitioners, DHS applies the proportion of 21,371 unique entities among selected petitions to unselected petitions (populations which are estimated in Table 5) and estimates 21,046 total unique entities.[122] Furthermore, DHS reasonably estimates that 91 percent [123] of unique accounts would be created by lawyers and 9 percent [124] of unique accounts would be created by HR specialists. DHS applies these percentages to 21,046 total unique entities among unselected petitioners and estimates 19,152 [125] unique accounts would be created by lawyers and 1,894 [126] unique accounts would be created by HR specialists.

USCIS recognizes that a single lawyer could represent multiple employers seeking to file H–1B cap-subject petitions, however in each such case a lawyer would need to upload a Form G–28 to represent the unique lawyer and employer relationship. Therefore, DHS also uses the estimate of unique accounts created by lawyers as a reasonable estimate for the total uploads of Forms G–28 during the electronic registration process.

i. Proposed Cost to Selected Registrants

The proposed registration requirement would add an additional cost to those whose registrations are selected to complete and file H–1B cap-subject petitions. As stated in Table 6, DHS estimates 97,198 registrations would be selected annually. Of the 97,198 selected registrations, USCIS estimates 73,272 registrations would be submitted by lawyers with the remaining registrations (23,926) submitted by HR specialists.

As stated previously in the calculated opportunity costs of time presented in section 5(a) of this analysis, the total cost to complete and file Form I–129 would be $704.52 and Form I–907 would be $1,248.24 for an HR specialist who files. The total cost to complete and file Form I–129 would be $983.90, Form I–907 would be $1,274.80, and Form G–28 would be $87.65 for lawyers if an in-house lawyer files. The total cost to complete and file Form I–129 would be $1,357.09, Form I–907 would be

registrations for an H–1B cap-subject petition under this proposed rule is separate from the authorization that is required for an attorney or accredited representative to otherwise represent an applicant, petitioner, or requestor. This proposed rule does not propose to change the process or requirements related to the submission of Form G–28 when an applicant or petitioner files an application, petition, or request with USCIS. As such, petitioners with selected registrations who proceed to file an H–1B cap-subject petition will still be required to submit a properly completed Form G–28 if an attorney or accredited representative prepared the petition or will represent the petitioner in the case.

[110] Calculation: $46.49 (HR wage) * 0.17 hours (time to create an account) = $7.90.

[111] Calculation: $46.49 (HR wage) * 0.5 hour (time to register one beneficiary) = $23.24.

[112] Calculation: $99.60 (in-house lawyer wage) * 0.17 hours (time to create an account) = $16.93.

[113] Calculation: $99.60 (in-house lawyer wage) * 0.5 hour (time to register one beneficiary) = $49.80.

[114] Calculation: $99.60 (in-house lawyer wage) * 0.88 hour (time to complete Form G–28) = $87.65.

[115] Calculation: $170.55 (outsourced lawyer wage) * 0.17 hours (time to create an account) = $28.99.

[116] Calculation: $170.55 (outsourced lawyer wage) * 0.5 hour (time to register one beneficiary) = $85.28.

[117] Calculation: $170.55 (outsourced lawyer wage) * 0.88 hour (time to complete Form G–28) = $150.08.

[118] Calculation: $7.90 (HR specialist account creation cost) + $23.24 (HR specialist registration cost) = $31.14.

[119] Calculation: $16.93 (in-house lawyer account creation cost) + $49.80 (in-house lawyer registration cost) + $87.65 (in-house lawyer Form G–28 cost) = $154.38.

[120] Calculation: $28.99 (outsourced lawyer account creation cost) + $85.28 (outsourced lawyer registration cost) + $150.08 (outsourced lawyer Form G–28 cost) = $264.35.

[121] Calculation: 19,355 unique entities + 2,016 unique entities = 21,371 total unique entities.

[122] Calculation: 21,371 total unique entities among selected petitions/97,198 selected petitions = 22 percent; 22 percent * 95,720 unselected petitions = 21,046 unique entities among unselected petitions.

[123] Calculation: 19,355/21,371 = 91 percent.

[124] Calculation: 2,016/21,371 = 9 percent.

[125] Calculation: 21,046 unique entities * 91 percent = 19,152 unique entities.

[126] Calculation: 21,046 unique entities * 9 percent = 1,894 unique entities.

$1,310.28, and Form G–28 would be $150.08 for lawyers if an outsourced lawyer files.

Table 14 shows the estimated annual costs to complete and file H–1B petitions for selected registrants who are eligible to proceed as a petitioner under the proposed requirement. DHS estimates the proposed cost to complete electronic registration account creation is $15,926,[127] registration is $556,031,[128] Form I–129 is $16.9 million, Form I–907 is $3.3 million, and mailing cost is $617,280 based on selected registrations anticipated to be prepared by an HR specialist. If completed by an in-house lawyer, DHS estimates the proposed cost to complete electronic registration account creation is $327,680,[129] submitting a Form G–28 with the registration is $1.7 million,[130] registration is $3.6 million,[131] Form I–129 is $72.1 million, Form I–907 is $27.2 million, Form G–28 again with each petition is $6.4 million, and mailing cost is $1.9 million based on selected anticipated to be prepared by in-house lawyers. Finally, if completed by an outsourced lawyer, DHS estimates the proposed cost to complete electronic registration account creation is $561,101,[132] submitting a Form G–28 with the registration is $2.9 million,[133] registration is $6.2 million,[134] Form I–129 is $99.4 million, Form I–907 is $28.0 million, and Form G–28 again with each petition is $11.0 million, and mailing cost is $1.9 million based on selected registrations anticipated to be prepared by lawyers.

TABLE 14—ESTIMATED COSTS FOR SELECTED REGISTRANTS UNDER THE PROPOSED REGISTRATION REQUIREMENT BY PREPARER TYPE

[Includes opportunity cost of time for registration, opportunity cost of time to complete petition, and filing fees]

	HR specialist	In-house lawyer	Outsourced lawyer
Registration Account Creation	$15,926	$327,680	$561,101
Form G–28 Submission with Registration	.....	1,696,466	2,904,798
Registration	556,031	3,648,966	6,248,670
Form I–129	16,856,064	72,092,714	99,437,241
Form I–907	3,252,913	27,281,995	28,041,302
Form G–28 Submission with Form I–129	.....	6,422,326	10,996,722
Mailing Cost	617,280	1,890,428	1,890,428
Total Cost	21,298,214	113,360,574	150,080,263

Source: USCIS analysis.

Compared to current costs, DHS estimates the proposed registration process would add a new cost of $571,957,[135] $5.7 million,[136] or $9.7 million [137] in costs to selected petitioners depending on the type of preparer. Per petition, as previously stated, DHS estimates the total cost to submit a registration for a single beneficiary would be $31.14 if submitted by an HR specialist, $154.38 if submitted by an in-house lawyer, and $264.35 if submitted by an outsourced lawyer.

ii. Proposed Costs to Unselected Registrants

Those whose registrations are not selected would incur new costs as a result from this proposed registration requirement as well. DHS estimates annually 95,720 registrations would be not selected as presented in Table 5. Of the 95,720 unselected registrations DHS estimates 72,158 registrations would be submitted by lawyers with the remaining registrations (23,562) submitted by HR specialists.

Table 15 shows the estimated costs to unselected registrants from this proposed registration requirement. DHS estimates the proposed annual cost to complete electronic registration account creation is $14,963,[138] and cost to complete registrations is $547,581 [139] for HR specialists who submit unselected registrations. DHS estimates the proposed annual cost to complete electronic registration account creation is $324,243,[140] registrations is $3.6 million,[141] and cost to complete and upload Form G–28 is $1.7 million [142] for in-house lawyers who submit unselected registrations. Finally, DHS estimates the proposed annual cost to complete electronic registration account creation is $552,216,[143] registrations is $6.2 million,[144] and cost to complete and upload Form G–28 is $2.9 million [145] for outsourced lawyers who submit unselected registrations.

[127] Calculation: 2,016 unique HR specialists among selected registrations * $7.90 cost per account creation for HR specialist = $15,926 (rounded).

[128] Calculation: 23,926 selected registrations filed by HR specialists * $23.24 cost per registration = $556,031 (rounded).

[129] Calculation: 19,355 unique lawyers * $16.93 cost per account creation for in-house lawyer = $327,723 (rounded).

[130] Calculation: 19,355 unique lawyers * $87.65 cost per Form G–28 upload for in-house lawyer = $1,696,447 (rounded).

[131] Calculation: 73,272 selected petitions filed by lawyers * $49.80 cost per registration for in-house lawyer = $3,649,009 (rounded).

[132] Calculation: 19,355 unique lawyers * $28.99 cost per account creation for outsourced lawyer = $ $561,169 (rounded).

[133] Calculation: 19,355 unique lawyers * $150.08 cost per Form G–28 upload for outsourced lawyer = $ $2,904,876 (rounded).

[134] Calculation: 73,272 selected petitions filed by lawyers * $85.28 cost per registration for outsourced lawyer = $6,248,304 (rounded).

[135] Calculation: $15,926 + $556,031 = $571,957 (rounded).

[136] Calculation: $327,680 + $1,696,466 + $3,648,966 = $5,673,111 (rounded).

[137] Calculation: $561,101 + $2,904,798 + $6,248,670 = $9,714,570 (rounded).

[138] Calculation: 1,894 unique HR specialists among unselected registrations * $7.90 opportunity cost = $14,963 (rounded).

[139] Calculation: 23,562 unselected registrations filed by HR specialists * $23.24 opportunity cost = $547,581 (rounded).

[140] Calculation: 19,152 unique lawyers among unselected registrations * $16.93 cost per account creation for in-house lawyer = $324,243 (rounded).

[141] Calculation: 72,158 unselected registrations filed by lawyers * $49.80 opportunity cost = $3,593,468 (rounded).

[142] Calculation: 19,152 Form G–28 petitions * $87.65 opportunity cost in-house lawyer = $1,678,673 (rounded).

[143] Calculation: 19,152 unique lawyers among unselected registrations * $28.99 cost per account creation for outsourced lawyer = $552,216 (rounded)

[144] Calculation: 72,158 unselected registrations filed by lawyers * $85.28 opportunity cost = $6,153,634 (rounded).

[145] Calculation: 19,152 Form G–28 petitions * $150.08 opportunity cost outsourced lawyer = $2,874,332 (rounded).

TABLE 15—ESTIMATED COSTS FOR UNSELECTED REGISTRANTS UNDER THE PROPOSED REGISTRATION REQUIREMENT BY PREPARER TYPE

[Includes opportunity cost of time for registration]

	HR specialist	In-house lawyer	Outsourced lawyer
Electronic Registration Account Creation	$14,963	$324,243	$552,216
Form G–28 Submission with Registration	.....	1,678,673	2,874,332
Registration	547,581	3,593,468	6,153,634
Total Cost	562,544	5,596,384	9,583,182

Source: USCIS analysis of H–1B cap-subject petition cost.

