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Federal Register

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NUCLEAR REGULATORY COMMISSION

10 CFR Chapter I

[NRC-2021-0204]

Controlled Unclassified Information Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy statement; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing this Statement of Policy to set forth its expectation regarding the treatment of controlled unclassified information (CUI). This final policy statement describes how the NRC will comply with regulations issued by the National Archives and Records Administration (NARA) that direct agencies to minimize the risk of unauthorized disclosure of controlled unclassified information while allowing timely access by authorized holders. This policy statement aligns with similar actions taken by other Federal agencies to communicate changes in agency CUI policy to align with NARA requirements. During the transition to the CUI program, all elements of the NRC's existing Sensitive Unclassified Non-Safeguards Information (SUNSI) program will remain in place.

DATES: The policy statement is effective on November 12, 2021.

ADDRESSES: Please refer to Docket ID NRC-2021-0204 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0204. Address questions about NRC dockets to Dawn Forder; telephone: 301-415-3407; email: Dawn.Forder@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER**

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FOR FURTHER INFORMATION CONTACT: Tanya Mensah, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3610, email: Tanya.Mensah@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In November 2010, the President issued Executive Order (E.O.) 13556, "Controlled Unclassified Information (CUI)," to "establish an open and uniform program for managing unclassified information that requires safeguarding or dissemination controls." According to the E.O., agency-specific approaches have created an inefficient and confusing patchwork system, resulting in inconsistent marking and safeguarding of information and unnecessarily restricted information-sharing. On September 14, 2016, the National Archives and Records Administration (NARA) published in the **Federal Register** a final CUI rule adding new part 2002 to title 32 of the *Code of Federal Regulations* (32 CFR) (81 FR 63324). The CUI rule went into effect on November 14, 2016, and established requirements for CUI designation, safeguarding, dissemination, marking, decontrolling, destruction, incident management, self-

inspection, and oversight across the executive branch. The CUI rule applies directly to Federal executive branch agencies, including the NRC, and the rule's primary function is to define how the CUI program will be implemented within these agencies. Controlled unclassified information does not include Classified National Security Information that has been classified pursuant to E.O. 13526 or the Atomic Energy Act of 1954 (AEA), as amended, or information a non-executive branch entity (e.g., contractors, licensees, Agreement States,¹ intervenors) possesses and maintains in its own systems that did not come from, or was not created or possessed by or for, an executive branch agency or an entity acting for such an agency. However, the CUI rule can apply indirectly, through information-sharing agreements, to non-executive branch entities that are provided access to information that has been designated as CUI.

II. Statement of Policy

In November 2010, the President issued E.O. 13556, "Controlled Unclassified Information (CUI)," to "establish an open and uniform program for managing unclassified information that requires safeguarding or dissemination controls." On September 14, 2016, NARA published 32 CFR part 2002 in the **Federal Register** (81 FR 63324). It is the Commission's policy that the NRC will comply with 32 CFR part 2002, "Controlled Unclassified Information (CUI)" (CUI rule), in order to minimize the risk of unauthorized disclosure of CUI while allowing timely access by authorized holders.

The CUI rule went into effect on November 14, 2016. It defines CUI as information the Government creates or possesses, or that an entity creates or possesses for or on behalf of the Government, that a law, regulation, or Government-wide policy requires or permits an agency to handle using safeguarding or dissemination controls. The CUI rule established requirements for CUI designation, safeguarding, dissemination, marking, decontrolling, destruction, incident management, self-

¹ Agreement States are States that have entered into formal agreements with the NRC, pursuant to Section 274 of the AEA, to regulate certain quantities of AEA material at facilities located within their borders.

inspection, and oversight across the executive branch.

The CUI rule identifies NARA as the Executive Agent responsible for implementing E.O. 13556 and overseeing agency actions to ensure compliance with the E.O., the CUI rule, and the CUI registry. The CUI registry is an online repository located on the NARA website (<https://www.archives.gov/cui/>) which, among other information, identifies all approved CUI categories, provides general descriptions for each, identifies the basis for controls, establishes markings, and includes guidance on handling procedures. The categories within the CUI registry serve as the exclusive designations for identifying CUI.

The CUI program at the NRC will replace the SUNSI program and will also include, within its scope, Safeguards Information (SGI) and Safeguards Information—Modified Handling. Section 147 of the AEA, as amended, provides NRC with the statutory authority to prohibit the unauthorized disclosure of SGI. Even though SGI is a form of CUI under the CUI rule, specific controls found in part 73 of title 10 of the *Code of Federal Regulations*, “Physical Protection of Plants and Materials,” continue to apply to SGI.

The NRC recognizes that the CUI rule could alter how information is shared between the agency and external parties, including licensees, applicants, Agreement and non-Agreement States, and others. The NRC is committed to avoiding unintended consequences that unnecessarily increase the burden on external stakeholders while also maintaining adequate protective measures for CUI.

The CUI program is separate from the Classified National Security Information program. While the two programs may share similar language and some similar requirements, the CUI program’s requirements for designating, protecting, accessing, sharing, and decontrolling information, as well as the repercussions for misuse, differ from those for the Classified National Security Information program.

The CUI program does not change NRC policy and practices in responding to a Freedom of Information Act (FOIA) request. Marking and designating information as CUI does not preclude information from release under the FOIA or preclude it from otherwise being considered for public release. The staff must still review the information and apply FOIA exemptions appropriately.

While the NRC transitions to the CUI program, all elements of the NRC’s SUNSI program will remain in place. If NRC employees or contractors receive CUI before the implementation of the CUI program at the NRC, they will continue to follow current NRC guidance to protect sensitive information.

Key Elements of the CUI Program

(1) *The NRC’s CUI Program Office:* The NRC’s CUI Senior Agency Official (SAO) is responsible for planning, directing, and overseeing the implementation of a comprehensive, coordinated, integrated, efficient, and cost-effective NRC CUI program, consistent with applicable laws, regulations, and Commission direction and policies. The SAO’s duties are assigned to the Director, Governance and Enterprise Management Services Division, in the Office of the Chief Information Officer.

(2) *Applicability:* This policy applies to all NRC employees and contractors. The CUI rule also may apply indirectly through information-sharing agreements to persons or entities that are provided access to information that has been designated as CUI.

In accordance with the CUI rule, the NRC’s CUI program will contain the following elements:

- Safeguarding standards, including for marking, physical protection, and destruction;
- Information technology and cybersecurity control standards;
- Access and dissemination standards, including, where feasible, agreements with external parties for sharing information;
- Training;
- Processes for decontrolling information, issuing waivers, managing incidents, and challenging designations of information as CUI; and
- A self-inspection and corrective action program.

Management Directive 12.6, “NRC Controlled Unclassified Information Program,” will provide detailed guidance to NRC staff and contractors for the handling, marking, protecting, sharing, destroying, and decontrolling of CUI.

Dated: November 4, 2021.

For the Nuclear Regulatory Commission.

Annette Vietti-Cook,
Secretary of the Commission.

[FR Doc. 2021-24543 Filed 11-10-21; 8:45 am]

BILLING CODE 7590-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0620; Project Identifier 2019-SW-074-AD; Amendment 39-21766; AD 2021-21-06]

RIN 2120-AA64

Airworthiness Directives; Hélicoptères Guimbal Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Hélicoptères Guimbal (HG) Model Cabri G2 helicopters with certain part-numbered aluminum cooling fans (cooling fan) installed. This AD was prompted by a report of an occurrence of an in-flight shutdown due to a crack and subsequent failure of the cooling fan. This AD requires removing certain part-numbered cooling fans from service, or modifying certain part-numbered cooling fans before exceeding a certain total hours time-in-service (TIS), and installing newly designed cooling fans. This AD also prohibits installing any affected cooling fan on any helicopter. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective December 17, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain document listed in this AD as of December 17, 2021.

ADDRESSES: For service information identified in this final rule, contact Hélicoptères Guimbal, Basile Ginel, 1070, rue du Lieutenant Parayre, Aéroport d’Aix-en-Provence, 13290 Les Milles, France; telephone 33-04-42-39-10-88; email basile.ginel@guimbal.com; web <https://www.guimbal.com>. You may view the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110. Service information that is incorporated by reference is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0620.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No.

FAA–2021–0620; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the European Union Aviation Safety Agency (EASA) AD, any comments received, and other information. The street address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228–7330; email andrea.jimenez@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to Hélicoptères Guimbal (HG) Model Cabri G2 helicopters with a cooling fan part number P/N G52–00–000; or P/N G52–00–001 or P/N G52–04–100, if it is or has previously been mounted on a 12-hole engine pulley P/N G52–10–100 or P/N G52–10–101, installed. The NPRM published in the **Federal Register** on August 9, 2021 (86 FR 43449). In the NPRM, the FAA proposed to require removing from service any affected part-numbered cooling fan. As an alternative for certain part-numbered cooling fans, modifying the cooling fan before it exceeds a certain total hours TIS was proposed.

The NPRM was prompted by a series of EASA ADs beginning with EASA AD 2014–0038, dated February 14, 2014 (EASA AD 2014–0038), issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Hélicoptères Guimbal Model Cabri G2 helicopters. EASA advised of a report of an in-flight engine shutdown caused by a failure of the cooling fan. EASA further advised the failure of the cooling fan was caused by a crack in the fan external ring. After EASA AD 2014–0038 was issued, an occurrence was reported of an in-flight failure caused by failure of the cooling fan, which was determined to be caused by a crack on the cooling fan front flange.

Accordingly, EASA issued EASA AD 2014–0196, dated September 2, 2014 (EASA AD 2014–0196), which retained the modification requirements of EASA AD 2014–0038 and required repetitive inspections of the engine cooling fan

front flange and corrective actions depending on the findings. After EASA issued EASA AD 2014–0196, further analysis determined the crack propagation depends mainly on the engine start/stop (ESS) cycles. Therefore, EASA superseded EASA AD 2014–0196 with EASA AD 2016–0033, dated February 24, 2016 (EASA AD 2016–0033), which retained the inspection and modification requirements of EASA AD 2014–0196 and depending on the findings, required replacement of the affected part pending approval of the newly designed part.

After EASA issued EASA AD 2016–0033, HG developed a newly designed engine cooling fan P/N G52–04–101, which consists of composite materials having improved structural strength. Accordingly, EASA superseded EASA AD 2016–0033 with EASA AD 2017–0039, dated February 24, 2017 (EASA AD 2017–0039), which retained the requirements of EASA AD 2016–0033 and required replacing the affected cooling fans with the newly designed cooling fan which terminated the repetitive inspections from EASA AD 2016–0033.

Since EASA issued EASA AD 2017–0039, HG issued a revision to its service bulletin requiring a life limit requirement for the replacement of the affected cooling fans. Accordingly, EASA superseded EASA AD 2017–0039 with EASA AD 2019–0187, dated July 31, 2019, and corrected August 2, 2019 (EASA AD 2019–0187). EASA AD 2019–0187 retains some of the requirements in EASA AD 2017–0039 and requires a new compliance time and life limit for the replacement of the affected part. EASA AD 2019–0187 also removes the modification and inspection requirements which are covered by EASA AD 2019–0025, dated February 4, 2019.

The unsafe condition described in the EASA ADs, if not addressed, could result in failure of the cooling fan and subsequent engine in-flight shut-down and reduced control of the helicopter.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from one commenter. The following presents the comment received on the NPRM and the FAA's response.

Request To Change the Summary Paragraph

Hélicoptères Guimbal requested the FAA revise the references made to the amount of in-flight shut-down occurrences; the commenter stated that

there were not two engine shutdowns due to fan failure but one. The FAA agrees that there was only one occurrence of an in-flight shut-down, and one occurrence of an in-flight failure. Therefore, the FAA has revised this final rule accordingly.

Conclusion

The FAA reviewed the relevant data and determined that air safety requires adopting this AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. Except for minor editorial changes, including the changes described above, this AD is adopted as proposed in the NPRM. These changes do not increase the scope of the AD.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Guimbal Service Bulletin SB 16–021 E, dated August 27, 2019. This service information specifies instructions for retrofitting the cooling fan with the new front flange, aft ring, and 24-hole pulley. This service information also specifies that upon completion of all the required actions, the cooling fan assembly P/N G52–00–000, P/N G52–00–001, and P/N G52–04–100 become P/N G52–04–101.