Table 15 demonstrates the proposed registration process would add a new cost of $562,544, $5.6 million, or $9.6 million in costs to unselected registrants depending on the type of preparer.

iii. Total Proposed Costs for Selected and Unselected Registrants in Annual Filing Period

As upper and lower bounds are discussed in section 5(a) of this analysis, DHS estimates total costs for an annual filing period by adding HR specialist costs and lawyer costs. Table 16 summarizes the lower bound and upper bound for selected petitioners and unselected registrants in an annual filing period.

TABLE 16—SUMMARY OF REGISTRATION COSTS AND PETITION COSTS FOR ALL (SELECTED AND UNSELECTED) REGISTRANTS IN AN ANNUAL FILING PERIOD UNDER THE PROPOSED REGISTRATION REQUIREMENT

Registrant type	Lower bound	Upper bound
Estimated Proposed Registration Costs (new costs as a result of this proposed registration requirement)		
Selected Registrants	$6,245,069	$10,286,527
Unselected Registrants	6,158,928	10,145,726
All Registrants	12,403,997	20,432,254
Estimated Proposed Petition Costs associated with H–1B Cap-Subject Petition Process (estimated costs as a result of the proposed registration requirement)		
Selected Registrants	$134,658,789	$171,378,477
Unselected Registrants	6,158,928	10,145,726
All Registrants	140,817,717	181,524,203

Source: USCIS analysis.

Note: DHS estimates that 75 percent of H–1B petitions are prepared by lawyers or other accredited representatives and 24 percent are completed and prepared by HR specialists or other equivalent occupation in an annual filing period. Therefore in order to present total costs for an annual filing period, DHS aggregates HR specialist costs and lawyer (or accredited representative) costs.

In Table 16, the estimated registration costs for selected registrants in an annual filing period would range from $6.2 million[146] to $10.3 million,[147] depending on who registrants use to submit the registration. The estimated registration costs for unselected registrants in an annual filing period would range from $6.2 million[148] to $10.1 million[149], again depending on who registrants use to submit the registration. Therefore, DHS estimates under the proposed registration requirement the total proposed registration cost to all petitioners for an annual filling period would range from $12.4 million to $20.4 million, using lower bound and upper bound calculations.

DHS anticipates selected registrants would complete and file H–1B cap-subject petitions. Therefore, for selected registrants, entire costs to complete the H–1B cap-subject petition under the proposed registration requirement would range from $134.7 million [150] to $171.4 million [151], depending on who selected registrants use to complete the process. Under the proposed registration requirement, DHS anticipates unselected registrants would only experience registration costs in pursuing H–1B cap-subject petitions. Therefore, DHS estimates the total proposed registration costs and proposed costs associated with the H–1B cap-subject petition process are equal for unselected registrants, as seen in Table 16. For all registrants, DHS estimates the total cost to complete and file an H–1B petition for an annual filling period would range from $140.8 million to $181.5 million. DHS welcomes any public comments on the estimated costs from the proposed electronic registration process.

c. Costs of the Proposed Registration Requirement to the Government

The government would incur costs to develop and maintain the proposed electronic registration requirement. USCIS would need to develop the

[146] Calculation: $571,957 HR specialist cost + $5,673,111 in-house lawyer cost = $6,245,069 annual costs (rounded).

[147] Calculation: $571,957HR specialist cost + $9,714,570 outsourced lawyer cost = $10,286,527 annual costs (rounded).

[148] Calculation: $562,544 HR specialist cost + $5,596,384 in-house lawyer cost = $6,158,928 annual costs (rounded).

[149] Calculation: $562,544 HR specialist cost + $9,583,182 outsourced lawyer cost = $10,145,726 annual costs (rounded).

[150] Calculation: $21,341,632 HR specialist cost + $113,317,338 in-house lawyer cost = $134,658,970 annual costs (rounded).

[151] Calculation: $21,341,632 HR specialist cost + $150,035,823 outsourced lawyer cost = $171,377,455 annual costs (rounded).

proposed registration website. To complete the proposed registration system development, USCIS anticipates paying four workers each an annual salary of $134,789,[152] or an hourly rate of $64.59.[153] Similar to wage calculations in prior sections, DHS multiplies the per hourly wage rate ($64.59) by 1.46 to account for total employee costs. The total per hour wage would be $94.30.[154] DHS anticipates the four workers would each dedicate varied amounts of work time over the span of 27 weeks to complete the registration system development. Of the four workers during this time period, two workers would dedicate 75 percent of working hours (1,620 hours) to this project,[155] one worker would dedicate 50 percent of working hours (540 hours) to this project,[156] and the last worker would dedicate 25 percent of working hours (270 hours) to this project.[157] The registration development team would work an estimated 2,430 total hours on this project.[158] Therefore, at an hourly rate of $94.30, USCIS estimates that the labor costs associated with the development of the registration system would be $229,149.[159] DHS welcomes any comments from the public on government costs.

The electronic registration system would use current USCIS infrastructure. Therefore, USCIS would not need to invest in new hardware or other equipment during the development phase. Once the registration system is in use, DHS anticipates annual costs associated with running existing servers and the opportunity cost of time for the workers who continue to maintain the registration system. Based on prior experience and current assumptions about the system's usage, DHS estimates that it would not exceed $50,000 annually to run servers once this rule becomes effective.[160] Additionally, DHS estimates that labor costs associated with maintaining the registration system would not exceed $150,000 annually beginning in the second year.[161]

USCIS would develop the electronic registration system and incur costs associated with labor and maintenance, totaling $279,149 in the first year of the effectiveness of this proposed rule.[162] In subsequent years, USCIS would incur maintenance costs associated with labor and running servers, which would total $200,000 per year. Over ten years, USCIS would incur maintenance costs of $2,079,149, resulting in an annualized amount of $225,269 discounted at 7 percent, and $215,279 discounted at 3 percent for that timeframe. Discounted over 10 years, this provision would result in costs to USCIS totaling $1.8 million based on a discount rate of 3 percent and $1.6 million based on a discount rate of 7 percent.

d. Cost to Petitioners From the Proposed Petition Selection Process

As discussed in the population section of this analysis, under the current process, if more petitions are received during the first five business days that petitions may be filed than USCIS has projected are needed to meet both the regular cap and the advanced degree exemption, USCIS would randomly select an estimated 33,495 beneficiaries with master's degrees or higher from U.S. institutions of higher education in total between the regular cap and advanced degree exemption, which accounts for 17 percent of the total H–1B cap-subject petitions received.[163] Under the proposed selection process, USCIS would randomly select an estimated 38,835 registrations relating to beneficiaries with an advanced degree from a U.S. institution of higher education, which would account for 20 percent of the total registrations received by USCIS.[164] Conversely, beneficiaries qualifying under the regular cap currently account for 83 percent of selected H–1B cap-subject petitions,[165] and under the proposed selection process, such beneficiaries would account for 80 percent of selected registrations.[166] Therefore, USCIS anticipates the probability of randomly selecting a petition filed for a beneficiary without a master's or higher degree from a U.S. institution of higher education during the H–1B cap registration selection process under the proposed rule to fall by 3 percent.[167] This could result in fewer selections of petitioners with H–1B cap-subject beneficiaries holding a bachelor's degree, an advanced degree from a U.S. for-profit institution of higher education, or a foreign advanced degree. This potential decrease could result in some higher labor costs to petitioners assuming that beneficiaries with bachelor's degrees, advanced degrees from U.S. for-profit universities or foreign advanced degrees are paid less than and replaced by beneficiaries with master's or higher degrees from U.S. institutions of higher education.[168] However, more highly educated workers tend to have a higher marginal product of labor, which would benefit employers and could be expected to offset the additional wages costs. Thus, any potential wage differential may be more appropriately thought of as a benefit because it takes account of the higher value of the labor resources being brought to the economy. DHS encourages any public comments on these anticipated costs, benefits, and transfers.

DHS is particularly interested in any analyses or data on the expected size and distribution of these effects. DHS has been able to develop an estimate of the aggregate increase in the expected number of beneficiaries with master's degrees or above from U.S. institutions of higher education being selected and a commensurate decrease in other types of workers who might otherwise be selected. However, DHS has not been able to determine how this may impact particular industries currently submitting H–1B cap petitions for individuals without master's degrees

[152] USCIS anticipates paying employees at Grade 15 from the General Schedule from the U.S. Office of Personnel Management's 2018 schedule for the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality pay. DHS does not know these employees' step level, but assumes that team members are Step 1 for the purposes of this analysis. See *https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB.pdf.*

[153] For Grade 15 Step 1 hourly wages see *https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2018/DCB_h.pdf.*

[154] Calculation: $64.59 * 1.46 = $94.30.

[155] Calculation: 27 weeks * 40 hours = 1,080 hours; (1,080 hours * 0.75) * 2 workers = 1,620 hours.

[156] Calculation: 1,080 hours * 0.5 = 540 hours.

[157] Calculation: 1,080 hours * 0.25 = 270 hours.

[158] Calculation: 1,620 hours + 540 hours + 270 hours = 2,430 total hours.

[159] Calculation: 2,430 hours * $94.30 per hour = $229,149.

[160] Information verified by U.S. Digital Services (USDS) on November 9, 2017. While USDS is not developing the electronic registration system for this proposed rule, DHS assumes the information provided is a reasonable estimate of development costs.

[161] *Id.*

[162] Calculation: $229,149 (labor costs) + $50,000 (server costs) = $279,149. These estimates are based on the information provided by USCIS OIT.

[163] Calculation: 33,495 advanced degree Forms I–129 selected/192,918 total H–1B cap-subject petitions * 100 = 17 percent (rounded).

[164] Calculation: 38,835 advanced degree registrations selected/192,918 total registrations * 100 = 20 percent (rounded).

[165] Calculation: 100 percent − 17 percent advanced degree beneficiaries = 83 percent regular cap beneficiaries (rounded).

[166] Calculation: 100 percent − 20 percent advanced degree beneficiaries = 80 percent regular cap beneficiaries (rounded).

[167] Calculation: 80 percent − 83 percent = − 3 percent.

[168] While DHS recognizes that wages paid to workers with a master's degrees may be higher than wages paid to workers with a bachelor's degree, it is unclear whether wages paid to workers with a master's or higher degree from a U.S. institution of higher education are higher than those paid to workers with a comparable advanced degree from a foreign educational institution.

and above from U.S. institutions of higher education and how this may impact particular types of workers. DHS welcomes input from commenters on the industries and types of workers most likely to be affected by the proposed rule and the likely sizes of these effects.

6. Benefits

Under the proposed registration requirement, current unselected petitioners would benefit in the form of cost savings between the current and proposed process as unselected registrants. The benefits to unselected petitioners would derive from the reduced time and effort required to file an entire petition, with fees.