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

Other Related Service Information

The FAA also reviewed Guimbal Service Bulletin SB 16–021 D, dated May 20, 2019, which specifies procedures for accessing the cooling fan and removing it from service; modifying, applying adhesive and torquing the rear flange; installing the improved cooling fan, and additional actions.

Differences Between This AD and EASA AD 2019–0187

EASA AD 2019–0187 allows certain cooling fans with certain total hours TIS to be retrofitted before exceeding their life limit, whereas this AD requires removing these cooling fans from service or as an alternate to removing them from service, modifying the cooling fan before exceeding the total hours TIS. EASA AD 2019–0187 allows a compliance time in months TIS to replace certain part-numbered cooling fans, whereas this AD only allow hours TIS.

EASA AD 2019–0187 retains the compliance time of March 10, 2017, which is the effective date of EASA AD 2017–0039. This AD requires

compliance within the effective date of this AD. The FAA has determined that these compliance times are adequate to address the identified unsafe condition.

Costs of Compliance

The FAA estimates that this AD affects 32 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this AD.

Removing the affected cooling fan from service and installing the newly designed cooling fan takes about 16 work-hours and parts cost about \$4,600 for an estimated cost of \$5,960 per replacement and \$190,720 for the U.S. fleet.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2021–21–06 Hélicoptères Guimbal:

Amendment 39–21766; Docket No. FAA–2021–0620; Project Identifier 2019–SW–074–AD.

(a) Effective Date

This airworthiness directive (AD) is effective December 17, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Hélicoptères Guimbal (HG) Model Cabri G2 helicopters, certificated in any category, the following aluminum cooling fan (cooling fan) part number (P/N) installed:

- (1) P/N G52–00–000,
- (2) P/N G52–00–001 or P/N G52–04–100, if it is or has previously been mounted on a 12-hole engine pulley P/N G52–10–100 or P/N G52–10–101.

(d) Subject

Joint Aircraft Service Component (JASC) Code: 7100, Powerplant System.

(e) Unsafe Condition

This AD was prompted by a report of an in-flight engine shutdown due to a crack and subsequent failure of the cooling fan. The FAA is issuing this AD to prevent failure of the cooling fan. This condition, if not addressed, could result in an in-flight engine shut-down and loss of control of the helicopter.

(f) Compliance

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

(g) Required Actions

(1) For Model Cabri G2 helicopters with cooling fan P/N G52–00–000 installed, within 150 hours time-in-service (TIS) after the effective date of this AD:

- (i) Remove the cooling fan from service by following the Required Actions, Cooling Fan Removal, paragraphs (a) through (g), of Guimbal Service Bulletin SB 16–021 E, dated

August 27, 2019 (SB 16–021 Rev E), except you are not required to discard any parts.

(ii) Install the improved cooling fan P/N G52–04–101 by following the Required Actions, Cooling Fan Installation, paragraphs (a) through (j), of SB 16–021 Rev E.

(2) For Model Cabri G2 helicopters with a cooling fan P/N G52–00–001 or P/N G52–04–100 that is mounted or was previously mounted on a 12-hole engine pulley P/N G52–10–100 or P/N G52–10–101, and with 1,500 or more total hours TIS, since first installation on a helicopter, within 150 hours TIS after the effective date of this AD:

(i) Remove the cooling fan from service by following the Required Actions, Cooling Fan Removal, paragraphs (a) through (g), of SB 16–021 Rev E, except you are not required to discard any parts, or remove the cooling fan by following the Required Actions, Cooling Fan Removal, paragraphs (a) through (g), of SB 16–021 Rev E and modify the cooling fan by following the Required Actions, Cooling Fan Retrofit, paragraphs (a) through (h) of SB 16–021 Rev E.

(ii) Install the improved cooling fan P/N G52–04–101 by following the Required Actions, Cooling Fan Installation, paragraphs (a) through (j), of SB 16–021 Rev E.

(3) For Model Cabri G2 helicopters with a cooling fan P/N G52–00–001 or P/N G52–04–100 that is mounted or was previously mounted on a 12-hole engine pulley P/N G52–10–100 or P/N G52–10–101 and with 500 total hours TIS but with less than 1,500 total hours TIS, since first installation on a helicopter, within 500 hours TIS after the effective date of this AD, perform the actions required by paragraphs (g)(2)(i) and (ii) of this AD.

(4) For Model Cabri G2 helicopters with a cooling fan P/N G52–00–001 or P/N G52–04–100 that is mounted or was previously mounted on a 12-hole engine pulley P/N G52–10–100 or P/N G52–10–101 and with less than 500 total hours TIS since first installation on a helicopter, within 1,000 hours TIS after the effective date of this AD, perform the actions required by paragraphs (g)(2)(i) and (ii) of this AD.

(5) As of the effective date of this AD, do not install any cooling fan listed in paragraph (c) of this AD on any helicopter.

(h) Credit for Previous Actions

This paragraph provides credit for the actions specified in paragraph (g) of this AD, if those actions were performed before the effective date of this AD using Guimbal Service Bulletin SB 16–021 D, dated May 2019.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j)(1) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Related Information

(1) For more information about this AD, contact Andrea Jimenez, Aerospace Engineer, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; telephone (516) 228-7330; email andrea.jimenez@faa.gov.

(2) Guimbal Service Bulletin SB 16-021 D, dated May 20, 2019, which is not incorporated by reference, contains additional information about the subject of this AD. This service information is available at the contact information specified in paragraphs (k)(3) and (4) of this AD.

(3) The subject of this AD is addressed in European Union Aviation Safety Agency (EASA) AD 2019-0187, dated July 31, 2019. You may view the EASA AD at <https://www.regulations.gov> in Docket No. FAA-2021-0620.

(k) Material Incorporated by Reference

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

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

(i) Guimbal Service Bulletin SB 16-021 E, dated August 27, 2019.

(ii) [Reserved]

(3) For service information identified in this AD, contact Hélicoptères Guimbal, Basile Ginel, 1070, rue du Lieutenant Parayre, Aéroport d'Aix-en-Provence, 13290 Les Milles, France; telephone 33-04-42-39-10-88; email basile.ginel@guimbal.com; web <https://www.guimbal.com>.

(4) You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: fr.inspection@nara.gov, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on November 4, 2021.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-24541 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0577; Project Identifier AD-2021-00470-E; Amendment 39-21787; AD 2021-22-14]

RIN 2120-AA64

Airworthiness Directives; Pratt & Whitney Division Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is superseding Airworthiness Directive (AD) 2021-05-16 for certain Pratt & Whitney Division (PW) PW4164, PW4164-1D, PW4168, PW4168-1D, PW4168A, PW4168A-1D, and PW4170 model turbofan engines. AD 2021-05-16 required initial and repetitive replacements of the low-pressure turbine (LPT) 4th-stage air sealing ring segment assemblies with parts eligible for installation. AD 2021-05-16 also required initial and repetitive dimensional inspections of the LPT case for bulging and, depending on the results of the dimensional inspections, repair or replacement of the LPT case. This AD was prompted by notification to the FAA of an inadvertent omission in the LPT 4th-stage air sealing ring segment assembly part numbers. This AD requires initial and repetitive replacements of the LPT 4th-stage air sealing ring segment assemblies with parts eligible for installation. This AD also requires initial and repetitive dimensional inspections of the LPT case for bulging and, depending on the results of the dimensional inspections, repair or replacement of the LPT case. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective December 17, 2021.

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of May 7, 2021 (86 FR 17287, April 2, 2021).

ADDRESSES: For service information identified in this final rule, contact Pratt & Whitney Division, 400 Main Street, East Hartford, CT 06118; phone: (800) 565-0140; email: help24@pw.utc.com; website: <https://fleetcare.prattwhitney.com>. You may view this service information at the Airworthiness Products Section, Operational Safety Branch, FAA, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the

FAA, call (781) 238-7759. It is also available at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0577.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0577; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Carol Nguyen, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238-7655; fax: (781) 238-7199; email: carol.nguyen@faa.gov.

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to supersede AD 2021-05-16, Amendment 39-21459 (86 FR 17287, April 2, 2021), (AD 2021-05-16). AD 2021-05-16 applied to certain PW PW4164, PW4164-1D, PW4168, PW4168-1D, PW4168A, PW4168A-1D, and PW4170 model turbofan engines with LPT 4th-stage air sealing ring segment assemblies, part number (P/N) 50N463-01 or P/N 50N526-01, installed. The NPRM published in the **Federal Register** on July 23, 2021 (86 FR 38941). The NPRM was prompted by notification from a manufacturer of parts manufacturer approval (PMA) parts that AD 2021-05-16 should include affected PMA part numbers because the unsafe condition also applies to those parts. AD 2021-05-16 resulted from six reports from the manufacturer concerning LPT 4th-stage vane cluster assemblies leaning back and notching into rotating LPT 4th-stage blades, causing some blades to fracture and release. These incidents resulted in an aborted takeoff, air turnbacks, engine surges, high vibrations, and unplanned engine removals. The incidents were attributed to the LPT 4th-stage air sealing ring segment assemblies moving into the LPT 4th-stage blades knife edge seals, resulting in damage to the ring segment assemblies. In the NPRM, the FAA proposed to require initial and repetitive replacements of the LPT 4th-stage air sealing ring segment assemblies with parts eligible for installation. In the

NPRM, the FAA also proposed to require initial and repetitive dimensional inspections of the LPT case for bulging and, depending on the results of the dimensional inspections, repair or replacement of the LPT case.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from one commenter, the Air Line Pilots Association (ALPA). ALPA supported the NPRM without change.

Conclusion

The FAA reviewed the relevant data, considered the comments received, and

determined that air safety requires adopting the AD as proposed. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products. This AD is adopted as proposed in the NPRM.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Pratt & Whitney Alert Service Bulletin No. PW4G-100-A72-262, Revision No. 1, dated September 3, 2020 (the ASB). The ASB specifies procedures for replacing the LPT 4th-stage air sealing ring segment assemblies and inspecting the LPT case for bulging. The Director of the Federal Register approved the ASB for

incorporation by reference as of May 7, 2021 (86 FR 17287, April 2, 2021). This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in ADDRESSES.

Costs of Compliance

The FAA estimates that this AD affects 99 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect the LPT case for bulging.	2 work-hours × \$85 per hour = \$170	\$0	\$170	\$16,830
Replace the LPT 4th-stage air sealing ring segment assemblies.	50 work-hours × \$85 per hour = \$4,250	64,592	68,842	6,815,358

The FAA estimates the following costs to do any necessary repair or replacement that would be required

based on the results of the inspection. The agency has no way of determining

the number of aircraft that might need these repairs or replacements.

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Repair LPT case to restore dimensions	250 work-hours × \$85 per hour = \$21,250	\$0	\$21,250
Replace the LPT case	0 work-hours × \$85 per hour = \$0	1,300,000	1,300,000

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Will not affect intrastate aviation in Alaska, and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
 - a. Removing Airworthiness Directive 2021-05-16, Amendment 39-21459 (86 FR 17287, April 2, 2021); and
 - b. Adding the following new airworthiness directive:

2021-22-14 Pratt & Whitney Division: Amendment 39-21787; Docket No. FAA-2021-0577; Project Identifier AD-2021-00470-E.

(a) Effective Date

This airworthiness directive (AD) is effective December 17, 2021.

(b) Affected ADs

This AD replaces AD 2021-05-16, Amendment 39-21459 (86 FR 17287, April 2, 2021).

(c) Applicability

This AD applies to Pratt & Whitney Division (PW) PW4164, PW4164-1D, PW4168, PW4168-1D, PW4168A, PW4168A-1D, and PW4170 model turbofan engines with low-pressure turbine (LPT) 4th-stage air sealing ring segment assemblies, part number (P/N) 50N463-01, P/N 50N526-01, or FAA-approved equivalent part numbers, installed.

(d) Subject

Joint Aircraft System Component (JASC) Code 7250, Turbine Section.

(e) Unsafe Condition

This AD was prompted by several reports from the manufacturer concerning LPT 4th-stage vane cluster assemblies leaning back and notching into the rotating LPT 4th-stage blades, causing some blades to fracture and release. A manufacturer investigation into those reports determined that the leaning back of the LPT 4th-stage vane cluster assemblies was caused by damage to the LPT 4th-stage air sealing ring segment assemblies. The FAA is issuing this AD to prevent damage to the LPT 4th-stage air sealing ring segment assemblies, the LPT case, and the LPT 4th-stage blades. The unsafe condition, if not addressed, could result in uncontained release of the LPT 4th-stage blades, damage to the engine, and damage to the airplane.

(f) Compliance

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

(g) Required Actions

(1) For affected engines that have either the Talon IIA outer combustion chamber assembly, P/N 51J100 or P/N 51J382, or the Talon IIB outer combustion chamber assembly, P/N 51J381 or P/N 51J500, installed, at the next engine shop visit after the effective date of this AD, remove from service the LPT 4th-stage air sealing ring segment assemblies, P/N 50N463-01, P/N 50N526-01, or FAA-approved equivalent part numbers, and replace with parts eligible for installation.

(2) For affected engines not referenced in paragraph (g)(1) of this AD, at the next LPT overhaul after the effective date of this AD, remove from service the LPT 4th-stage air sealing ring segment assemblies, P/N 50N463-01, P/N 50N526-01, or FAA-approved equivalent part numbers, and replace with parts eligible for installation.

(3) For all affected engines, at each LPT overhaul after compliance with the required actions in paragraph (g)(1) or (2) of this AD, remove from service the LPT 4th-stage air sealing ring segment assemblies, P/N 50N526-01 or FAA-approved equivalent part numbers, and replace with parts eligible for installation.

(4) During each replacement of the LPT 4th-stage air sealing ring segment assemblies required by paragraphs (g)(1) through (3) of this AD, perform a dimensional inspection of the LPT case for bulging in accordance with the Accomplishment Instructions, paragraph 2, of PW Alert Service Bulletin No. PW4G-100-A72-262 Revision No. 1, dated September 3, 2020 (the ASB).

(5) If, during the dimensional inspection of the LPT case required by paragraph (g)(4) of this AD, any LPT case found to be outside the serviceable limits specified in Table 1: Serviceable Limits and Repairs of the ASB, repair or replace the LPT case before further flight.

(h) Definitions

For the purpose of this AD:

(1) An “engine shop visit” is the induction of an engine into the shop for maintenance involving the separation of pairs of major mating engine flanges H through P. The separation of engine flanges solely for the purpose of transportation without subsequent engine maintenance does not constitute an engine shop visit.

(2) An “LPT overhaul” is when the LPT rotor is removed from the engine, all four disks are removed from the LPT rotor, and all blades are removed from the disks.

(3) “Parts eligible for installation” are LPT 4th-stage air sealing ring segment assemblies, P/N 50N526-01, or FAA-approved equivalent part numbers, with zero flight cycles since new or with a P/N not mentioned in this AD.

(i) Credit for Previous Actions

You may take credit for the dimensional inspection of the LPT case for bulging required by paragraph (g)(4) of this AD if the inspection was performed before the effective date of this AD using PW ASB PW4G-100-A72-262 Original Issue, dated October 22, 2019.

(j) Alternative Methods of Compliance (AMOCs)

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

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

For more information about this AD, contact Carol Nguyen, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238-7655; fax: (781) 238-7199; email: carol.nguyen@faa.gov.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference

(IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

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

(3) The following service information was approved for IBR on May 7, 2021 (86 FR 17287, April 2, 2021).

(i) Pratt & Whitney Alert Service Bulletin No. PW4G-100-A72-262, Revision No. 1, dated September 3, 2020.

(ii) [Reserved]

(4) For Pratt & Whitney service information identified in this AD, contact Pratt & Whitney, 400 Main Street, East Hartford, CT 06118; phone: (800) 565-0140; email: help24@pw.utc.com; website: <https://fleetcare.prattwhitney.com>.

(5) You may view this service information at FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (781) 238-7759.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email: fr.inspection@nara.gov, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on October 15, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-24574 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2020-1131; Project Identifier MCAI-2020-00613-R; Amendment 39-21816; AD 2021-05-02]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; removal; request for comments.

SUMMARY: The FAA is removing Airworthiness Directive (AD) 2021-05-02, which applied to all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350C, and AS350D helicopters; Model AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP helicopters; and Model EC130B4 and EC130T2 helicopters. AD 2021-05-02 required determining whether the helicopter has

been operated in a severe environment since the last inspection of the main rotor hub-to-mast attachment screws, an inspection of the main rotor hub-to-mast attachment screws if the helicopter has been operated in a severe environment, and replacement of the main rotor hub-to-mast attachment screws if necessary, as specified in a European Aviation Safety Agency (now European Union Aviation Safety Agency) (EASA) AD, which was incorporated by reference. Since the FAA issued AD 2021-05-02, reported inspection results and further investigation have confirmed that the report of failed main rotor hub-to-mast attachment screws, which prompted AD 2021-05-02, was an isolated case which resulted from a maintenance mistake. Therefore, the FAA has determined that no unsafe condition is likely to exist or develop on the main rotor hub-to-mast attachment screws on other helicopters in the fleet. Accordingly, AD 2021-05-02 is removed.

DATES: This AD becomes effective November 12, 2021.

The FAA must receive comments on this AD by December 27, 2021.

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

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

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-1131; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Hal Jensen, Aerospace Engineer, Operational Safety Branch, Compliance &

Airworthiness Division, FAA, 950 L'Enfant Plaza N SW, Washington, DC 20024; phone: (202) 267-9167; email: hal.jensen@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2020-1131; Project Identifier MCAI-2020-00613-R" at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Hal Jensen, Aerospace Engineer, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 950 L'Enfant Plaza N SW, Washington, DC 20024; phone: (202) 267-9167; email: hal.jensen@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD

2017-0032-CN, dated August 11, 2021 (EASA AD 2017-0032-CN) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to cancel EASA AD 2017-0032, dated February 17, 2017; corrected February 20, 2017 (EASA AD 2017-0032) which was issued to correct an unsafe condition for all Airbus Helicopters Model AS 350 B, AS 350 BA, AS 350 BB, AS 350 B1, AS 350 B2, AS 350 B3, and AS 350 D helicopters; AS 355 E, AS 355 F, AS 355 F1, AS 355 F2, AS 355 N, and AS 355 NP helicopters; and EC 130 B4 and EC 130 T2 helicopters. EASA AD 2017-0032 prompted FAA AD 2021-05-02, Amendment 39-21445 (86 FR 13982, March 12, 2021) (AD 2021-05-02). Model AS 350 BB helicopters are not certificated by the FAA and are not included on the U.S. type certificate data sheet; AD 2021-05-02 therefore did not include those helicopters in the applicability. AD 2021-05-02 also applied to Airbus Helicopter Model AS 350C helicopters because these helicopters have a similar design and are included on the U.S. type certificate data sheet. AD 2021-05-02 applied to all Airbus Helicopters Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350C, and AS350D helicopters; Model AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP helicopters; and Model EC130B4 and EC130T2 helicopters. AD 2021-05-02 required determining whether the helicopter has been operated in a severe environment since the last inspection of the main rotor hub-to-mast attachment screws, an inspection of the main rotor hub-to-mast attachment screws if the helicopter has been operated in a severe environment, and replacement of the main rotor hub-to-mast attachment screws if necessary.

Actions Since AD 2021-05-02 Was Issued

Since the FAA issued AD 2021-05-02, reported inspection results and further investigation have confirmed that the report of failed main rotor hub-to-mast attachment screws, which prompted EASA AD 2017-0032 and AD 2021-05-02, was an isolated case which resulted from a maintenance mistake, and therefore no unsafe condition is likely to exist or develop on the affected helicopters. The FAA is issuing this AD to remove AD 2021-05-02.

Justification for Immediate Adoption and Determination of the Effective Date

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment

procedures for rules when the agency, for “good cause,” finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

There are currently 1,220 helicopters of U.S. registry affected by AD 2021–05–02. However, the FAA notes that AD 2021–05–02 requires unnecessary maintenance actions because the identified unsafe condition does not exist on these helicopters. Therefore, it is unlikely that the FAA would receive any adverse comments or useful information about this AD from U.S. operators that would cause a need for public comment prior to adoption. Accordingly, notice and opportunity for prior public comment are unnecessary, pursuant to 5 U.S.C. 553(b)(3)(B). In addition, for the foregoing reasons, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

FAA’s Conclusions

Upon further consideration, the FAA has determined that AD 2021–05–02 is no longer necessary. Accordingly, this AD removes AD 2021–05–02. Removal of AD 2021–05–02 does not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

Regulatory Flexibility Act

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because FAA has determined that it has good cause to adopt this rule without prior notice and comment, RFA analysis is not required.

Related Costs of Compliance

This AD adds no cost. This AD removes AD 2021–05–02 from 14 CFR part 39; therefore, operators are no longer required to show compliance with that AD.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority.

Regulatory Findings

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

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

1. Is not a “significant regulatory action” under Executive Order 12866; and
2. Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by:
 - a. Removing Airworthiness Directive (AD) 2021–05–02, Amendment 39–21445 (86 FR 13982, March 12, 2021), and
 - b. Adding the following new AD:

2021–05–02 Airbus Helicopters: Docket No. FAA–2020–1131; Project Identifier MCAI–2020–00613–R.

(a) Effective Date

This airworthiness directive (AD) becomes effective November 12, 2021.

(b) Affected AD

This AD replaces AD 2021–05–02, Amendment 39–21445 (86 FR 13982, March 12, 2021).

(c) Applicability

This action applies to all Airbus Helicopters, certificated in any category, as identified in paragraphs (c)(1) through (3) of this AD.

(1) Model AS350B, AS350BA, AS350B1, AS350B2, AS350B3, AS350C, and AS350D helicopters.

(2) Model AS355E, AS355F, AS355F1, AS355F2, AS355N, and AS355NP helicopters.

(3) Model EC130B4 and EC130T2 helicopters.

(d) Subject

Joint Aircraft System Component (JASC) Code 6200, Main Rotor System.

(e) Related Information

For more information about this AD, contact Hal Jensen, Aerospace Engineer, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 950 L’Enfant Plaza N SW, Washington, DC 20024; phone: (202) 267–9167; email: hal.jensen@faa.gov.

(f) Material Incorporated by Reference

None.

Issued on November 4, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–24544 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2020–0496; Airspace Docket No. 20–AEA–1]

RIN 2120–AA66

Amendment of VOR Federal Airways V–31, V–36, V–84, V–252, and V–510 in the Vicinity of Buffalo, NY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule

SUMMARY: This action amends VHF Omnidirectional Range (VOR) Federal airways V–31, V–36, V–84, V–252, and V–510. This action is necessary due to the planned decommissioning of the VOR portion of the Buffalo, NY, VOR/Distance Measuring Equipment (VOR/DME) navigational aid, which provides navigational guidance for these airways. The Buffalo VOR is being decommissioned as part of the FAA’s VOR Minimum Operational Network (MON) program.

The VOR Federal airways V–2, V–14, V–33, and V–164 modifications proposed in the notice of proposed rulemaking have been accomplished by separate rules subsequently published.

As a result, the V-2, V-14, V-33 and V-164 modifications are removed from this rule.

DATES: Effective date 0901 UTC, January 27, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA JO Order 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. FAA JO Order 7400.00F is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA JO Order 7400.11F at NARA, email: fedreg.legal@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Jesse Acevedo, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies the airway structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System.

History

The FAA published a notice of proposed rulemaking (NPRM) for Docket No. FAA-2020-0496, in the **Federal Register** (85 FR 34144; June 3, 2020), amending V-2, V-14, V-31, V-33, V-36, V-84, V-164, V-252, and V-510. The proposed amendment actions were due to the planned

decommissioning of the VOR portion of the Buffalo VOR/DME navigational aid. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received.

Subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2020-0049 in the **Federal Register** (85 FR 41184; July 9, 2020), amending V-33 by removing the airway segment overlying the Bradford, PA, VOR/DME between the Keating, PA, VORTAC and the Buffalo, NY, VOR/DME; and amending V-164 by removing the airway segment overlying the Wellsville, NY, VORTAC between the Buffalo, NY, VOR/DME and the Stonyfork, PA, VOR/DME. The airway amendments were effective September 10, 2020. As a result, the V-33 and V-164 amendments in this rule are no longer necessary and removed.