DHS estimated that unselected petitioners experience a cost savings by subtracting new registration costs from the current costs of preparing an H–1B cap-subject petition. Unselected petitioners and the government would also benefit by reduced mailing expenses. Furthermore, DHS estimates the probability that individuals with master's or higher degree from a U.S. institution of higher education would become H–1B workers would increase. Consequently, the proposed registration selection process likely would allow more cap-subject H–1B workers with a master's or higher degree from a U.S. institution of higher education to obtain H–1B status.

a. Benefits to Petitioners From the Proposed Registration Requirement

Under the proposed requirement, those seeking to file an H–1B cap-subject petition would need to create their electronic registration account, complete registration, and have a selected registration before completing and filing an H–1B cap-subject petition in a particular fiscal year. If USCIS selects a registration, the registrant would then complete and file a Form I–129 (and if necessary Form I–907 and/or Form G–28) on behalf of the beneficiary named in the selected registration. If USCIS does not select a registration, no further steps are required as the registrant would be ineligible to file an H–1B cap-subject petition for the beneficiary in the unselected registration for that fiscal year. The unselected registrant would only incur those opportunity costs of time for creating the electronic registration account and registering the beneficiary, as well as the opportunity costs of time to submit Form G–28 if a lawyer or accredited representative completes the electronic registration. Overall, unselected registrants would save in costs by no longer having to complete and file an entire H–1B cap-subject petition to be selected in the H–1B lottery.

Presented in Table 12, the current total costs to unselected petitioners in an annual filing period ranges from $53.5 million to $85.6 million, depending on who petitioners use to prepare the petition. These costs represent the opportunity costs of time to complete and file H–1B cap-subject petitions without the filing fees since those are returned to petitioners as well as the costs of mailing in the petition.

Presented in Table 16, the total proposed cost to unselected registrants under the proposed registration requirement ranges from $6.1 million to $10.1 million, again depending on the type of preparer who submits the registration. These costs represent the opportunity costs of time to submit a registration in the electronic registration system.

DHS estimates a cost savings for unselected petitioners from the proposed registration requirement by subtracting the total proposed costs to unselected registrants from the total current costs to unselected petitioners. As summarized in Table 17, DHS estimates the total cost savings would range from $47.3 million [169] to $75.5 million,[170] depending on the type of preparer. This cost savings results because fewer resources would be required to create an account and complete registration than to complete and file H–1B cap-subject petitions.

TABLE 17—COSTS SAVINGS TO UNSELECTED PETITIONERS FROM THE PROPOSED REGISTRATION REQUIREMENT

Annual H–1B petition filing costs	Lower bound (in house lawyer)	Upper bound (outsourced lawyer)
Current Costs to Unselected Petitioners	$53,467,520	$85,647,558
Proposed Costs to Unselected Petitioners	6,158,928	10,145,726
Total Cost Savings	47,308,592	75,501,832

Source: USCIS analysis.
Note: *See* Table 10 and Table 15 for cost calculations.

DHS estimates net quantitative impact from the proposed registration requirement by subtracting the total proposed costs to all registrants (selected and unselected) from the total current costs to all petitioners (selected and unselected). As summarized in Table 18, DHS estimates the net quantitative impact of this proposed registration requirement for H–1B petitioners overall is a positive net annual benefit ranging from $41.0 million to $65.2 million, depending on who the petitioners use to complete the H–1B petition process.

TABLE 18—NET QUANTITATIVE IMPACT TO PETITIONERS FROM THE PROPOSED REGISTRATION REQUIREMENT

Annual H–1B petition filing costs	Lower bound	Upper bound
Current Costs to Selected and Unselected Petitioners	$181,881,240	$246,739,508
Proposed Costs to Selected and Unselected Petitioners	140,817,717	181,524,203
Total Cost Savings	41,063,523	65,215,305

Source: USCIS analysis.
Note: *See* Table 12 and Table 16 for cost calculations.

[169] Calculation: $53,467,520 (current total costs for unselected petitioners lower bound) − $6,158,928 (proposed total costs for unselected registrants lower bound) = $47,308,592 cost savings.

[170] Calculation: $85,647,558 (current total costs for unselected petitioners upper bound) − $10,145,726 (proposed total costs for unselected registrants upper bound) = $75,501,832 cost savings.

b. Benefits to the Government From the Proposed Registration Requirement

USCIS would expect net cost-savings as a result of the proposed registration requirement by no longer needing to receive, handle and return unselected H–1B cap-subject petitions back to petitioners. Table 19 shows the costs to USCIS in FY 2017 from unselected H–1B cap-subject petitions at both the Vermont Service Center (VSC) and California Service Center (CSC), where such petitions are filed and processed. DHS uses the FY 2017 costs to estimate USCIS' cost savings from this proposed rule.[171] USCIS would save $1.6 million annually by removing petition handling, data entering, return shipping, and other costs.

TABLE 19—USCIS COSTS FOR UNSELECTED H–1B CAP-SUBJECT PETITIONS IN FY 2017

	VSC	CSC	Total
Handling (including overtime), data entry, and other costs	$526,357	$479,406	$1,005,763
Shipping costs	271,015	335,642	606,657
Total	797,372	815,048	1,612,420

Source: USCIS Service Center Operations (SCOPS) July, 2017.

As stated in the cost section of this analysis, USCIS would incur maintenance costs of $279,149 in the first year of the effectiveness of this proposed rule and $200,000 per subsequent year. To measure the net quantitative impact, USCIS estimates the difference between current costs associated with H–1B cap-subject petitions and costs estimated under this proposed rule. Summarized in Table 20, the net quantitative impact of this proposed registration requirement for the government is cost savings of $1.3 million in the first year, and $1.4 million in each subsequent year.

TABLE 20—NET ANNUAL QUANTITATIVE IMPACT TO GOVERNMENT FROM THE PROPOSED REGISTRATION REQUIREMENT

Annual H–1B cap-subject petition filing costs	Total costs to government
Current Costs	$1,612,420
Proposed Costs (First Year)	279,149
Cost Savings (First Year)	1,333,271

Annual H–1B cap-subject petition filing costs	Total costs to government
Current Costs	$ 1,612,420
Proposed Costs (Subsequent Year)	200,000
Cost Savings (Subsequent Year)	1,412,420

Source: USCIS analysis.

The net quantitative impact of this proposed registration requirement for the government is cost savings of $14.0 million ($12.3 million discounted at 3 percent and $10.5 million discounted at 7 percent over ten years) or an annualized cost savings of $1.4 million discounted at 7 percent. In addition to the estimated cost savings, USCIS would eliminate any potential need to manually enter petition information into the database to eliminate duplicate petitions in order to administer the random selection process. The proposed registration system would allow USCIS to focus its efforts on adjudicating petitions over managing the intake, storage and return of tens of thousands of unselected H–1B cap-subject petitions. DHS welcomes public comment on the estimated cost savings to the government from this proposed registration process.

c. Net Quantitative Impacts of This Proposed Registration Requirement (Petitioners and Government)

DHS estimates the net quantitative impact from the proposed registration requirement by combining the net impact to petitioners and net impact to government as described in preceding sections.

As summarized in Table 19, DHS estimates the net quantitative impact of this proposed registration requirement for H–1B petitioners overall is a positive net benefit ranging from $41.0 million to $65.2 million, depending on who the petitioners use to complete the H–1B petition process. As summarized earlier, the net quantitative impact of this proposed registration requirement for the government is cost savings of $1.3 million in the first year, and $1.4 million in each subsequent year. To estimate the net quantitative impact of this proposed registration requirement, DHS calculates the cost savings for the lower bound and upper bound using the total cost savings shown in Table 21.

[171] While DHS prefers to base assumptions on a longer time period (ideally years), 1 year was the longest time period for which this data could be reported.

TABLE 21—NET ANNUAL QUANTITATIVE IMPACT FROM THE PROPOSED REGISTRATION REQUIREMENT

[Undiscounted]

	Petitioner net cost savings (selected and unselected)	Government net cost savings	Total costs savings
Lower Bound (combination of HR specialist + in-house lawyer)			
Year 1	$41,063,523	$1,333,271	$42,396,794
Sub. Annual	42,063,523	1,412,420	42,475,943
Upper Bound (combination of HR specialist + outsourced lawyer)			
Year 1	$61,215,305	$1,333,271	$66,548,576
Sub. Annual	61,215,305	1,412,420	66,627,725

Source: USCIS analysis.

Using lower bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $424.8 million over ten years. Discounted over 10 years, these cost savings would be $373.2 million based on a discount rate of 3 percent and $319.2 million based on a discount rate of 7 percent. This is summarized in Table 22.

TABLE 22—NET COST SAVINGS FROM THE PROPOSED REGISTRATION REQUIREMENT, LOWER BOUND

[Discounted at 3 percent and 7 percent]

	Non-discounted estimated cost	3 Percent discount rate	7 Percent discount rate
Year 1	$42,405,430	$42,405,430	$42,405,430
Year 2	42,484,582	41,247,167	39,705,217
Year 3	42,484,582	40,045,793	37,107,679
Year 4	42,484,582	38,879,411	34,680,074
Year 5	42,484,582	37,747,001	32,411,284
Year 6	42,484,582	36,647,574	30,290,920
Year 7	42,484,582	35,580,169	28,309,271
Year 8	42,484,582	34,543,853	26,457,262
Year 9	42,484,582	33,537,721	24,726,414
Year 10	42,484,582	32,560,895	23,108,798
Total	424,766,668	373,195,013	319,202,349

Source: USCIS analysis.

Using upper bound figures, the net quantitative impact of this proposed registration requirement is cost savings of $666.4 million over ten years. Discounted over ten years, these cost savings would be $585.5 million based on a discount rate of 3 percent and $500.8 million based on a discount rate of 7 percent. This is summarized in Table 23.

TABLE 23—NET COST SAVINGS FROM THE PROPOSED REGISTRATION REQUIREMENT, UPPER BOUND

[Discounted at 3 percent and 7 percent]

	Non-discounted estimated cost	3 Percent discount rate	7 Percent discount rate
Year 1	$66,564,962	$66,564,962	$66,564,962
Year 2	66,644,114	64,703,023	62,284,219
Year 3	66,644,114	62,818,469	58,209,550
Year 4	66,644,114	60,988,805	54,401,449
Year 5	66,644,114	59,212,432	50,842,475
Year 6	66,644,114	57,487,798	47,516,332
Year 7	66,644,114	55,813,396	44,407,787
Year 8	66,644,114	54,187,763	41,502,605
Year 9	66,644,114	52,609,479	38,787,481
Year 10	66,644,114	51,077,164	36,249,982
Total	666,361,988	585,463,293	500,766,843

Source: USCIS analysis.

DHS notes that these overall cost savings result only in years when the demand for registrations and the subsequently filed petitions exceeds the number of available visas needed to meet the regular cap and advanced degree exemption allocation. For years where DHS has demand that is less than the number of available visas, this proposed registration requirement would result in costs.

DHS conducted a breakeven analysis to determine how many registrations and subsequently filed petitions would be needed to offset the costs imposed by this rule. This analysis shows the number of registrations and subsequently filed petitions that would need to be received to ensure that cost-savings exceed the costs added by this proposed registration requirement. The results of this analysis can be seen in Table 26.

TABLE 24—PROJECTED H–1B CAP-SUBJECT PETITIONS NEEDED FOR BENEFITS (COST-SAVINGS) TO EXCEED COSTS UNDER THE PROPOSED REGISTRATION REQUIREMENT

Total annual cost under proposed registration requirement (petitioner and government costs)	Number of petitions
$141,025,632 (Lower Bound)	110,182
$181,732,118 (Upper Bound)	111,137

Source: USCIS analysis.

Total costs under this proposed registration requirement are a combination of costs to petitioners and costs to government, presented in Table 24 as a range with lower bound $141.0 million (preparer types HR specialist and in-house lawyer) and upper bound, $181.7 (preparer types HR specialist and outsourced lawyer).[172] To calculate the number of petitions at which the new costs under this proposed rule offset the total cost-savings, DHS used a standard formula.[173]

Based on each lower and upper bound cost estimate, DHS set receipt volume to the estimated number of H–1B cap-subject petitions randomly selected each year (97,198) and static target equal to 0 (representative of a breakeven point) and solved for the value of how many petitions were needed to reach the target value of 0. From the resulting output, DHS estimates that 110,182 petitions (registrations and subsequently filed petition under the proposed rule) would need to be received by USCIS for the program to break-even based on lower bound costs. Another way to say this is that this rule would break-even if USCIS received 12,984 registrations above the numerical limitations in a given year for the lower bound estimate. DHS estimates USCIS would need to receive 111,137 registrations and subsequently filed petitions (or an additional 13,939 registrations above the numerical limitations) for this proposed rule to break-even based on upper bound costs. DHS welcomes any public comments on the cost savings to petitioners presented in this proposed rule.

d. Benefits to Petitioners From the Proposed Petition Selection Process

As discussed in the section 4 of this analysis, USCIS currently randomly selects an estimated 33,495 H–1B cap-subject petitions filed for beneficiaries with a master's or higher degree from a U.S. institution of higher education (*see* Table 7), which accounts for 17 percent of the total H–1B cap-subject petitions received annually. Under the proposed registration and selection process, in years when the number of registrations received during the initial registration period exceeds the projected number of registrations needed to meet the numerical limits, USCIS would randomly select an estimated 38,835 registrations relating to beneficiaries with a master's or higher degree from a U.S. institution of higher education, which would account for 20 percent of the total registrations received. USCIS anticipates that the probability of selecting registrations for H–1B beneficiaries with a master's or higher degree from a U.S. institution of higher education would rise by 3 percentage points, (shifting from 17 percent to 20 percent).[174]

7. Labor Market Impacts

Congress currently limits the number of new cap-subject H–1B workers to 85,000, with 20,000 visas allocated to H–1B beneficiaries with a master's or higher degree from a U.S. institution of higher education and 65,000 visas allocated to the remaining pool of H–1B beneficiaries that could include H–1B workers eligible for either the advanced degree exemption or regular cap. The proposed provisions requiring registration prior to filing an H–1B cap-subject petition, as well as the proposal to amend the order in which beneficiaries are counted toward the advanced degree exemption allocation and regular cap would change the H–1B cap-subject petitioning process. Neither of these proposed changes would amend the numerical limit on individuals who may be issued H–1B visas or otherwise accorded H–1B status as provided by Congress. In other words, neither of the proposed provisions changes the number of new H–1B workers entering the U.S labor force. Therefore, this proposed rule does not directly impact the labor market. While this proposed rule does not change the numbers of H–1B workers in the labor market, it could change the composition of future H–1B workers. The proposed selection process would increase the probability that more H–1B workers with a master's or higher degree from a U.S. institution of higher education would obtain classification as an H–1B worker. While some of these beneficiaries might already be in the U.S. labor market based on an existing nonimmigrant status and associated employment authorization (*e.g.,* F–1 nonimmigrant student status and Optional Practical Training employment authorization), others will be new to the U.S. labor market, thereby increasing the level of H–1B workers in the U.S. labor market educated at a U.S. institution of higher education. DHS welcomes comments from the public on the impact to the labor market as a result of this proposed rule.

DHS acknowledges that this regulation will likely result in a shift from one pool of H–1B cap-subject workers to another pool of H–1B cap-subject workers. DHS believes it is possible that petitioning employers may choose to petition for a higher number of H–1B beneficiaries that have advanced degrees from a U.S. institution of higher learning than may currently be the case. However, DHS was not able to estimate the magnitude of such transfers and seeks suggestions from the public regarding data sets which may help to quantify this transfer. DHS recognizes that there are potential wage increases for those that earn a master's degree compared to those with only a bachelor's degree. Overall, individuals with a master's degree earned 19.6 percent more in wages than individuals with a bachelor's degree. Additionally, workers with a master's degree in selected STEM occupations earned between 18 and 33 percent higher than workers with a bachelor's degree in those same occupations.[175] However,

[172] The costs to petitioners are presented in Table 16 and the costs to government are estimated to be an annualized amount of $210,532 as detailed in the costs section of this analysis.

[173] DHS conducted break-even analysis through Goal Seek in Microsoft Excel. Goal Seek sets a formula equal to a certain target (0 for breakeven analysis) and solves for the value of one parameter at that target.

[174] Calculation: 20 percent − 17 percent = 3 percent.

[175] Source: Bureau of Labor Statistics, Department of Labor, ''Measuring the Value of Education April

Continued

due to the variability in the composition and delineation of workers in our H–1B petition process, DHS is not able to estimate the magnitude of such transfers for the specific pool of H–1B workers. Importantly, within the regular cap there are H–1B beneficiaries that have bachelor's degrees as well as beneficiaries that have advanced degrees from foreign institutions of higher education.

Using fully loaded wages, and assuming that there is a shift of 5,000 visas from individuals in the general pool to individuals in the advanced degree pool, DHS finds that it is reasonable to conclude that the rule may have an annualized transfer that is greater than $100 million.[176] For instance, with this assumption of 5,000 visas shifted from individuals in the general pool to individuals in the advanced degree pool, the fully-loaded wages transferred would only need to average at least $20,000 to reach the $100 million threshold. DHS notes that such transfers are uncertain at this juncture given that the cap allocation process is by definition unpredictable, that the regular cap includes individuals with advanced degrees from foreign universities, and that wages can vary widely between occupations, as well as location of employment (*e.g.,* NYC v. Sioux Falls, South Dakota). However, DHS is seeking comments and data from the public on this point. In addition, DHS lacks adequate data to accurately predict effects.

8. Alternatives

Alternative 1: First-In, First-Out Registration Process

In the development of this proposed rule, DHS considered an alternative to the proposed H–1B cap registration and selection process. The alternative considered was a first-in, first-out registration process, where USCIS would select the first petitioners to complete electronic registrations instead of using a random sampling process. This alternative would simplify the selection process for USCIS. However, it would likely create an unfair advantage for petitioners with relatively greater resources to complete registrations faster and in greater volume than other small entities that may not have the same resources or experience. DHS determined that this option would create issues for small entities and decided against it.

Alternative 2: Status Quo

DHS also considered maintaining the current regulatory and policy guidelines for the H–1B cap selection process (the status quo alternative). Under this alternative, DHS would continue to expend resources towards opening and sorting petitions, identifying properly filed petitions, and removing duplicate petitions before proceeding with the petition selection process. In years of high petition volume, these duties would continue to present DHS with operational challenges that include greater labor needs and limited space at Service Centers where petitions are stored, sorted, and selected.

Also, under the status quo, all petitioners seeking to file a petition on behalf of an H–1B worker would have to complete and file Form I–129 without any guarantee that their petition would be selected during the H–1B cap filing period, therefore expending time and resources to complete and submit the entire petition. As explained in section 5(a)(iii) of this analysis, under the current process, the total cost for all petitioners to complete and file an H–1B petition for an annual filling period ranges from $181.9 million to $246.7 million, using lower bound and upper bound calculations. The status quo alternative is a much more costly process for petitioners as long as demand continues to exceed available visas. Additionally, the high costs of filing a full H–1B petition without the guarantee of obtaining a worker under the status quo could be a barrier to some small entities. The lower costs of a registration system could allow more small entities to submit a registration that otherwise may not file a full H–1B petition.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121 (March 29, 1996), requires Federal agencies to consider the potential impact of regulations on small entities during the development of their rules. The term ''small entities'' comprises of small businesses, not-for-profit organizations that are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. An ''individual'' is not defined by the RFA as a small entity and costs to an individual from a rule are not considered for RFA purposes. In addition, the courts have held that the RFA requires an agency to perform an initial regulatory flexibility analysis (IRFA) of small entity impacts only when a rule directly regulates small entities. Consequently, any indirect impacts from a rule to a small entity are not considered as costs for RFA purposes.

This proposed rule may have direct impacts to those entities that petition on behalf of H–1B cap-subject workers. Generally, petitions are filed by a sponsoring employer who may incur some additional costs from the proposed registration requirement. Therefore, DHS examines the direct impact of this proposed rule on small entities in the analysis that follows.

1. Initial Regulatory Flexibility Analysis

Small entities primarily impacted by this proposed rule are those that would incur additional direct costs to electronically register to file an H–1B cap-subject petition. DHS conducted a statistically valid sample analysis of H–1B cap-subject petitions to determine the number of small entities directly impacted by this rule.[177] These costs are related to the additional opportunity cost of time for a selected small entity to complete the registration process proposed in this rule. Additionally, if a lawyer or other accredited representative completed the electronic registration on behalf of a petitioner, these additional costs would also include the opportunity costs of time to submit Form G–28. These opportunity costs of time would be an additional burden to completing and filing H–1B cap-subject petitions for selected entities. DHS welcomes any public comment on the methodology and conclusions on the number of small entities estimated and the impacts to those small entities.

a. A Description of the Reasons Why the Action by the Agency Is Being Considered

The purpose of this proposed rule is to streamline the H–1B cap-subject petition process. In the last several years, USCIS has received large numbers of H–1B cap-subject petitions

2018'': *https://www.bls.gov/careeroutlook/2018/data-on-display/education-pays.htm.* Visited November, 2018.

Bureau of Labor Statistics, Department of Labor, ''Should I Get a Master's Degree?'': *https://www.bls.gov/careeroutlook/2015/article/should-i-get-a-masters-degree.htm#STEM.* Visited November, 2018.

[176] As discussed elsewhere in the document, DHS uses a multiplier of 1.46 to establish a fully loaded wage that accounts for benefits and overhead costs in addition to gross salary.