Additionally, subsequent to the NPRM, the FAA published a rule for Docket No. FAA-2020-1146 in the **Federal Register** (86 FR 19129; April 13, 2021), amending V-2 by removing the airway segment overlying the Rochester, NY, VOR/DME between the Buffalo, NY, VOR/DME and the Gardner, MA, VOR/DME; and amending V-14 by removing the airway segment overlying the Geneseo, NY, VOR/DME between the Buffalo, NY, VOR/DME and the Norwich, CT, VOR/DME. The airway amendments were effective June 17, 2021. As a result, the V-2 and V-14 amendments in this rule are no longer necessary and removed.

VOR Federal airways are published in paragraph 6010(a) of FAA JO Order 7400.11F dated August 10, 2021, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The airways listed in this document will be published subsequently in FAA JO Order 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA JO Order 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA JO Order 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA JO Order 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending VOR Federal airways V-31, V-36, V-84, V-252, and V-510. The planned decommissioning of the VOR

portion of the Buffalo, NY, VOR/DME has made this action necessary.

The VOR Federal airway amendment actions are described below.

V-31: V-31 extends between the Patuxent, MD, VORTAC and the Nottingham, MD, VORTAC; and between the Baltimore, MD, VORTAC and the intersection of the Rochester, NY, VOR/DME 279° and Buffalo, NY, VOR/DME 023° radials (AIRCO fix). This action amends the AIRCO fix in the airway description to describe it as the intersection of the existing Rochester VOR/DME 279° radial and the Jamestown, NY, VOR/DME 024° radial. Additionally, the Patuxent, MD, VORTAC airway point references are corrected from "Patuxent River" to "Patuxent." The unaffected portions of the existing airway remain as charted.

V-36: V-36 extends between the Thunder Bay, ON, Canada, VOR/DME and the intersection of the Wiarton, ON, Canada, VOR/DME 150° and Toronto, ON, Canada, VOR/DME 304° radials; and between the Buffalo, NY, VOR/DME and the intersection of the LaGuardia, NY, VOR/DME 310° and Stillwater, NJ, VOR/DME 043° radials. The airspace within Canada is excluded. This action removes the airway segment between the Buffalo, NY, VOR/DME and the Elmira, NY, VOR/DME. The unaffected portions of the existing airway remain as charted.

V-84: V-84 extends between the Northbrook, IL, VOR/DME and the Pullman, MI, VOR/DME; and between the Buffalo, NY, VOR/DME and the Syracuse, NY, VORTAC. This action removes the airway segment between the Buffalo, NY, VOR/DME and the Geneseo, NY, VOR/DME. The unaffected portions of the existing airway remain as charted.

V-252: V-252 extends between the intersection of the Buffalo, NY, VOR/DME 023° and Geneseo, NY, VOR/DME 305° radials (AIRCO fix) and the Dupont, DE, VORTAC. This action amends the AIRCO fix in the airway description to describe it as the intersection of the Jamestown, NY, VOR/DME 024° radial and the existing Geneseo, NY, VOR/DME 305° radial. The unaffected portions of the existing airway remain as charted.

V-510: V-510 extends between the Dickinson, ND, VORTAC and the Dells, WI, VORTAC; and between the Buffalo, NY, VOR/DME and the Rochester, NY, VOR/DME. This action removes the airway segment between the Buffalo, NY, VOR/DME and the Rochester, NY, VOR/DME. The unaffected portions of the existing airway remain as charted.

All radials contained in the VOR Federal airway descriptions listed below are stated in True degrees.

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

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action of amending VOR Federal airways V-31, V-36, V-84, V-252, and V-510, due to the planned decommissioning of the VOR portion of the Buffalo VOR/DME navigational aid, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5-6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an

environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA JO Order 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V-31 [Amended]

From Patuxent, MD; INT Patuxent 338° and Nottingham, MD, 128° radials; to Nottingham. From Baltimore, MD; INT Baltimore 004° and Harrisburg, PA, 147° radials; Harrisburg; Selinsgrove, PA; Williamsport, PA; Elmira, NY; INT Elmira 002° and Rochester, NY, 120° radials; Rochester; to INT Rochester 279° and Jamestown, NY, 024° radials.

* * * * *

V-36 [Amended]

From Thunder Bay, ON, Canada; Wawa, ON, Canada; Sault Ste Marie, MI; Elliot Lake, ON, Canada; Wiarton, ON, Canada; to INT Wiarton 150° and Toronto, ON, Canada, 304° radials. From Elmira, NY; INT Elmira 110° and LaGuardia, NY, 310° radials; to INT LaGuardia 310° and Stillwater, NJ, 043° radials. The airspace within Canada is excluded.

* * * * *

V-84 [Amended]

From Northbrook, IL; to Pullman, MI. From Geneseo, NY; INT Geneseo 091° and Syracuse, NY, 240° radials; to Syracuse.

* * * * *

V-252 [Amended]

From INT Jamestown, NY, 024° and Geneseo, NY, 305° radials; Geneseo; Binghamton, NY; Huguenot, NY; INT Huguenot 196° and Robbinsville, NJ, 351° radials; Robbinsville; to Dupont, DE.

* * * * *

V-510 [Amended]

From Dickinson, ND; INT Dickinson 078° and Bismarck, ND, 290° radials; 28 miles 38 MSL, Bismarck; INT Bismarck 067° and Jamestown, ND, 279° radials; 14 miles, 65 miles 34 MSL, Jamestown; Fargo, ND; INT Fargo 110° and Alexandria, MN, 321° radials; Alexandria; INT Alexandria 110° and Gopher, MN, 321° radials; Gopher; INT Gopher 109° and Nodine, MN, 328° radials; Nodine; to Dells, WI.

* * * * *

Issued in Washington, DC, on November 3, 2021.

Michael R. Beckles,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021-24559 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0703; Airspace Docket No. 21-AGL-28]

RIN 2120-AA66

Amendment of Class E Airspace; Frankfort, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class E airspace extending upward from 700 feet above the surface at Frankfort Dow Memorial Field, Frankfort, MI. This action is the result of an airspace review caused by the decommissioning of the Manistee very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program. The name and geographic coordinates of the airport are also being updated to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, January 27, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. FAA Order JO 7400.11F is also available

for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class E airspace extending upward from 700 feet above the surface at Frankfort Dow Memorial Field, Frankfort, MI, to support instrument flight rule operations at this airport.

History

The FAA published a notice of proposed rulemaking (NPRM) in the **Federal Register** (86 FR 48921; September 1, 2021) for Docket No. FAA-2021-0703 to amend the Class E airspace extending upward from 700 feet above the surface at Frankfort Dow Memorial Field, Frankfort, MI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10,

2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This amendment to 14 CFR part 71 amends the Class E airspace extending upward from 700 feet above the surface to within a 7.2-mile (increased from a 6.4-mile) radius of Frankfort Dow Memorial Field, Frankfort, MI; removes the Manistee VOR/DME and associated extension from the airspace legal description; and updates the name (previously Frankfort Dow Memorial Field Airport) and the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is due to an airspace review caused by the decommissioning of the Manistee VOR, which provided navigation information for the instrument procedures this airport, as part of the VOR MON Program.

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

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist

that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

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

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

- 1. The authority citation for part 71 continues to read as follows:

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

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

AGL MI E5 Frankfort, MI [Amended]

Frankfort Dow Memorial Field, MI
(Lat. 44°37'31" N, long. 86°12'03" W)

That airspace extending upward from 700 feet above the surface within a 7.2-mile radius of the Frankfort Dow Memorial Field.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021-24460 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2021-0816]

Special Local Regulation; Marine Events Within the Eleventh Coast Guard District—Another Dam Race

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulation on the

waters between river miles 179 and 185 (between the Roadrunner Resort and Headgate Dam), Parker, Arizona during Another Dam Race on November 13, 2021. This special local regulation is necessary to provide for the safety of the participants, crew, sponsor vessels of the rowing event, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 100.1102 for the locations described in Table 1 to § 100.1102, Item No. 19, will be enforced from 7 a.m. until noon on November 13, 2021.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Commander John Santorum, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone (619) 278-7656, email MarineEventsSD@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations in 33 CFR 100.1102 for the locations described in Table 1 to § 100.1102, Item No. 19, from 7 a.m. through noon on November 13, 2021 for Another Dam Race, Parker, AZ. This action is being taken to provide for the safety of life on navigable waterways during the rowing event. Our regulation for recurring marine events in the San Diego Captain of the Port Zone, § 100.1102, Table 1 to § 100.1102, Item No. 19, specifies the location of the regulated area for Another Dam Race, which encompasses portions of the Colorado River. Under the provisions of § 100.1102, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: November 8, 2021.

T.J. Barelli,
Captain, U.S. Coast Guard, Captain of the Port San Diego.

[FR Doc. 2021-24810 Filed 11-10-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG-2021-0775]

RIN 1625-AA08

Special Local Regulation; San Juan Bay for Jurakan Triathlon, San Juan, PR

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation for navigable waters around the Isleta San Juan for the Jurakan triathlon event, San Juan, PR. The event includes a paddleboard competition around Isleta San Juan with approximately 30 competitive stand up paddleboard (SUP) participants. The temporary special local regulation is needed to protect personnel, vessels, and the marine environment from potential hazards created by the SUP race. The temporary special local regulation establishes a SUP race area where all persons and vessels, except those persons and vessels participating in or supporting the race, will be prohibited from entering, transiting, anchoring in, or remaining within the SUP race circuit unless specifically authorized by the Captain of the Port San Juan or a designated representative.

DATES: This rule is effective from 8:00 a.m. through 11:00 a.m., on November 13, 2021.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0775 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Commander Christopher O'Connor, Sector San Juan, Prevention Department, Waterways Management Division, U.S. Coast Guard; telephone 787-729-2374, email Christopher.M.OConnor@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 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 doing so would be impracticable and contrary to the public interest. The event is scheduled for November 13, 2021, and the Coast Guard did not have adequate time to clarify amplifying information or process the course race review. It is impracticable to publish an NPRM because we must establish this temporary special local regulation by November 13, 2021 in order to protect the public from the hazards associated with this event. 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 and contrary to the public interest because immediate action is needed to minimize the potential safety hazards associated with the SUP race participants, participant vessels, and the general public.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70041. The Captain of the Port San Juan (COTP) has determined that potential hazards associated with the SUP race on November 13, 2021, will be a safety concern for anyone participating in the SUP race circuit around Isleta San Juan which includes certain waters of San Juan Bay. This rule is needed to protect participants, vessels, and the marine environment in the navigable waters within the temporary special local regulation while the duration of the SUP race as part of the Jurakan triathlon.

IV. Discussion of the Rule

This rule establishes a temporary special local regulation from 8:00 a.m. through 11:00 a.m. on November 13, 2021. SUP Action Paddleboard Co. is sponsoring the Jurakan Triathlon, where approximately 30 competitors will participate in the SUP race around Isleta San Juan. Small vessel craft including

an 18 ft. boat and 3 Jet Skis will be operating in the immediate area as safety platforms. The temporary special local regulation establishes a regulated area that will cover waters around Isleta San Juan, including certain waters of San Juan Bay, San Juan, PR, designated as the race area or SUP race circuit. The duration of the temporary special local regulation is intended to protect participants, vessels, and the marine environment in these navigable waters while the duration of the SUP race. No vessel or person, except personnel and vessels participating in the race, will be permitted to enter the regulated area without obtaining permission from the COTP or a designated representative.

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. 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).

This regulatory action determination is based on the rule being limited in duration, size, and scope. The temporary special local regulation will be enforced for a three hour period within certain waters around Isleta San Juan and is limited in duration and size. The rule is limited in scope as it will allow vessels to enter, transit through, anchor in, or remain within the race areas, during the enforcement period if authorized by the Captain of the Port San Juan or a designated representative. Although persons and vessels will not be able to enter, transit through, anchor in, or remain within the race area, without authorization from the Captain of the Port San Juan or a designated representative, they may operate in the surrounding area during the enforcement period. The Coast Guard will provide advance notification of the temporary special local regulation to the local maritime community by Broadcast Notice to Mariners via VHF-FM marine channel 16.

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 regulated area 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 call or email 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 call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the creation of a temporary special local regulation in conjunction with a regatta or marine parade, lasting three hours that will prohibit entry of non-participant personnel and vessels within the SUP race circuit to ensure the safety of the participants, participant vessels and the general public during the event. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket,

see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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 100

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

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

- 1. The authority citation for part 100 continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–1.

- 2. Add § 100.T07–0775 to read as follows:

§ 100.T07–0775 Jurakan Triathlon, Isleta San Juan, San Juan, Puerto Rico.

(a) *Regulated area.* The regulations in this section apply to the following area: Waters around Isleta San Juan including certain waters of San Juan Bay, from surface to bottom, encompassed by a line connecting the following points beginning at 18°27'34.2" N, 66°5'23.75" W; thence north-east to 18°27'46.22" N, 66°4'59.95" W; thence north to 18°28'14.05" N, 66°5'7.69" W; thence west to 18°28'13.62" N, 66°5'52.8" W; keep west to 18°28'21.54" N, 66°7'32.74" W; thence south-east to 18°27'29.38" N, 66°6'59.22" W; thence north-east to 18°27'40.7" N, 66°6'18.43" W; and along the end of San Antonio Channel back to the beginning point at San Juan Bay Marina, completing the SUP race circuit. These coordinates are based on North American Datum 1983.

(b) *Definitions.* As used in this section—

Designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port San Juan (COTP) in the enforcement of the regulations in this section.

Participant means all persons and vessels registered with the event sponsor as a participants in the race.

(c) *Regulations.* (1) All non-participants are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area described in paragraph (a) of this section unless authorized by the Captain of the Port San Juan or their designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative by telephone at (787) 289–2041, or a designated representative via VHF radio on channel 16. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the designated representative.

(3) The COTP will provide notice of the regulated area through advanced notice via broadcast notice to mariners and by on-scene designated representatives.

(d) *Enforcement period.* This section will be enforced from 8:00 a.m. until 11:00 a.m., on November 13, 2021.

Gregory H. Magee,

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

[FR Doc. 2021–24717 Filed 11–10–21; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2021–0495]

RIN 1625–AA00

Safety Zone; Ohio River, Olmsted, IL

AGENCY: Coast Guard, Department of Homeland Security (DHS).

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on a portion of the Ohio River in Olmsted, IL. This action is necessary to protect personnel, vessels, and the marine environment from potential hazards created by the demolition of Lock and Dam 53 involving explosives. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Ohio Valley or a designated representative.

DATES: This rule is effective December 2, 2021, through December 1, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2021–0495 in the search box and click

“Search.” Next, in the Document Type column, select “Supporting & Related Material.”

FOR FURTHER INFORMATION CONTACT: If you have questions about this rulemaking, call or email MST2, Dylan Caikowski, MSU Paducah, U.S. Coast Guard; telephone 270–442–1621 ext. 2120, email STL-SMB-MSUPaducah-WWM@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 purpose of this rule is to ensure the safety of vessels on the navigable waters of the Ohio River during the demolition of Lock and Dam 53. During this time, a temporary safety zone on the Ohio River will be necessary to protect persons, property, and infrastructure from potential damage and safety hazards associated with the demolition of Lock and Dam 53. In response, on July 19, 2021, the Coast Guard published an interim final rule (IFR) titled “Safety Zone; Ohio River, Olmsted, IL” (86 FR 37911). There we stated why we issued the interim final rule and invited comments on our regulatory action related to the demolition of the Lock and Dam 53 on the Ohio River. During the comment period that ended August 18, 2021, we received no comments.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Sector Ohio Valley (COTP) has determined that potential hazards associated with demolition of Lock and Dam 53 involving explosives will be a safety concern for anyone on the Ohio River from mile marker (MM) 961 to MM 964.6. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone before, during, and after the demolition of Lock and Dam 53 involving explosives.

The Coast Guard is making this rule effective sooner than 30 days after publication pursuant to authority under the Administrative Procedure Act (APA), specifically 5 U.S.C. 553(d)(3). This provision authorizes an agency to make a rule effective sooner than 30 days after publication when the agency

for good cause finds that the delay is “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(d)(3), the Coast Guard finds that delaying the effective date of this rule would be contrary to public interest because this safety zone must become effective on December 2, 2021, to ensure there is a continuous safety zone in place to protect vessels and persons from the safety hazards associated with the continued dam demolition on the Ohio River.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our IFR published July 19, 2021. There are no changes in the regulatory text of this rule from the IFR.

This rule establishes a temporary safety zone that covers all navigable waters of the Ohio River from MM 961 to MM 964.6. This rule will be enforced every day at midday from December 2, 2021, through December 1, 2022 as necessary to facilitate safe demolition of Lock and Dam 53. Broadcast Notices to Mariners (BNM) will be issued six hours prior to the start of blasting to notify the public that the safety zone is being enforced. Vessels will be able to transit the safety zone when explosives are not being detonated. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative during demolition operations involving explosives.

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. 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).

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zone. This safety zone will only be enforced daily for a short period of time and only impact a small portion of the Ohio River. Additionally, this safety zone will

only be enforced in daytime hours during the demolition operations of the Lock and Dam 53. Vessels may seek permission to transit safety through the area from the COTP or a designated representative.

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

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

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

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, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), 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 temporary safety zone for the demolition of Lock and Dam 53 involving explosives on the Ohio River in Olmsted, IL. 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. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions

on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.2.

- 2. Add § 165.T08–0495 to read as follows:

§ 165.T08–0495 Safety Zone; Ohio River, Olmsted, IL.

(a) *Location.* The safety zone covers all navigable waters of the Ohio River from mile marker (MM) 961 to MM 964.6.

(b) *Effective period.* This section is effective December 2, 2021, through December 1, 2022.

(c) *Enforcement period.* This section will be enforced daily at midday from December 2, 2021, through December 1, 2022, as necessary to facilitate safe demolition operations.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry of vessels or persons into the zone is prohibited unless specifically authorized by the Captain of the Port Sector Ohio Valley (COTP) or designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard (USCG) assigned to units under the operational control of USCG Sector Ohio Valley.

(2) Vessels requiring entry into the safety zone must request permission from the COTP or a designated representative. To seek entry into the safety zone, contact the COTP or the COTP's representative by telephone at 502–779–5422 or on VHF–FM channel 16.

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

(e) *Information broadcasts.* The COTP or a designated representative will inform the public when the safety zone is being enforced via a Broadcast Notices to Mariners.

Dated: November 3, 2021.

A.M. Beach,

Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.

[FR Doc. 2021–24601 Filed 11–10–21; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 16

[EPA–HQ–OECA–2021–0552; FRL–8948–02–OMS]

Privacy Act Regulations for EPA–79

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to revise the Agency's Privacy Act regulations to exempt a new system of records, EPA–79, the NEIC Master Tracking System, from certain requirements of the Privacy Act because records in EPA's National Enforcement Investigation Center (NEIC) Master Tracking System are maintained for use in civil and criminal actions.

DATES: This rule is effective on January 11, 2022 without further notice unless EPA receives adverse comment by December 13, 2021. If EPA receives adverse comment, it will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OECA–2021–0552, at <https://www.regulations.gov/>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include

discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT: Michael Roach, Chief, Infrastructure and Project Support Branch, National Enforcement Investigations Center, Office of Criminal Enforcement, Forensics and Training, U.S. Environmental Protection Agency, Building 25—Box 25227, Denver Federal Center, Denver, CO 80225; Roach.Michael@epa.gov; (303) 462–9080.

SUPPLEMENTARY INFORMATION:

I. Why is EPA using a direct final rule?

The EPA is publishing this rule without a prior proposed rule because we view this as a noncontroversial action and anticipate no adverse comment. However, in the “Proposed Rules” section of this issue of the **Federal Register**, we are publishing a separate document that will serve as the proposed rule to exempt a new system of records, EPA–79, the NEIC Master Tracking System, from certain requirements of the Privacy Act if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document.

If EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule will not take effect. We would address all public comments in any subsequent final rule based on the proposed rule.

II. General Information

The EPA published a Privacy Act system of records notice for information collected using the NEIC Master Tracking System (86 FR 60033, October 29, 2021). The system supports and documents investigations of persons or organizations alleged to have violated any Federal environmental statute or regulation or, pursuant to a cooperative agreement with a state, local, or tribal authority, an environmental statute or regulation of such authority. NEIC

maintains information related to such investigative efforts, including the nature of work, investigation outcomes, required resources, and information about the supporting staff.

The EPA compiles and maintains the records in the NEIC Master Tracking System for use in criminal and civil investigations and actions. This system of records, EPA-79, is maintained by the Office of Enforcement and Compliance Assurance, Office of Criminal Enforcement, Forensics and Training, National Enforcement Investigations Center. This component of EPA performs as its principal function, activities pertaining to the enforcement of criminal laws.

Pursuant to the Privacy Act, when information is maintained for the purpose of civil actions, the relevant provision of the Privacy Act is 5 U.S.C. 552a(d)(5) which states “nothing in this [Act] shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.” 5 U.S.C. 552a(d)(5).

In addition, section (j)(2) of the Privacy Act provides that the head of an agency may promulgate regulations to exempt the system from certain provisions of the Act if the system is maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of: (A) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision. 5 U.S.C. 552a(j)(2). Accordingly the EPA is exempting such records in the NEIC Master Tracking System, EPA-79, from 5 U.S.C. 552a(c)(3), (c)(4), (d), (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(5), (e)(8) and (f)(2)–(f)(5) and (g):

(1) From subsection (c)(3) because making available to a named individual an accounting of disclosures of records concerning him/her/them could reveal investigative interest on the part of EPA

and/or the Department of Justice. This could allow record subjects to impede the investigation, *e.g.*, destroy evidence, intimidate potential witnesses, or flee the area to avoid inquiries or apprehension by law enforcement personnel. Further, such a disclosure could reveal the identity of a confidential source and hamper the Agency’s investigation.

(2) From subsection (c)(4), which concerns providing notice to others regarding corrections or disputed information in accordance with subsection (d) of the Privacy Act, because no access to these records is available under subsection (d) of the Act.

(3) From subsection (d), which requires an agency to permit an individual to access, contest or request amendment of records pertaining to him/her/them, because the records contained in this system relate to official Federal investigations. Individual access to these records could compromise ongoing investigations, reveal confidential informants and/or sensitive investigative techniques used in particular investigations, or constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation.

(4) From subsections (e)(1) and (e)(5), which require an agency to collect/maintain only accurate and relevant information about an individual, because the accuracy or relevance of information obtained in the course of a law enforcement investigation is not always known when collected. Material that may seem unrelated, irrelevant, or incomplete when collected may take on added meaning or significance as the investigation progresses. Also, in the interest of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of criminal activity. Therefore, it would impede the investigative process, whether civil or criminal, if it were necessary to assure the relevance, accuracy, timeliness and completeness of all information obtained.

(5) From subsection (e)(2), which requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about the individual’s rights, benefits, or privileges under Federal programs. Application of this provision could impair investigations and law enforcement by alerting the subject of the investigation to the existence of the investigation. Further, compliance with the requirements of this subsection during the course of an investigation

could impede the information gathering process or cause the destruction of evidence, thus hampering the investigation.

(6) From subsection (e)(3), which requires an agency to inform those supplying information of its authority to collect the information, its plans for using or sharing that information, and the effects of not providing the requested information. The application of this provision could provide the subject of the investigation with substantial information about the nature of the investigation, which could interfere with the investigation. To comply with the requirements of this subsection during the course of an investigation could impede the information gathering process especially when undercover operations or confidential sources are used, thus hampering the investigation.

(7) From subsections (e)(4)(G) and (H), which require an agency to publish—in the **Federal Register**—procedures concerning access to records, because no access to these records is available under subsection (d) of the Privacy Act, for the reasons explained above in the discussion of subsection (d).

(8) From subsection (e)(8), which requires notice to an individual whenever a record on such individual is made available to others under compulsory legal process, because complying with this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

(9) From subsections (f)(2), (f)(3), (f)(4) and (f)(5), concerning agency rules for obtaining access to records under subsection d, because this system is exempt from the access and amendment provisions of subsection (d). Since EPA is claiming that this system of records is exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable and are exempted to the extent that this system of records is exempted from subsection (d) of the Act.

(10) From subsection (g), which provides for civil remedies if an agency fails to comply with certain requirements of the Act applicable to a nonexempt system of records, because EPA is claiming that this system of records is exempt from subsections (c)(3) and (4); (d); (e)(1), (2), (3), (4)(G) and (H), (5), and (8); and (f)(2), through (5) of the Act. The provisions of subsection (g) of the Act are inapplicable to the extent that this

system of records is exempted from those subsections of the Act.