[177] Although Form I–129 collects data on petitioners' numbers of employees and annual business income, the use of statistically valid random samples allow us to draw conclusions on the population as a whole. Additionally, more in-depth research of petitioner's information using this statistically valid sample ensures the integrity of the data needed to estimate the impact to small businesses likely to be affected by this proposed rule.

that have far exceeded the annual numerical limitations set by Congress in the first few days of the filing season. DHS has found that USCIS spends an inordinate amount of time on handling the volume of petitions received within the first few days of the H–1B filing period. After expending USCIS resources to ensure proper processing of these petitions, USCIS still must reject and return petitions and associated fees that are not selected in the current H–1B cap-subject selection process. Petitioners are also adversely affected by the current petition process. Preparing and mailing H–1B cap-subject petitions, with the required filing fee, can be burdensome and costly for petitioners, especially if USCIS returns the petition because it was not selected in the current H–1B-subject cap selection process. This proposed registration process would improve the agency's ability to manage the H–1B cap-subject petition process and reduce the burden on those petitioners whose registrations are not selected and who are therefore ineligible to file an H–1B cap-subject petition for that fiscal year.

b. A Succinct Statement of the Objectives of, and Legal Basis for, the Proposed Rule

DHS objectives and legal authority for this proposed rule are discussed in the preamble.

c. A Description of and, Where Feasible, an Estimate of the Number of Small Entities to Which the Proposed Changes Would Apply

DHS conducted a statistically valid sample analysis of H–1B cap-subject petitions to determine the maximum potential number of small entities directly impacted by this proposed rule. DHS utilized a subscription-based online database of U.S. entities, Hoovers Online, as well as two other open-access, free databases of public and private entities, Manta and Cortera, to determine the North American Industry Classification System (NAICS) code, revenue, and employee count for each entity.[178] In order to determine a business' size, DHS first classified each entity by its NAICS code, and then used SBA guidelines to note the requisite revenue or employee count threshold for each entity. Some entities were classified as small based on their annual revenue and some by number of employees.

Using FY 2016 data on H–1B cap-subject petitions selected in the H–1B cap-subject selection process, DHS collected internal data for each filing organization.[179] Each entity may make multiple filings. For instance, there were 95,839 H–1B cap-subject petitions selected,[180] but only 20,046 [181] unique entities that filed H–1B cap-subject petitions. DHS devised a methodology to conduct the small entity analysis based on a representative, statistically valid random sample of the potentially impacted population. To achieve a 95 percent confidence level and a 5 percent confidence interval on a population of 20,046 entities, DHS used the standard statistical formula to determine that a minimum sample size of 377 entities was necessary. DHS created a sample size 30 percent greater than the 377 minimum necessary in order to increase the likelihood that our matches would meet or exceed the minimum required sample. Of the 491 entities [182] sampled, 385 instances resulted in entities defined as small (Table 25). Of the 385 small entities, 293 entities were classified as small by revenue or number of employees. The remaining 92 entities were classified as small because information was not found (either no petitioner name was found or no information was found in the databases). A total of 103 entities were classified as not small. Therefore, of the 20,046 entities that filed at least one Form I–129 in FY 2016, DHS estimates that 78 percent or 15,636 entities are considered small based on SBA size standards.[183]

TABLE 25—SUMMARY AND RESULTS OF SMALL ENTITY ANALYSIS OF H–1B CAP-SUBJECT PETITIONS

Parameter	Quantity	Proportion of sample (percent)
Population—Selected H–1B cap-subject petitions	95,839	.....
Population—Unique Entities	20,046	.....
Minimum Required Sample	377	.....
Selected Sample	491	100.00
Entities Classified as "Not Small"		
by revenue	98	19.96
by number of employees	8	1.63
Entities Classified as "Small"		
by revenue	233	47.45
by number of employees	60	12.21
because no information found in databases	92	18.75
Total Number of Small Entities	385	[a] 78.41

Source: USCIS analysis.

[a] Calculation: 47.45 percent (Entities classified as small by revenue) + 12.21 percent (Entities classified as small by number of employees) + 18.75 percent (Entities classified as small because no information found in database) = 78 percent (total number of small entities, rounded).

[178] The Hoovers website can be found at *http://www.hoovers.com/;* The Manta website can be found at *http://www.manta.com/;* and the Cortera website can be found at *https://www.cortera.com/.*

[179] USCIS Office of Performance and Qualify (OPQ), Performance Analysis and External Reporting (PAER), May 25, 2017.

[180] Number of petitions reported in this IRFA (95,839) shows 7 more receipts than is shown in the population section of the Economic Analysis (95,832). This discrepancy is due to OPQ pulling the data for the IRFA (April 25, 2017) and the data for the Economic Analysis (May 22, 2017) from the same database at different times. During the time in between data pulls, petitioner(s) withdrew 7 H–1B petitions. We do not know which petitions were withdrawn. Therefore, the IRFA uses all petitions as of April 25, 2017.

[181] Number of unique entities reported in this IRFA (20,046) shows 426 more receipts than is shown in Table 7 of the costs section of the Economic Analysis (19,620). This discrepancy is due to OPQ pulling the data for the IRFA (April 25, 2017) and the data for the Economic Analysis (January 12, 2018) from the same database at different times. During the time in between data pulls, petitioner(s) withdrew H–1B petitions. We do not know which petitions were withdrawn. Therefore, the IRFA uses all petitions as of April 25, 2017.

[182] Calculation: 377 + (377 * 30 percent) = 491 (rounded).

[183] Calculation: 20,046 entities * 78 percent = 15,636 small entities (rounded).

As previously stated, DHS classified each entity by its NAICS code to determine business' size. A list of the top 10 NAICS codes can be seen in Table 26.

TABLE 26—TOP 10 NAICS INDUSTRIES SUBMITTING FORM I–129, SMALL ENTITY ANALYSIS RESULTS

Rank	NAICS code	NAICS U.S. industry title	Size standards in millions of dollars [a]	Size standards in number of employees [a]
1	541511	Custom Computer Programming Services	$27.5	
2	541512	Computer Systems Design Services	27.5	
3	561499	All Other Business Support Services	15.0	
4	541330	Engineering Services	15.0	
5	511210	Software Publishers	38.5	
6	541611	Administrative Management and General Management Consulting Services	15.0	
7	334413	Semiconductor and Related Device Manufacturing		1,250
8	541618	Other Management Consulting Services	15.0	
9	541690	Other Scientific and Technical Consulting Services	15.0	
10	325412	Pharmaceutical Preparation Manufacturing		1,250

Source: USCIS analysis.
[a] The Small Business Administration (SBA) has developed size standards to carry out the purposes of the Small Business Act and those size standards can be found in 13 CFR, section 121.201.

The increase in cost per petition to file Form I–129 (and if relevant, Forms I–907 or G–28) on behalf of a cap-subject H–1B worker is the opportunity cost of time to create an account, complete the registration and file Form G–28 if registration is completed by a lawyer. As previously stated in section 5(b), the proposed costs would add $31.14 [184] in cost to submit a registration for a single beneficiary if an HR specialist files, $152.19 [185] in cost to submit a registration for a single beneficiary if an in-house lawyer files, and $264.35 [186] in cost to submit a registration for a single beneficiary if an outsourced lawyer files (an average proposed cost of $149.23 per entity), which are summarized in Table 27. In order to calculate the impact of this increase, DHS estimated that the total costs associated with the registration increase for each entity, divided by sales revenue of that entity.[187] [188]

TABLE 27—PROPOSED COST PER REGISTRATION ASSOCIATED WITH THE REGISTRATION REQUIREMENT BY TYPE OF PREPARER

	HR specialist	In-house lawyer	Outsourced lawyer
Proposed Cost for Single Registration	$31.14	$154.38	$264.35

Source: USCIS analysis.

Since entities can file multiple petitions, this analysis uses the number of petitions submitted by each entity. Entities that were considered small based on employee count with missing revenue data were excluded. Among the 229 small entities with reported revenue data, the greatest economic impact imposed by this proposed rule would be 2.227 percent if an HR specialist files, 11.035 percent if an in-house lawyer files, and 18.896 percent if an outsourced lawyer files. The smallest economic impact would be 0.0001 percent if an HR specialist files, 0.0007 percent if an in-house lawyer files and 0.0012 percent if an outsourced lawyer files. The average impact on all 229 small entities with revenue data would be 0.186 percent if an HR specialist files, 0.921 percent if an in-house lawyer files and 1.576 percent if an outsourced lawyer files. DHS welcomes any public comments on the number of small entities estimated and the impact to those small entities, including whether or not it is more common for small entities to use in-house or outsourced lawyers during the H–1B cap selection process.

As seen in Table 4, 97,198 H–1B cap-subject petitions are selected annually. As seen in Table 22, DHS estimates that 78 percent of selected petitioners are considered small based on SBA size standards. Therefore, DHS reasonably assumes that of the 97,198 selected petitioner population, 75,814 [189] selected petitions are submitted by small entities. Next, DHS estimates the number of selected small entities with beneficiaries holding a master's degree or higher from a U.S. institution of higher education. To estimate this, DHS assumes that the percentage of petitions for the advanced degree exemption received annually by USCIS (29 percent), from section 4, is a reasonable percentage to estimate the relevant distribution among small entities. As stated previously, anecdotal evidence suggests that very few petitions do not align with the education requirements of the numerical limitation under which the petition was submitted. Therefore, of the selected 75,814 petitions submitted by small entities, DHS

[184] Calculation: $7.90 opportunity cost of account creation + $23.24 opportunity cost of registration = $31.14 added costs

[185] Calculation: $16.93 opportunity cost of account creation + $49.80 opportunity cost of registration + $87.65 cost to complete Form G–28 for in-house lawyer = $154.38 added costs.

[186] Calculation: $28.99 opportunity cost of account creation + $85.28 opportunity cost of registration + $150.08 cost to complete Form G–28 for in-house lawyer = $264.35 added costs.

[187] For HR specialists: Total Impact to Entity = Number of Petitions * ($31.14)/Entity Sales Revenue. For in-house lawyers: Total Impact to Entity = Number of Petitions * ($154.38)/Entity Sales Revenue. For outsourced lawyers: Total Impact to Entity = Number of Petitions * ($264.35)/Entity Sales Revenue.

[188] USCIS used the lower end of the sales revenue range for those entities where ranges were provided.