The EPA also compiles and maintains the records in the NEIC Master Tracking System for use in civil investigations and actions. In those cases, the system again is maintained by the Office of Enforcement and Compliance Assurance, Office of Criminal Enforcement, Forensics and Training, National Enforcement Investigations Center. 5 U.S.C. 552a(k)(2) states that the head of an agency may promulgate regulations to exempt the system from certain provisions of the Act if the system “contains investigatory material compiled for law enforcement purposes other than material within the scope of subsection (j)(2)” of 5 U.S.C. 552a. Accordingly all such records in the NEIC Master Tracking System, EPA–79, are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H) and (f)(2) through (f)(5):

(1) From subsection (c)(3) because making available to named individual an accounting of disclosures of records concerning him/her/they could reveal investigative interest on the part of EPA and/or the Department of Justice. This could allow record subjects to impede the investigation, e.g., destroy evidence, intimidate potential witnesses, or flee the area to avoid inquiries or apprehension by law enforcement personnel. Further, such a disclosure could reveal the identity of a confidential source, and hamper the Agency’s investigation.

(2) From subsection (d), which requires an agency to permit an individual to access, contest or request amendment of records pertaining to him/her/they, because the records contained in this system relate to official Federal investigations. Individual access to these records could compromise ongoing investigations, reveal confidential informants and/or sensitive investigative techniques used in particular investigations, or constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation.

(3) From subsection (e)(1), which requires each agency to maintain only such information about an individual as is relevant and necessary to accomplish a purpose of the agency, because in the course of law enforcement investigations information may occasionally be obtained or introduced the accuracy of which is unclear or which is not strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of criminal

activity. Moreover, it would impede any investigative process, whether civil or criminal, if it were necessary to assure the relevance, accuracy, timeliness and completeness of all information obtained.

(4) From subsections (e)(4) (G) and (H), which require an agency to publish—in the **Federal Register**—procedures concerning access to records, because no access to these records is available under subsection (d) of the Privacy Act, for the reasons explained above in the discussion of subsection (d).

(5) From subsections (f)(2), (f)(3), (f)(4) and (f)(5) concerning agency rules for obtaining access to records under subsection d, because this system is exempt from the access and amendment provisions of subsection (d). Since EPA is concluding that this system of records is exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable and are exempted to the extent that this system of records is exempted from subsection (d) of the Act.

Finally, EPA is making conforming edits to the regulations to remove references to the prior EPA–46 OCEFT/NEIC Master Tracking System, which EPA–79 replaces.

III. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

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

This action was submitted to the Office of Management and Budget (OMB) for review and was reviewed without comment.

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

This action is not an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866.

C. Paperwork Reduction Act

This action does not impose an information collection burden under the Paperwork Reduction Act (PRA). This action contains no provisions constituting a collection of information under the PRA.

D. Regulatory Flexibility Act

I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (RFA). This action will not impose any requirements on small entities.

E. Unfunded Mandates Reform Act

This action does not contain any unfunded mandate as described in the Unfunded Mandates Reform Act (UMRA), 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments.

F. Executive Order 13132 (Federalism)

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have tribal implications as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

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

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

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

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

J. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

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

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

L. The Congressional Review Act

This rule is exempt from the Congressional Review Act (CRA) because it is a rule of agency organization, procedure or practice that does not substantially affect the rights or obligations of non-agency parties.

List of Subjects in 40 CFR Part 16

Environmental protection, Administrative practice and procedure, Confidential business information, Government employees, Privacy.

Lynnnann Hitchens,

Principal Deputy Assistant Administrator.

For the reasons stated in the preamble, title 40, chapter I, part 16 of the Code of Federal Regulations is amended as follows:

PART 16—IMPLEMENTATION OF PRIVACY ACT OF 1974

■ 1. The authority citation for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552a (as revised).

■ 2. Amend § 16.11 by:

- a. Revising paragraph (a);
- b. Removing and reserving paragraph (c)(3);
- c. Adding paragraph (c)(5);
- d. Revising the heading and first two sentences of paragraph (d); and
- e. Revising the introductory text of paragraph (e).

The revisions and addition read as follows:

§ 16.11 General exemptions.

(a) *Systems of records affected.* (1) EPA-17 OCEFT Criminal Investigative Index and Files.

(2) EPA-40 Inspector General's Operation and Reporting (IGOR) System Investigative Files.

(3) EPA-63 eDiscovery Enterprise Tool Suite.

(4) EPA-79 NEIC Master Tracking System.

* * * * *

(c) * * *

(5) The Agency's system of records, EPA-79 system of records is maintained by the National Enforcement and Investigations Center, Office of Criminal

Enforcement, Forensics and Training, a component of EPA which performs as its principal function activities pertaining to the enforcement of criminal laws. Authority for the criminal law enforcement activities comes from Reorganization Plan No. 3 of 1970 (5 U.S.C. app. 1), effective December 2, 1970; Powers of Environmental Protection Agency, 18 U.S.C. 3063; Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9603; Resource Conservation and Recovery Act, 42 U.S.C. 6928; Federal Water Pollution Control Act, 33 U.S.C. 1319, 1321; Toxic Substances Control Act, 15 U.S.C. 2614, 2615; Clean Air Act, 42 U.S.C. 7413; Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 136j, 136l; Safe Drinking Water Act, 42 U.S.C. 300h-2, 300i-1; Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. 11045; and the Marine Protection, Research, and Sanctuaries Act of 1972, 33 U.S.C. 1415.

(d) *Scope of exemption.* EPA systems of records 17, 40, 63, and 79 are exempted from the following provisions of the PA: 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (2), (3), (4)(G), and (H), (5), and (8); (f)(2) through (5); and (g). To the extent that the exemption for EPA systems of records 17, 40, 63 and 79 claimed under 5 U.S.C. 552a(j)(2) of the Act is held to be invalid, then an exemption under 5 U.S.C. 552a(k)(2) is claimed for these systems of records from (c)(3), (d), (e)(1), (e)(4)(G) and (H), and (f)(2) through (5). * * *

(e) *Reasons for exemption.* EPA systems of records 17, 40, 63, and 79 are exempted from the provisions of the PA in paragraph (d) of this section for the following reasons:

* * * * *

■ 3. Amend § 16.12 by:

- a. Revising paragraph (a)(1);
- b. Revising the first sentence in paragraph (a)(4)(i);
- c. Revising paragraph (a)(4)(iii); and
- d. Revising the introductory text of paragraph (a)(5).

The revisions read as follows:

§ 16.12 Specific exemptions.

(a) * * *

(1) *Systems of records affected.* (i) EPA-17 OCEFT Criminal Investigative Index and Files.

(ii) EPA-21 External Compliance Program Discrimination Complaint Files.

(iii) EPA-30 OIG Hotline Allegation System.

(iv) EPA-40 Inspector General's Operation and Reporting (IGOR) System Investigative Files.

(v) EPA-41 Inspector General's Operation and Reporting (IGOR) System Personnel Security Files.

(vi) EPA-63 eDiscovery Enterprise Tool Suite.

(vii) EPA-79 NEIC Master Tracking System.

* * * * *

(4) * * *

(i) EPA systems of records 17, 30, 40, 41, 63, and 79 are exempted from the following provisions of the PA, subject to the limitations set forth in 5 U.S.C. 552a(k)(2): 5 U.S.C. 552a(c)(3); (d); (e)(1), (4)(G) and (4)(H); and (f)(2) through (5). * * *

* * * * *

(iii) EPA-17 OCEFT Criminal Investigative Index and Files, EPA-40 Inspector General's Operation and Reporting (IGOR) System Investigative Files, and EPA-79 NEIC Master Tracking System are exempted under 5 U.S.C. 552a(j)(2), and these systems are exempted under 5 U.S.C. 552a(k)(2) only to the extent that the (j)(2) exemption is held to be invalid.

(5) *Reasons for exemption.* EPA systems of records 17, 21, 30, 40, 41, 63, and 79 are exempted from the provisions of the PA in paragraph (a)(4) of this section for the following reasons:

* * * * *

[FR Doc. 2021-23834 Filed 11-10-21; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2021-0192; FRL-8652-01-OCSPP]

2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), Sodium Salt; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, when used as an inert ingredient in a pesticide chemical formulation. The Dow Chemical Company submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), requesting

an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt) on food or feed commodities.

DATES: This regulation is effective November 12, 2021. Objections and requests for hearings must be received on or before January 11, 2022, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the

SUPPLEMENTARY INFORMATION).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2021-0192, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805.

Due to the public health concerns related to COVID-19, the EPA Docket Center (EPA/DC) and Reading Room is closed to visitors with limited exceptions. The staff continues to provide remote customer service via email, phone, and webform. For the latest status information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Marietta Echeverria, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: RDNRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 112).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Publishing Office's e-CFR site at http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.

C. Can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2021-0192 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before January 11, 2022. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA-HQ-OPP-2021-0192, by one of the following methods.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

II. Background and Statutory Findings

In the **Federal Register** of March 22, 2021 (86 FR 15164) (FRL-10021-44), EPA issued a document pursuant to FFDCA section 408, 21 U.S.C. 346a, announcing the receipt of a pesticide petition (PP IN-11434) filed by the Dow Chemical Company, 2211 HH Dow Way, Midland, MI 48674. The petition requested that 40 CFR 180.960 be amended by establishing an exemption from the requirement of a tolerance for residues of 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt; CAS Reg. No.115035-53-5. That document included a summary of the petition prepared by the petitioner and solicited comments on the petitioner's request. The Agency did not receive any comments.

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is "safe." Section 408(c)(2)(A)(ii) of FFDCA defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and use in residential settings but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing an exemption from the requirement of a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . ." and specifies factors EPA is to consider in establishing an exemption.

III. Risk Assessment and Statutory Findings

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be shown that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human

health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

Consistent with FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action and considered its validity, completeness and reliability and the relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. In the case of certain chemical substances that are defined as polymers, the Agency has established a set of criteria to identify categories of polymers expected to present minimal or no risk. The definition of a polymer is given in 40 CFR 723.250(b) and the exclusion criteria for identifying these low-risk polymers are described in 40 CFR 723.250(d). 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, conforms to the definition of a polymer given in 40 CFR 723.250(b) and meets the following criteria that are used to identify low-risk polymers.

1. The polymer is not a cationic polymer nor is it reasonably anticipated to become a cationic polymer in a natural aquatic environment.

2. The polymer does contain as an integral part of its composition at least two of the atomic elements carbon, hydrogen, nitrogen, oxygen, silicon, and sulfur.

3. The polymer does not contain as an integral part of its composition, except as impurities, any element other than those listed in 40 CFR 723.250(d)(2)(ii).

4. The polymer is neither designed nor can it be reasonably anticipated to substantially degrade, decompose, or depolymerize.

5. The polymer is manufactured or imported from monomers and/or reactants that are already included on the TSCA Chemical Substance

Inventory or manufactured under an applicable TSCA section 5 exemption.

6. The polymer is not a water absorbing polymer with a number average molecular weight (MW) greater than or equal to 10,000 daltons.

7. The polymer does not contain certain perfluoroalkyl moieties consisting of a CF₃- or longer chain length as listed in 40 CFR 723.250(d)(6).

Additionally, the polymer also meets as required the following exemption criteria specified in 40 CFR 723.250(e).

The polymer's number average MW of 2,871 is greater than 1,000 and less than 10,000 daltons. The polymer contains less than 10% oligomeric material below MW 500 and less than 25% oligomeric material below MW 1,000, and the polymer does not contain any reactive functional groups.

Thus, 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, meets the criteria for a polymer to be considered low risk under 40 CFR 723.250. Based on its conformance to the criteria in this unit, no mammalian toxicity is anticipated from dietary, inhalation, or dermal exposure to 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt).

IV. Aggregate Exposures

For the purposes of assessing potential exposure under this exemption, EPA considered that 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, could be present in all raw and processed agricultural commodities and drinking water, and that non-occupational non-dietary exposure was possible. The number average MW of 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, is 2,871 daltons. Generally, a polymer of this size would be poorly absorbed through the intact gastrointestinal tract or through intact human skin. Since 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, conform to the criteria that identify a low-risk polymer, there are no concerns for risks associated with any potential

exposure scenarios that are reasonably foreseeable. The Agency has determined that a tolerance is not necessary to protect the public health.