[189] Calculation: 97,198 annually selected petitions * 78 percent = 75,814 submitted by small entities (rounded).

estimates that 21,986 [190] is the number of petitions with a beneficiary holding a master's degree or higher from a U.S. institution of higher education. DHS assumes 50,619 [191] petitions are submitted by small entities for beneficiaries who have not earned a master's degree or higher from a U.S. institution of higher education (*i.e.* beneficiaries who have earned a bachelor's degree, foreign advanced degree, or advanced degree from an institution in the United States that does not qualify as a U.S. institution of higher education as defined at 20 U.S.C. 1001(a)). DHS is unable to quantitatively estimate the impact of the new selection process on petitioning employers. DHS does not anticipate petitioning employers would suffer economic harm from the decreased probability of selecting, under the proposed selection process, an H–1B beneficiary who has not earned a master's degree or higher from a U.S. institution of higher education. DHS welcomes any public comments on these estimations and the impact to those small entities.

d. A Description of the Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule, Including an Estimate of the Classes of Small Entities That Will Be Subject to the Requirement and the Type of Professional Skills

The proposed rule does not require any new professional skills for reporting, but does directly impose new ''reporting'' requirements in the form of registration for an H–1B cap subject petition. As stated earlier, DHS estimates that 78 percent of entities that filed at least one Form I–129 in FY 2016 were considered small based on SBA size standards. For unselected petitions the total cost would range from $2,324,975 to $19,736,899 depending on the preparer and for selected petitions the total cost for the proposed registration ranges from $2,360,862 to $20,041,430 depending on the preparer. DHS welcomes any public comment on these estimates and the impact to small entities.[192]

e. An Identification of All Relevant Federal Rules, to the Extent Practical, That May Duplicate, Overlap, or Conflict With the Proposed Rule

DHS is unaware of any duplicative, overlapping, or conflicting Federal rules, but invites any comment and information regarding any such rules.

f. Description of Any Significant Alternatives to the Proposed Rule That Accomplish the Stated Objectives of Applicable Statutes and That Minimize Any Significant Economic Impact of the Proposed Rule on Small Entities

The proposed rule would add a registration requirement for all petitioners who seek to file an H–1B cap-subject petition. DHS considered alternative solutions that are described in further detail in Executive Orders 12866 and 13653. One alternative was a first-in, first-out registration process where USCIS would select registrations strictly in the order in which registrations are properly submitted. This alternative would not minimize the impact on small entities, but rather would disadvantage small entities that would have to compete with the resources and personnel of larger entities, which may enable larger entities to submit registrations faster and sooner than small entities. DHS decided against the alternative described.

Additionally, the status quo alternative is a much more costly process for petitioners as long as demand continues to exceed available visas. The high costs of filing a full H–1B petition without the guarantee of obtaining a worker under the status quo could be a barrier to some small entities. The lower costs of a registration system could allow more small entities to submit a registration that otherwise may not file a full H–1B petition. DHS welcomes any public comments on other possible alternatives to help mitigate the proposed rule's impact to small entities.

C. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995 (UMRA) is intended, among other things, to curb the practice of imposing unfunded Federal mandates on State, local, and tribal governments. Title II of the UMRA requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in a $100 million or more expenditure (adjusted annually for inflation) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector. The value equivalent of $100 million in 1995 adjusted for inflation to 2017 levels by the Consumer Price Index for All Urban Consumers (CPI–U) is $161 million.

This proposed rule does not exceed the $100 million expenditure in any 1 year when adjusted for inflation ($161 million in 2017 dollars), and this rulemaking does not contain such mandates. The requirements of Title II of the Act, therefore, do not apply, and the Department has not prepared a statement under the Act.

D. Small Business Regulatory Enforcement Fairness Act of 1996

This proposed rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This proposed rule would not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets. However, as some small businesses may be impacted under this proposed regulation, DHS has prepared an Initial Regulatory Flexibility Analysis (IRFA) under the Regulatory Flexibility Act (RFA).

E. Executive Order 13132 (Federalism)

This proposed rule would not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of E.O. 13132, DHS has determined that this rulemaking does not have significant Federalism implications to warrant the preparation of federalism summary impact statement.

F. Executive Order 12988 (Civil Justice Reform)

This proposed rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988.

G. National Environmental Policy Act

DHS analyzes actions to determine whether NEPA applies to them and, if so, what degree of analysis is required. DHS Directive (Dir) 023–01 Rev. 01 and

[190] Calculation: 75,814 petitions * 29 percent = 21,986 petitions.

[191] Calculation: 75,814 − 21,986 = 53,828 petitions

[192] Calculation: Unselected petitions: HR specialist = (95,720 unselected petitions from Table 5 *78 percent) * $31.14 from Table 27 = $2,324,975 (rounded); In- house lawyer = (95,720 unselected petitions from Table 5 *78 percent) * $154.38 from Table 27 = $11,526,319; Outsourced lawyers = (95,720 unselected petitions from Table 5 *78 percent) * $264.35 from Table 27 = $19,736,899. Selected petitions: HR specialists = (97,198 selected petitions from Table 5 *78 percent) * $31.14 from Table 27 = $2,360,862 (rounded); In- house lawyer = (97,198 selected petitions from Table 5 *78 percent) * $154.38 from Table 27 = $11,704,165; Outsourced lawyers = (97,198 selected petitions from Table 5 *78 percent) * $264.35 from Table 27 = $20,041,430.

Instruction (Inst.) 023–01–001 rev. 01 establish the procedures that DHS and its components use to comply with NEPA and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, 40 CFR parts 1500 through 1508. The CEQ regulations allow federal agencies to establish, with CEQ review and concurrence, categories of actions (''categorical exclusions'') which experience has shown do not individually or cumulatively have a significant effect on the human environment and, therefore, do not require an Environmental Assessment (EA) or Environmental Impact Statement (EIS). 40 CFR 1507.3(b)(1)(iii), 1508.4. DHS Instruction 023–01–001 Rev. 01 establishes such Categorical Exclusions that DHS has found to have no such effect. Inst. 023–01–001 Rev. 01 Appendix A Table 1. For an action to be categorically excluded, DHS Inst. 023–01–001 Rev. 01 requires the action to satisfy each of the following three conditions: (1) The entire action clearly fits within one or more of the Categorical Exclusions; (2) the action is not a piece of a larger action; and (3) no extraordinary circumstances exist that create the potential for a significant environmental effect. Inst. 023–01–001 Rev. 01 section V.B (1)–(3).

DHS analyzed this action and has concluded that NEPA does not apply due to the excessively speculative nature of any effort to conduct an impact analysis. Nevertheless, if NEPA did apply to this action, the action clearly would come within our categorical exclusion A.3(d) as set forth in DHS Inst. 023–01–001 Rev. 01, Appendix A, Table 1.

As discussed in more detail throughout this NPRM, this proposed rule would require petitioners seeking to file H–1B cap-subject petitions to first electronically register with USCIS during a designated registration period, and USCIS would only allow those petitioners whose registrations are selected to file H–1B petitions for the beneficiary named in the registration. In addition, the proposed rule would amend the order in which USCIS randomly selects H–1B beneficiaries who may be counted toward the projected number of petitions needed to reach the H–1B regular cap (65,000) or the H–1B advanced degree exemption allocation (20,000). Under the proposed amendments, USCIS would randomly select registrations that may be counted toward the projected number of petitions needed to reach the H–1B advanced degree exemption allocation under the regular cap first until the projected number needed to meet the regular cap is reached, and only then would USCIS randomly select registrations that are eligible for the advanced degree exemption until the projected number of petitions needed to meet the advanced degree exemption allocation is reached. This proposed change would be likely to increase the number of beneficiaries with a master's or higher degrees from a U.S. institution of higher education that would be selected. However, this rule does not alter the statutory limitations on the numbers of nonimmigrants who may be issued new H–1B visas or granted initial H–1B status, or who would consequently be admitted into the United States as H–1B nonimmigrants, or allowed to change their status to H–1B, or extend their stay in H–1B status. This rule is not part of a larger action and presents no extraordinary circumstances creating the potential for significant environmental effects. Therefore, if NEPA were determined to apply, this rule would be categorically excluded from further NEPA review.

H. Paperwork Reduction Act

USCIS H–1B Registration Tool

Under the Paperwork Reduction Act of 1995, Public Law 104–13, all agencies are required to submit to OMB, for review and approval, any reporting requirements inherent in a rule.

DHS and USCIS invite the general public and other Federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1615–NEW in the body of the letter and the agency name. To avoid duplicate submissions, please use only one of the methods under the **ADDRESSES** and I. Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper

performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, 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 information collection:

(1) *Type of Information Collection:* New Collection.

(2) *Title of the Form/Collection:* H–1B Registration Tool.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* No Agency Form Number; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. USCIS uses the data collected on this form to determine which petitioners would be informed that they may submit a USCIS Form I–129 H–1B cap-subject nonimmigrant petition. USCIS is proposing to collect the minimum amount of information needed to identify the prospective H–1B cap-subject petitioner and the named beneficiary, to eliminate duplicate registrations, and to match selected registrations with subsequently filed H–1B cap-subject petitions.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection H–1B Registration Tool is 192,918 and the estimated hour burden per response is .5 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 96,459 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

USCIS Form I–129

Under the Paperwork Reduction Act of 1995, Public Law 104–13, all agencies are required to submit to OMB, for review and approval, any reporting requirements inherent in a rule.

DHS and USCIS invite the general public and other Federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments

regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1615–0009 in the body of the letter and the agency name. To avoid duplicate submissions, please use only one of the methods under the **ADDRESSES** and I. Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, 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 information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Petition for Nonimmigrant Worker.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–129; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. USCIS uses the data collected on this form to determine eligibility for the requested nonimmigrant petition and/or requests to extend or change nonimmigrant status. An employer (or agent, where applicable) uses this form to petition USCIS for an alien to temporarily enter as a nonimmigrant in certain classifications. An employer (or agent, where applicable) also uses this form to request an extension of stay or change of status on behalf of the alien worker. The form serves the purpose of standardizing requests for certain nonimmigrant workers, and ensuring that basic information required for assessing eligibility is provided by the petitioner while requesting that beneficiaries be classified under certain nonimmigrant employment categories. It also assists USCIS in compiling information required by Congress annually to assess effectiveness and utilization of certain nonimmigrant classifications.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–129 is 294,751 and the estimated hour burden per response is 2.34 hours; the estimated total number of respondents for the information collection E–1/E–2 Classification Supplement to Form I–129 is 4,760 and the estimated hour burden per response is 0.67; the estimated total number of respondents for the information collection Trade Agreement Supplement to Form I–129 is 3,057 and the estimated hour burden per response is 0.67; the estimated total number of respondents for the information collection H Classification Supplement to Form I–129 is 96,291 and the estimated hour burden per response is 2; the estimated total number of respondents for the information collection H–1B and H–1B1 Data Collection and Filing Fee Exemption Supplement is 96,291 and the estimated hour burden per response is 1; the estimated total number of respondents for the information collection L Classification Supplement to Form I–129 is 37,831 and the estimated hour burden per response is 1.34; the estimated total number of respondents for the information collection O and P Classifications Supplement to Form I–129 is 22,710 and the estimated hour burden per response is 1; the estimated total number of respondents for the information collection Q–1 Classification Supplement to Form I–129 is 155 and the estimated hour burden per response is 0.34; the estimated total number of respondents for the information collection R–1 Classification Supplement to Form I–129 is 6,635 and the estimated hour burden per response is 2.34.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 1,072,810 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $70,680,553.