V. Cumulative Effects From Substances With a Common Mechanism of Toxicity

Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance, the Agency consider "available information" concerning the cumulative effects of a particular pesticide's residues and "other substances that have a common mechanism of toxicity." EPA has not found 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt to share a common mechanism of toxicity with any other substances, and 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has assumed 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, does not have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see EPA's website at <http://www.epa.gov/pesticides/cumulative>.

VI. Determination of Safety

Based on the conformance to the criteria used to identify a low-risk polymer, EPA concludes that there is a reasonable certainty of no harm to the U.S. population, including infants and children, from aggregate exposure to residues of 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt.

VII. Other Considerations

Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

VIII. Conclusion

Accordingly, EPA finds that exempting residues of 2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt, from the requirement of a tolerance will be safe.

IX. Statutory and Executive Order Reviews

This action establishes a tolerance under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled “Regulatory Planning and Review” (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as

the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or Tribal Governments, on the relationship between the National Government and the States or Tribal Governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian Tribes. Thus, the Agency has determined that Executive Order 13132, entitled “Federalism” (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000) do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require the Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

X. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will

submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 13, 2021.

Marietta Echeverria,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.960, amend the table by adding in alphabetical order the polymer “2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt; number average of molecular weight (in amu), 2,871” to read as follows:

§ 180.960 Polymers; exemptions from the requirement of a tolerance.

* * * * *

Polymer	CAS No.
2-Propenoic acid, telomer with N-(1,1-dimethylethyl)-2-propenamide, sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1) and sodium sulfite (1:1), sodium salt; number average of molecular weight (in amu), 2,871	115035–53–5

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 302

[EPA–HQ–SFUND–1990–0005; FRL–9115–01–OLEM]

Change of Submissions for CERCLA Section 103 Continuous Release Reports to the Appropriate EPA Headquarters Office

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The U.S. Environmental Protection Agency (EPA or the Agency) is issuing a technical amendment to modify the submission location for Continuous Release Reports. Reports are currently submitted to respective EPA regional offices; with this technical amendment, EPA will instead require all future such reports to be submitted to the appropriate EPA Headquarters (HQ) office. The Agency is also correcting a typographical spelling error, correcting citations within the section, and amending the listed authority.

DATES: This final rule is effective on November 12, 2021.

FOR FURTHER INFORMATION CONTACT: Mark Douglas, U.S. Environmental Protection Agency, Office of Emergency Management, (MC: 5104A), 1200 Pennsylvania Avenue NW, Washington, DC 20460; 202–564–5572; douglas.mark@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

Entities that may be affected by this action are those facilities subject to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) specifically, entities that submit written Continuous Release Reports (CRRs) under the requirements of 40 CFR 302.8.

II. What does this amendment do?

This technical amendment is being issued to modify where CRRs are submitted. Currently, entities submit CRRs to the EPA regional office where the release occurs. This technical amendment will centralize the collection of the CRRs.

The Agency is now directing the regulated entities to submit the CRRs, regulated under 40 CFR 302.8(e), (e)(1), (f), (g)(2)(ii), (g)(3), and (j), to the appropriate EPA HQ office at 40 CFR 302.8(e), (e)(1), (f), (g)(2)(ii), (g)(3), and (j). This action also clarifies that follow-

up notifications (“first anniversary report”), 40 CFR 302.8(f), should also be submitted to the appropriate EPA HQ office. Mailing address and additional information can be found at the EPA website for CERCLA and Emergency Planning and Community Right-to-Know Act (EPCRA) continuous release reporting: <https://www.epa.gov/epcra/cercla-and-epcra-continuous-release-reporting>.

This technical amendment corrects a typographical error to change “considsred” to “considered” at 40 CFR 302.8(l). This action corrects citation errors at 40 CFR 302.8(g)(2)(i) and (g)(4). Section 302.8(g)(2)(i) cites § 302.8(c)(7), and § 302.8(g)(4) cites § 302.8(c)(2)(xi), both of which no longer exist. The correct citations are section §§ 302.8(h) and 302.8(e)(1)(iv)(H), respectively. Finally, this action amends the authority for part 302 to include CERCLA authority citations of 42 U.S.C. 9601 *et. seq.*, 42 U.S.C. 9602, and 42 U.S.C. 9603.

III. Rulemaking Procedures and Findings of Good Cause

Section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(3)(B), provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this technical amendment final without prior proposal and opportunity for comment, because such notice and opportunity for comment is unnecessary for the following two reasons. First, this action is merely updating the regulatory text to require that CRR submissions be sent to the appropriate EPA HQ office instead of the regions. Contents or other requirements of the submissions have not changed. Thus, this action is procedural and does not affect any substantive requirements. Second, this action includes minor, non-substantive technical corrections since it involves correcting a typographical error to change the spelling of “considsred” to “considered” at 40 CFR 302.8(l), to correct citation errors at 40 CFR 302.8(g)(2)(i) and (g)(4), and to amend the authority citations for 40 CFR part 302. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

IV. Effective Date

Section 553(d)(3) of the APA provides 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 this provision is to “give affected parties a reasonable time to adjust their behavior before the final rule takes effect.” *Omnipoint Corp. v. Fed. Comm’n Comm’n*, 78 F.3d 620, 630 (D.C. Cir. 1996); see also *United States v. Gavrilovic*, 551 F.2d 1099, 1104 (8th Cir. 1977) (quoting legislative history). Thus, in determining whether good cause exists to waive the 30-day delay, 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. EPA has determined that there is good cause for making this final rule effective immediately because it merely changes the address where the CRRs are submitted, corrects a spelling error and minor citation errors, and amends the 302 authority citation. For this reason, the Agency finds that good cause exists under APA section 553(d)(3) to make this rule effective immediately upon publication.

V. Do any of the statutory and Executive Order reviews apply to this action?

Under Executive Order 12866 (58 FR 51735, October 4, 1993) and Executive Order 13563 (76 FR 3821, January 21, 2011), this action is not a “significant regulatory action” and is therefore not subject to the Office of Management and Budget (OMB) review. Additionally, this action is not an Executive Order 13771 regulatory action because this action is not significant under Executive Order 12866. Because this action is not subject to notice and comment requirements under the Administrative Procedure Act or any other statute, it is not subject to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) or Sections 202 and 205 of the Unfunded Mandates Reform Act (2 U.S.C. 1531–1538). In addition, this action does not significantly or uniquely affect small governments. This action does not create new binding legal requirements that substantially and directly affect tribes under Executive Order 13175 (65 FR 67249, November 9, 2000). This action does not have significant Federalism implications under Executive Order 13132 (64 FR 43255, August 10, 1999). Because this final rule is not subject to review under Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001) or Executive Order 13045,

entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997). Continuous release reporting is covered under OMB Control Number 2050–0086. This final rule does not contain any changes to the information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994). This action does not involve technical standards; thus, the requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

This action is subject to the Congressional Review Act (CRA), and the EPA will submit a rule report to each House of Congress and to the Comptroller General of the United States. The CRA allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and comment rulemaking procedures are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 808(2)). The EPA has made a good cause finding for this rule as discussed in Section III of the preamble, including the basis for that finding.

List of Subjects in 40 CFR Part 302

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous Waste, Intergovernmental relations, Natural resources, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: November 2, 2021.

Barry N. Breen,

Acting Assistant Administrator, Office of Land and Emergency Management.

For the reasons stated in the preamble, the EPA amends title 40, chapter I of the Code of Federal Regulations as follows:

PART 302—DESIGNATION, REPORTABLE QUANTITIES, AND NOTIFICATION

- 1. The authority citation for part 302 is revised to read as follows:

Authority: 33 U.S.C. 1251 *et seq.*, 42 U.S.C. 9601 *et seq.*, 42 U.S.C. 9602, 42 U.S.C. 9603.

- 2. Section 302.8 is amended by revising paragraphs (e) introductory text, (e)(1) introductory text, (f)

introductory text, (g)(2)(i) and (ii), (g)(3) and (4), (j) introductory text, and (l) to read as follows:

§ 302.8 Continuous releases.

* * * * *

(e) *Initial written notification.* Initial written notification of a continuous release shall be made to the appropriate EPA HQ office. (Note: In addition to the requirements of this part, releases of CERCLA hazardous substances are also subject to the provisions of SARA Title III, also known as the Emergency Planning and Community Right-to-Know Act (EPCRA), section 304, and EPA's implementing regulations codified at 40 CFR part 355, which require initial telephone and written notifications of continuous releases to be submitted to the appropriate State emergency response commission and local emergency planning committee.)

(1) Initial written notification to the appropriate EPA HQ office shall occur within 30 days of the initial telephone notification to the National Response Center, and shall include, for each release for which reduced reporting as a continuous release is claimed, the following information:

* * * * *

(f) *Follow-up notification.* Within 30 days of the first anniversary date of the initial written notification, the person in charge of the facility or vessel shall evaluate each hazardous substance release reported to verify and update the information submitted in the initial written notification. The follow-up written notification shall be submitted to the appropriate EPA HQ office. The follow-up notification shall include the following information:

* * * * *

(g) * * *

(2) * * *

(i) Reporting at least one statistically significant increase report as required under paragraph (h) of this section and, at the same time, informing the National Response Center of the change in the normal range; and

(ii) Submitting, within 30 days of the telephone notification, written notification to the appropriate EPA Headquarters office describing the new normal range, the reason for the change, and the basis for stating that the release in the increased amount is continuous and stable in quantity and rate under the definitions in paragraph (b) of this section.

(3) *Changes in other reported information.* If there is a change in any information submitted in the initial written notification or the follow-up notification other than a change in the

source, composition, or quantity of the release, the person in charge of the facility or vessel shall provide written notification of the change to the appropriate EPA HQ office, within 30 days of determining that the information submitted previously is no longer valid. Notification shall include the reason for the change, and the basis for stating that the release is continuous and stable under the changed conditions.

(4) *Certificate of changes.* Notification of changes shall include the case number assigned by the National Response Center or the Environmental Protection Agency and also the signed certification statement required at (e)(1)(iv)(H) of this section.

* * * * *

(j) *Use of the SARA Title III (EPCRA) section 313 form.* In lieu of an initial written report or a follow-up report, owners or operators of facilities subject to the requirements of SARA Title III (EPCRA) section 313 may submit to the appropriate EPA HQ office, a copy of the Toxic Release Inventory form submitted under SARA Title III (EPCRA) section 313 the previous July 1, provided that the following information is added:

* * * * *

(l) *Multiple concurrent releases.* Multiple concurrent releases of the same substance occurring at various locations with respect to contiguous plants or installations upon contiguous grounds that are under common ownership or control may be considered separately or added together in determining whether such releases constitute a continuous release or a statistically significant increase under the definitions in paragraph (b) of this section; whichever approach is elected for purposes of determining whether a release is continuous also must be used to determine a statistically significant increase in the release.

* * * * *

[FR Doc. 2021–24373 Filed 11–10–21; 8:45 am]

BILLING CODE 6560–50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 211108–0227; RTID 0648–XT040]

Atlantic Highly Migratory Species; 2022 Atlantic Shark Commercial Fishing Year

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule; fishing season notification.

SUMMARY: This final rule establishes the 2022 opening date for all Atlantic shark fisheries, including the fisheries in the Gulf of Mexico and Caribbean. This final rule also establishes the shark fisheries quotas for the 2022 fishing year, with adjustments based on harvest levels during 2021 and establishes the large coastal shark (LCS) initial retention limits for directed shark limited access permit holders. NMFS may increase or decrease these retention limits for directed shark limited access permit holders during the year, in accordance with existing regulations, to provide equitable fishing opportunities for commercial shark fishermen in all regions and areas, to the extent practicable. These actions could affect fishing opportunities for commercial shark fishermen in the northwestern Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea.

DATES: This rule is effective on January 1, 2022. The 2022 Atlantic commercial shark fishing year opens on January 1, 2022, for all species and regions.

ADDRESSES: Atlantic Highly Migratory Species (HMS) Management Division, 1315 East-West Highway, Silver Spring, MD 20910; <https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species>.