USCIS Form G–28

Under the Paperwork Reduction Act of 1995, Public Law 104–13, all agencies are required to submit to OMB, for review and approval, any reporting requirements inherent in a rule.

DHS and USCIS invite the general public and other Federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1615–0105 in the body of the letter and the agency name. To avoid duplicate submissions, please use only one of the methods under the **ADDRESSES** and I. Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, 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 information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Notice of Entry of Appearance as Attorney or Accredited Representative; Notice of Entry of Appearance as Attorney In matters Outside the Geographical Confines of the United States.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* G–28; G–28I; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. The data collected on Forms G–28 and G–28I is used by DHS to determine eligibility of the individual to appear as a representative. Form G–28 is used by attorneys admitted to the

practice of law in the United States and accredited representatives of certain non-profit organizations recognized by the Department of Justice. Form G–28I is used by attorneys admitted to the practice of law in countries other than the United States and only in matters in DHS offices outside the geographical confines of the United States. If the representative is eligible, the form is filed with the case and the information is entered into DHS systems for whatever type of application or petition it may be.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection G–28 paper filing is 2,638,276 and the estimated hour burden per response is 0.833 hours; the estimated total number of respondents for the information collection G–28 electronic filing is 281,950 and the estimated hour burden per response is 0.667 hours; the estimated total number of respondents for the information collection G–28I is 25,057 and the estimated hour burden per response is 0.700 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 2,403,285 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

USCIS ICAM

Under the Paperwork Reduction Act of 1995, Public Law 104–13, all agencies are required to submit to OMB, for review and approval, any reporting requirements inherent in a rule.

DHS and USCIS invite the general public and other Federal agencies to comment on the impact to the proposed collection of information. In accordance with the PRA, the information collection notice is published in the **Federal Register** to obtain comments regarding the proposed edits to the information collection instrument.

Comments are encouraged and will be accepted for 60 days from the publication date of the proposed rule. All submissions received must include the OMB Control Number 1615–0122 in the body of the letter and the agency name. To avoid duplicate submissions, please use only one of the methods under the **ADDRESSES** and I. Public Participation section of this rule to submit comments. Comments on this information collection should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, 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 information collection:

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* USCIS Identity and Credentialing Access Management (ICAM).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* No Form; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. In order to interact with USCIS electronic systems accessible through the USCIS ICAM portal, a first-time user must establish an account. The account creation process requires the user to submit a valid email address; create a password; select their preference for receiving a one-time password (via email, mobile phone, or both); select five password reset questions and responses; and indicate the account type they want to set up (customer or legal representative). The account creation and the account login processes both require the user to receive and submit a one-time password. The one-time password can be provided either as an email to an email address or to a mobile phone via text message.

USCIS ICAM currently grants access to myUSCIS and the information collections available for online filing. ICAM would also be the portal through which accounts to submit H–1B cap registrations would be created and accessed.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection ICAM is 2,813,225 and the estimated hour burden per response is 0.167 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 469,809 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

List of Subjects in 8 CFR Part 214

Administrative practice and procedure, Aliens, Cultural exchange programs, Employment, Foreign officials, Health professions, Reporting and recordkeeping requirements, Students.

Accordingly, DHS proposes to amend part 214 of chapter I of title 8 of the Code of Federal Regulations as follows:

PART 214—NONIMMIGRANT CLASSES

■ 1. The authority citation for part 214 continues to read as follows:

Authority: 6 U.S.C. 202, 236; 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282, 1301–1305 and 1372; sec. 643, Pub. L. 104–208, 110 Stat. 3009–708; Pub. L. 106–386, 114 Stat. 1477–1480; section 141 of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901 note, and 1931 note, respectively; 48 U.S.C. 1806; 8 CFR part 2.

■ 2. Section 214.2 is amended by:

■ a. Redesignating paragraph (h)(9)(i)(B) as paragraph (h)(2)(i)(I) and revising newly redesignated paragraph (h)(2)(i)(I);

■ b. Adding paragraph (h)(8)(iii);

■ c. Redesignating paragraph (h)(8)(ii)(F) as paragraph (h)(8)(iii)(F);

■ d. In newly redesignated paragraphs (h)(8)(iii)(F)(*6*)(*i*) and (*ii*), removing the reference to ''(h)(8)(ii)(F)(*6*)'' and adding in its place ''(h)(8)(iii)(F)(*6*)'';

■ e. Removing paragraph (h)(8)(ii)(B);

■ f. Redesignating paragraphs (h)(8)(ii)(C) and (D) as paragraphs (h)(8)(ii)(B) and (C), respectively;

■ g. Adding paragraphs (h)(8)(iv) and (v);

■ h. Redesignating paragraphs (h)(8)(ii)(E) introductory text and (h)(8)(ii)(E)(*1*) through (*6*) as paragraphs (h)(8)(vi) introductory text and (h)(8)(vi)(A) through (F), respectively;

■ i. Adding a heading for newly redesignated paragraph (h)(8)(vi);

■ j. In newly redesignated paragraph (h)(8)(vi)(A), removing the reference to ''(h)(8)(ii)(F)(*3*)'' and adding in its place ''(h)(8)(vi)(C)'';

■ k. In newly redesignated paragraph (h)(8)(vi)(B), removing the references to

''(h)(8)(ii)(F)(*1*)'' and ''(h)(8)(ii)(F)(*3*)'' and adding in their place ''(h)(8)(vi)(A)'' and ''(h)(8)(vi)(C),'' respectively;

■ l. Adding paragraph (h)(8)(vii); and

■ m. Revising paragraph (h)(9)(i).

The additions and revisions read as follows:

§ 214.2 Special requirements for admission, extension, and maintenance of status.

* * * * *

(h) * * *

(2) * * *

(i) * * *

(I) *Time of filing.* A petition filed under section 101(a)(15)(H) of the Act may not be filed earlier than 6 months before the date of actual need for the beneficiary's services or training.

* * * * *

(8) * * *

(iii) H–1B numerical limitations—(A) *Registration*—(1) Registration requirement. Except as provided in paragraph (h)(8)(iv) of this section, before a petitioner can file an H–1B cap-subject petition for a beneficiary who may be counted under section 214(g)(1)(A) of the Act (''H–1B regular cap'') or under section 214(g)(5)(C) of the Act (''H–1B advanced degree exemption''), the petitioner must register to file a petition on behalf of an alien beneficiary electronically through the USCIS website (*www.uscis.gov*). To be eligible to file a petition for a beneficiary who may be counted against the H–1B regular cap or the H–1B advanced degree exemption for a particular fiscal year, a registration must be properly submitted in accordance with 8 CFR 103.2(a)(1), paragraph (h)(8)(iii) of this section, and the form instructions. A petitioner may file an H–1B cap-subject petition on behalf of a registered beneficiary only after the petitioner's registration for that beneficiary has been selected for that fiscal year. USCIS will notify the petitioner of the selection of the petitioner's registered beneficiaries.

(*2*) *Limitation on beneficiaries.* A petitioner must electronically submit a separate registration to file a petition for each beneficiary it seeks to register, and each beneficiary must be named. A petitioner may only submit one registration per beneficiary in any fiscal year. If a petitioner submits more than one registration per beneficiary in the same fiscal year, all registrations filed by that petitioner relating to that beneficiary for that fiscal year will be considered invalid.

(*3*) *Initial registration period.* The annual initial registration period will last a minimum of 14 calendar days and will start at least 14 calendar days before the earliest date on which H–1B cap-subject petitions may be filed for a particular fiscal year, consistent with paragraph (h)(2)(i)(I) of this section. USCIS will announce the start and end dates of the initial registration period on the USCIS website at *www.uscis.gov* for each fiscal year.

(*4*) *Limitation on requested start date.* A petitioner may submit a registration during the initial registration period only if the requested start date for the beneficiary is the first business day for the applicable fiscal year. If USCIS keeps the registration period open beyond the initial registration period, or determines that it is necessary to re-open the registration period, a petitioner may submit a registration with a requested start date after the first business day for the applicable fiscal year, as long as the date of registration is no more than 6 months before the requested start date.

(*5*) *Regular cap selection.* In determining whether there are enough registrations to meet the H–1B regular cap, USCIS will consider all properly submitted registrations relating to beneficiaries that may be counted under section 214(g)(1)(A) of the Act, including those that may also be counted under section 214(g)(5)(C) of the Act.

(*i*) *Fewer registrations than needed to meet the H–1B regular cap.* At the end of the annual initial registration period, if USCIS determines that it has received fewer registrations than needed to meet the H–1B regular cap, USCIS will notify all petitioners that have properly registered that their registrations have been selected. USCIS will keep the registration period open beyond the initial registration period, until it determines that it has received a sufficient number of registrations to meet the H–1B regular cap. Once USCIS has received a sufficient number of registrations to meet the H–1B regular cap, USCIS will no longer accept registrations for petitions subject to the H–1B regular cap under section 214(g)(1)(A). USCIS will monitor the number of registrations received and will notify the public of the date that USCIS has received the necessary number of registrations (the ''final registration date''). The day the public is notified will not control the applicable final registration date. When necessary to ensure the fair and orderly allocation of numbers under Section 214(g)(1)(A) of the Act, USCIS may randomly select the remaining number of registrations deemed necessary to meet the H–1B regular cap from among the registrations received on the final registration date. This random selection will be made via computer-generated selection.

(*ii*) *Sufficient registrations to meet the H–1B regular cap during initial registration period.* At the end of the initial registration period, if USCIS determines that it has received more than sufficient registrations to meet the H–1B regular cap, USCIS will no longer accept registrations under section 214(g)(1)(A) of the Act and will notify the public of the final registration date. USCIS will randomly select from among the registrations properly submitted during the initial registration period the number of registrations deemed necessary to meet the H–1B regular cap. This random selection will be made via computer-generated selection.

(*6*) *Advanced degree exemption selection.* After USCIS has determined it will no longer accept registrations under section 214(g)(1)(A) of the Act, USCIS will determine whether there is a sufficient number of remaining registrations to meet the H–1B advanced degree exemption.

(*i*) *Fewer registrations than needed to meet the H–1B advanced degree exemption numerical limitation.* If USCIS determines that it has received fewer registrations than needed to meet the H–1B advanced degree exemption numerical limitation, USCIS will notify all petitioners that have properly registered that their registrations have been selected. USCIS will continue to accept registrations to file petitions that may be counted toward the H–1B advanced degree exemption numerical limitation under section 214(g)(5)(C) of the Act until USCIS determines that it has received enough registrations to meet the H–1B advanced degree exemption numerical limitation. USCIS will monitor the number of registrations received and will notify the public of the date that USCIS has received the necessary number of registrations (the ''final registration date''). The day the public is notified will not control the applicable final registration date. When necessary to ensure the fair and orderly allocation of numbers under Section 214(g)(1)(A) of the Act, USCIS may randomly select the remaining number of registrations deemed necessary to meet the H–1B advanced degree exemption numerical limitation from among the registrations properly submitted on the final registration date. This random selection will be made via computer-generated selection.

(*ii*) *Sufficient registrations to meet the H–1B advanced degree exemption numerical limitation.* If USCIS determines that it has received more than enough registrations to meet the H–1B advanced degree exemption

numerical limitation, USCIS will no longer accept registrations that may be counted under section 214(g)(5)(C) of the Act and will notify the public of the final registration date. USCIS will randomly select the number of registrations needed to meet the H–1B advanced degree exemption numerical limitation from among the remaining registrations that may be counted against the advanced degree exemption numerical limitation. This random selection will be made via computer-generated selection.

(*7*) *Increase to the number of registrations projected to meet the H–1B regular cap or advanced degree exemption allocations in a fiscal year.* Unselected registrations will remain on reserve for the applicable fiscal year. If USCIS determines that it needs to increase the number of registrations projected to meet the H–1B regular cap or advanced degree exemption allocation, and select additional registrations, USCIS will select from among the registrations that are on reserve a sufficient number to meet the H–1B regular cap or advanced degree exemption numerical limitation, as applicable. If all of the registrations on reserve are selected and there are still fewer registrations than needed to meet the H–1B regular cap or advanced degree exemption numerical limitation, as applicable, USCIS may reopen the applicable registration period until USCIS determines that it has received a sufficient number of registrations projected as needed to meet the H–1B regular cap or advanced degree exemption numerical limitation. USCIS will monitor the number of registrations received and will notify the public of the date that USCIS has received the necessary number of registrations (the new ''final registration date''). The day the public is notified will not control the applicable final registration date. When necessary to ensure the fair and orderly allocation of numbers, USCIS may randomly select the remaining number of registrations deemed necessary to meet the H–1B regular cap or advanced degree exemption numerical limitation from among the registrations properly submitted on the final registration date. If the registration period will be re-opened, USCIS will announce the start of the re-opened registration period on the USCIS website at *www.uscis.gov.*

(B) *Confirmation.* Petitioners will receive electronic notification that USCIS has accepted a registration for processing.

(C) *Notification to file H–1B cap-subject petitions.* USCIS will notify all petitioners with selected registrations that the petitioner is eligible to file an H–1B cap-subject petition on behalf of the beneficiary named in the notice within the filing period indicated on the notice.

(D) *H–1B cap-subject petition filing following registration—(1) Filing procedures.* In addition to any other applicable requirements, a petitioner may file an H–1B petition for a beneficiary that may be counted under section 214(g)(1)(A) or section 214(g)(5)(C) of the Act only if the petitioner's registration to file a petition on behalf of the beneficiary named in the petition was selected beforehand by USCIS and only within the filing period indicated on the notice. A petitioner may not substitute the beneficiary named in the original registration or transfer the registration to another petitioner. If a petitioner files an H–1B cap-subject petition based on a registration that was not selected beforehand by USCIS, or based on a registration for a different beneficiary than the beneficiary named in the petition, the H–1B cap-subject petition will be denied or rejected.

(*2*) *Filing period.* An H–1B cap-subject petition must be properly filed within the filing period indicated on the relevant selection notice. The filing period for filing the H–1B cap-subject petition will be at least 60 days. If petitioners do not meet these requirements, USCIS will deny or reject the H–1B cap-subject petition.

(E) *Calculating the number of registrations needed to meet the H–1B regular cap and H–1B advanced degree exemption allocation.* When calculating the number of registrations needed to meet the H–1B regular cap and the H–1B advanced degree exemption numerical limitation for a given fiscal year, USCIS will take into account historical data related to approvals, denials, revocations, and other relevant factors. If necessary, USCIS may increase those numbers throughout the fiscal year.

* * * * *

(iv) *Suspension of registration requirement*—(A) *Determination to suspend registration requirement.* USCIS may suspend the H–1B registration requirement, in its discretion, if it determines that the registration process is inoperable for any reason. If USCIS suspends the registration requirement, USCIS will make an announcement of the suspension on its website (*http://www.uscis.gov*) along with the opening date of the applicable H–1B cap-subject petition-filing period.

(B) *Petition-based cap-subject selections in event of suspended registration process.* In any year in which USCIS suspends the H–1B registration process for cap-subject petitions, USCIS will allow for the submission of H–1B petitions notwithstanding paragraph (h)(8)(iii) of this section and conduct a cap-subject selection process based on the petitions that are received. USCIS will deny petitions indicating that they are exempt from the H–1B regular cap and the H–1B advanced degree exemption if USCIS determines that they are subject to either the H–1B regular cap or H–1B advanced degree exemption, unless the petition can still be counted under the H–1B regular cap or advanced degree exemption at the time of determination. If a petition is denied under this paragraph (h)(8)(iv)(B), USCIS will not return or refund filing fees.

(*1*) *H–1B regular cap selection in event of suspended registration process.* In determining whether there are enough H–1B cap-subject petitions to meet the H–1B regular cap, USCIS will consider all petitions properly submitted in accordance with 8 CFR 103.2 relating to beneficiaries that may be counted under section 214(g)(1)(A) of the Act, including those that may also be counted under section 214(g)(5)(C) of the Act. When calculating the number of petitions needed to meet the H–1B regular cap USCIS will take into account historical data related to approvals, denials, revocations, and other relevant factors. USCIS will monitor the number of petitions received and will announce on its website the date that it receives the number of petitions projected as needed to meet the H–1B regular cap (the ''final receipt date''). The date the announcement is posted will not control the final receipt date. When necessary to ensure the fair and orderly allocation of numbers under the H–1B regular cap, USCIS may randomly select via computer-generated selection the remaining number of petitions deemed necessary to meet the H–1B regular cap from among the petitions properly submitted on the final receipt date. If the final receipt date is any of the first five business days on which petitions subject to the H–1B regular cap may be received (*i.e.,* if the cap is reached on any one of the first five business days that filings can be made), USCIS will randomly select from among all the petitions properly submitted during the first five business days the number of petitions deemed necessary to meet the H–1B regular cap. After any random selection under this paragraph (h)(8)(iv)(B)(*1*), petitions that are subject to the H–1B regular cap and that do not qualify for the H–1B advanced degree

exemption will be rejected if they are not randomly selected or were received after the final receipt date.

(*2*) *Advanced degree exemption selection in event of suspended registration process.* After USCIS has received a sufficient number of petitions to meet the H–1B regular cap and, as applicable, completed the random selection process of petitions for the H–1B regular cap, USCIS will determine whether there is a sufficient number of remaining petitions to meet the H–1B advanced degree exemption numerical limitation. When calculating the number of petitions needed to meet the H–1B advanced degree exemption numerical limitation USCIS will take into account historical data related to approvals, denials, revocations, and other relevant factors. USCIS will monitor the number of petitions received and will announce on its website the date that it receives the number of petitions projected as needed to meet the H–1B advanced degree exemption numerical limitation (the ''final receipt date''). The date the announcement is posted will not control the final receipt date. When necessary to ensure the fair and orderly allocation of numbers under the H–1B advanced degree exemption, USCIS may randomly select via computer-generated selection the remaining number of petitions deemed necessary to meet the H–1B advanced degree exemption numerical limitation from among the petitions properly submitted on the final receipt date. If the final receipt date is any of the first five business days on which petitions subject to the H–1B advanced degree exemption may be received (*i.e.,* if the numerical limitation is reached on any one of the first five business days that filings can be made), USCIS will randomly select from among all the petitions properly submitted during the first five business days the number of petitions deemed necessary to meet the H–1B advanced degree exemption numerical limitation. After any random selection under this paragraph (h)(8)(iv)(B)(*2*), petitions that are not randomly selected or that were received after the final receipt date will be rejected.

(v) S*everability.* The requirement to submit a registration for an H–1B cap-subject petition and the selection process based on properly submitted registrations under paragraph (h)(8)(iii) of this section are intended to be severable from paragraph (h)(8)(iv) of this section. In the event paragraph (h)(8)(iii) is not implemented, or in the event that paragraph (h)(8)(iv) is not implemented, DHS intends that either of those provisions be implemented as an independent rule, without prejudice to petitioners in the United States under this regulation, as consistent with law.

(vi) *H–1C numerical limitations.*

* * *

(vii) *H–2B numerical limitations.* When calculating the numerical limitations under section 214(g)(1)(B) and 214(g)(10) of the Act for a given fiscal year, USCIS will make numbers available to petitions in the order in which the petitions are filed. USCIS will make projections of the number of petitions necessary to achieve the numerical limit of approvals, taking into account historical data related to approvals, denials, revocations, and other relevant factors. USCIS will monitor the number of petitions (including the number of beneficiaries requested when necessary) received and will notify the public of the date that USCIS has received the necessary number of petitions (the ''final receipt date''). The day the public is notified will not control the final receipt date. When necessary to ensure the fair and orderly allocation of numbers subject to the numerical limitations in 214(g)(1)(B) and 214(g)(10) of the Act, USCIS may randomly select from among the petitions received on the final receipt date the remaining number of petitions deemed necessary to generate the numerical limit of approvals. This random selection will be made via computer-generated selection. Petitions subject to a numerical limitation not randomly selected or that were received after the final receipt date will be rejected. Petitions indicating that they are exempt from the numerical limitation but that are determined by USCIS after the final receipt date to be subject to the numerical limit will be denied and filing fees will not be returned or refunded. If the final receipt date is any of the first five business days on which petitions subject to the applicable numerical limit may be received (*i.e.,* if the numerical limit is reached on any one of the first five business days that filings can be made), USCIS will randomly apply all of the numbers among the petitions received on any of those five business days.

(9) * * *

(i) *Approval.* USCIS will consider all the evidence submitted and any other evidence independently required to assist in adjudication. USCIS will notify the petitioner of the approval of the petition on a Notice of Action. The approval notice will include the beneficiary's (or beneficiaries') name(s) and classification and the petition's period of validity. A petition for more than one beneficiary and/or multiple services may be approved in whole or in part. The approval notice will cover only those beneficiaries approved for classification under section 101(a)(15)(H) of the Act.

* * * * *

Kirstjen M. Nielsen,

Secretary.

[FR Doc. 2018–26106 Filed 11–30–18; 8:45 am]

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When a date falls on a weekend or holiday, the next Federal business day is used. (See 1 CFR 18.17)

A new table will be published in the first issue of each month.

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December 21	Jan 7	Jan 11	Jan 22	Jan 25	Feb 4	Feb 19	Mar 21
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