FOR FURTHER INFORMATION CONTACT: Guy DuBeck (guy.dubeck@noaa.gov), Derek Kraft (derek.kraft@noaa.gov), or Karyl Brewster-Geisz (karyl.brewster-geisz@noaa.gov) at 301-427-8503.

SUPPLEMENTARY INFORMATION:

Background

The Atlantic commercial shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments are implemented by regulations at 50 CFR part 635. For the Atlantic commercial shark fisheries, the 2006 Consolidated HMS FMP and its amendments established default commercial shark retention limits, commercial quotas for species and management groups, and accounting measures for underharvests and overharvests. The retention limits, commercial quotas, and accounting measures can be found at §§ 635.24(a) and 635.27(b). Regulations also include provisions allowing flexible opening dates for the fishing year (§ 635.27(b)(3))

and inseason adjustments to shark trip limits (§ 635.24(a)(8)), which provide management flexibility in furtherance of equitable fishing opportunities, to the extent practicable, for commercial shark fishermen in all regions and areas. In addition, § 635.28(b)(4) lists species and/or management groups with quotas that are linked. If quotas are linked, when the specified quota threshold for one management group or species is reached and that management group or species is closed, the linked management group or species closes at the same time (§ 635.28(b)(3)). Lastly, pursuant to § 635.27(b)(3), any annual or inseason adjustments to the base annual commercial overall, regional, or sub-regional quotas will be published in the **Federal Register**.

On August 8, 2021, NMFS published a proposed rule (86 FR 43151) regarding management measures for the commercial shark fisheries for the 2022 fishing year. The rule proposed opening all Atlantic commercial shark management groups on January 1, 2022, setting initial retention limits for LCS by directed shark limited access permit holders, and adjusting certain quotas for the 2022 fishing year based on harvest levels during 2021. The proposed rule contains background information and details that are not repeated here. The comment period on the proposed rule closed on September 7, 2021. NMFS received one written comment during the comment period. This comment, along with NMFS' response, is summarized below. After considering the comment, NMFS is finalizing the rule as proposed.

Specifically, NMFS is opening the fishing year for all shark management groups on January 1, 2022. As described in the proposed rule, in establishing the opening date, NMFS considered the "opening commercial fishing season" criteria at § 635.27(b)(3). These criteria include the following factors: Available annual quotas for the current fishing season; estimated season length and average weekly catch rates from previous years; length of the season and fishermen participation in past years; impacts to accomplishing objectives of the 2006 Consolidated HMS FMP and its amendments; temporal variation in behavior or biology of target species (e.g., seasonal distribution or abundance); impact of catch rates in one region on another; and effects of delayed season openings. This final rule also establishes a starting retention limit for directed shark limited access permit holders in the blacktip, aggregated LCS, and hammerhead management groups of 55 LCS other than sandbar sharks per vessel per trip for the entire Gulf of

Mexico region (which includes both the eastern and western sub-regions) and for the Atlantic region. This final rule does not affect or change the current retention limit for incidental shark limited access permit holders for all regions. Consistent with § 635.24(a)(3) and (4), the current retention limits for incidental shark limited access permit holders will remain at 3 LCS other than sandbar sharks per vessel per trip, and no more than 16 small coastal sharks (SCS) and pelagic sharks, combined, per vessel per trip. Additionally, the retention limit for blacknose sharks for all permit holders in the Atlantic region south of 34°00' N lat. will remain at eight blacknose sharks per trip consistent with § 635.24(a)(4). Blacknose sharks may not be harvested in the Gulf of Mexico region.

This final rule also adjusts certain annual commercial quotas for 2022 based on over- and/or underharvests, calculated after accounting for landings reported by September 17, 2021, consistent with existing regulations. Updated landings information as of September 17, 2021 has been reviewed (as reflected in Table 1), and no quotas are changed from the proposed rule as a result. While this action adjusts certain quotas as allowable, it does not establish or change the annual baseline commercial quotas established under the 2006 Consolidated HMS FMP and its amendments for any shark management group. The baseline quotas were established under previous actions, and any changes to those baseline quotas would be performed through a separate action.

Response to Comments

NMFS received one written comment on the proposed rule. That comment can be found at <http://www.regulations.gov/> by searching for NOAA-NMFS-2021-0056. The comment received is summarized below.

Comment 1: NMFS received a comment requesting a prohibition of all commercial shark fishing.

Response: This comment is outside the scope of this rulemaking because the purpose of this rulemaking is to adjust certain quotas for the 2022 shark season based on over- and underharvests from the previous years and to set opening dates and commercial retention limits for the 2022 shark season. This action does not reanalyze the overall management measures for sharks, which have been analyzed and implemented through previous rulemaking processes for the 2006 Consolidated HMS FMP and its amendments. Sustainable commercial shark fishing is allowed

under the Magnuson-Stevens Act and other applicable laws.

Changes From the Proposed Rule

After considering public comment and updated landings information, NMFS is finalizing the rule as proposed, without changes regarding the fishing season opening dates or retention limits.

2022 Annual Quotas

This final rule adjusts certain 2022 commercial quotas due to overharvests

in 2021 and previous fishing years and/or underharvests in 2021, based on landings data received by September 17, 2021. Underharvest adjustments can only be applied to stocks or management groups that are not overfished, have no overfishing occurring, or do not have an unknown status. Also, current regulations provide that the underharvest adjustments cannot exceed 50 percent of the base annual quota. The 2022 annual quotas

are summarized in Table 1 by species and management group. At this time, NMFS anticipates that landings in dealer reports that NMFS receives after September 17, 2021, will be accounted for by adjusting certain 2023 quotas, as appropriate, although such landings could also be accounted for in 2022. A description of the quota calculations is provided in the proposed rule and is not repeated here.

TABLE 1—2022 PROPOSED QUOTAS AND OPENING DATE FOR THE ATLANTIC SHARK MANAGEMENT GROUPS

Region or sub-region	Management group	2021 Annual quota (A)	Preliminary 2021 landings ¹ (B)	Adjustments ² (C)	2022 Base annual quota (D)	2022 Proposed annual quota (D + C)
Western Gulf of Mexico	Blacktip Sharks ³	347.2 mt dw (765,392 lb).	222.6 mt (490,693 lb).	115.7 mt (255,131 lb).	231.5 mt (510,261 lb).	347.2 mt (765,392 lb)
	Aggregated Large Coastal Sharks	72.0 mt (158,724 lb).	66.9 mt (147,445 lb).	.....	72.0 mt (158,724 lb).	72.0 mt (158,724 lb)
	Hammerhead Sharks	11.9 mt (26,301 lb).	<1.5 mt (<3,300 lb).	.....	11.9 mt (26,301 lb).	11.9 mt (26,301 lb)
Eastern Gulf of Mexico	Blacktip Sharks ³	37.7 mt (83,158 lb).	15.3 mt (33,800 lb).	12.6 mt (27,719 lb).	25.1 mt (55,439 lb).	37.7 mt (83,158 lb)
	Aggregated Large Coastal Sharks	85.5 mt (188,593 lb).	49.7 mt (109,566 lb).	.....	85.5 mt (188,593 lb).	85.5 mt (188,593 lb)
	Hammerhead Sharks	13.4 mt (29,421 lb).	5.7 mt (12,567 lb)	.....	13.4 mt (29,421 lb).	13.4 mt (29,421 lb)
Gulf of Mexico	Non-Blacknose Small Coastal Sharks	112.6 mt (248,215 lb).	31.8 mt (70,172 lb).	.....	112.6 mt (248,215 lb).	112.6 mt (248,215 lb)
	Smoothhound Sharks	504.6 mt (1,112,441 lb).	0 mt (0 lb)	168.2 mt (370,814 lb).	336.4 mt (741,627 lb).	504.6 mt (1,112,441 lb)
Atlantic	Aggregated Large Coastal Sharks	168.9 mt (372,552 lb).	53.5 mt (117,960 lb).	.....	168.9 mt (372,552 lb).	168.9 mt (372,552 lb)
	Hammerhead Sharks	27.1 mt (59,736 lb).	12.2 mt (26,842 lb).	.....	27.1 mt (59,736 lb).	27.1 mt (59,736 lb)
	Non-Blacknose Small Coastal Sharks	264.1 mt (582,333 lb).	52.4 mt (115,473 lb).	.....	264.1 mt (582,333 lb).	264.1 mt (582,333 lb)
	Blacknose Sharks (South of 34° N lat. only)	17.2 mt (37,921 lb).	5.3 mt (11,787 lb)	.....	17.2 mt (37,921 lb).	17.2 mt (37,921 lb)
	Smoothhound Sharks	1,802.6 mt (3,971,587 lb).	272.3 mt (600,339 lb).	600.9 mt (1,324,634 lb).	1,201.7 mt (2,649,268 lb).	1,802.6 mt (3,973,902 lb)
	No regional quotas	50.0 mt (110,230 lb).	7.4 mt (16,304 lb)	.....	50.0 mt (110,230 lb).	50.0 mt (110,230 lb)
No regional quotas	Non-Sandbar LCS Research	90.7 mt (199,943 lb).	49.0 mt (108,131 lb).	.....	90.7 mt (199,943 lb).	90.7 mt (199,943 lb)
	Sandbar Shark Research	273.0 mt (601,856 lb).	<1.0 mt (<2,200 lb).	.....	273.0 mt (601,856 lb).	273.0 mt (601,856 lb)
	Blue Sharks	1.7 mt (3,748 lb) ..	<1.0 mt (<2,200 lb).	.....	1.7 mt (3,748 lb) ..	1.7 mt (3,748 lb)
	Porbeagle Sharks	488.0 mt (1,075,856 lb).	30.3 mt (66,738 lb).	.....	488.0 mt (1,075,856 lb).	488.0 mt (1,075,856 lb)
	Pelagic Sharks Other Than Porbeagle or Blue .....	.....	.....	.....	.....	.....

¹ Landings are from January 1, 2021, through September 17, 2021, and are subject to change as additional data is received.

² Underharvest adjustments can only be applied to stocks or management groups that are not overfished and have no overfishing occurring and that do not have an “unknown” status. Also, the underharvest adjustments cannot exceed 50 percent of the base quota.

³ This adjustment accounts for underharvest in 2021. This proposed rule would increase the overall Gulf of Mexico blacktip shark quota by 128.3 metric ton (mt) (282,850 pounds (lb)). Since any underharvest would be divided based on the sub-regional quota percentage split, the western Gulf of Mexico blacktip shark quota would be increased by 115.7 mt, while the eastern Gulf of Mexico blacktip shark quota would be increased by 12.6 mt.

2022 Atlantic Commercial Shark Fishing Year

After considering the seven “opening commercial fishing season” criteria listed in § 635.27(b)(3) as described in the proposed rule (86 FR 43151; August 8, 2021), and after considering public comment, this rule establishes a January 1, 2022, commercial shark fishing year start date for all management groups in all regions.

Regarding the LCS retention limit, as shown in Table 2, directed shark limited

access permit holders fishing on the Gulf of Mexico blacktip shark, aggregated LCS, and hammerhead shark management groups, as well as the Atlantic aggregated LCS and hammerhead shark management groups will start the commercial fishing year with a limit of 55 LCS other than sandbar sharks per vessel per trip. These retention limits could be changed throughout the year based on consideration of the inseason trip limit adjustment criteria at § 635.24(a)(8).

All of the shark management groups will remain open until December 31, 2022, or until closure is appropriate. Under the regulations, shark fisheries are closed if NMFS determines that the landings for any shark management group have reached, or are projected to reach, 80 percent of the available overall, regional, and/or sub-regional quota, if the fishery’s landings are not also projected to reach 100 percent of the applicable quota before the end of the season, or when the quota-linked

management group is closed. For the blacktip shark management group, regulations at § 635.28(b)(5)(i) through (v) authorize NMFS to close the management group before landings reach or are expected to reach 80 percent of the available overall, regional, and/or sub-regional quota after considering the following criteria and other relevant factors: Season length based on available sub-regional quota and average sub-regional catch rates; variability in regional and/or sub-regional seasonal distribution, abundance, and migratory patterns; effects on accomplishing the objectives

of the 2006 Consolidated Atlantic HMS FMP and its amendments; amount of remaining shark quotas in the relevant sub-region; and regional and/or sub-regional catch rates of the relevant shark species or management groups. Additionally, NMFS has previously established non-linked and linked quotas. Linked quotas are explicitly designed to concurrently close shark management groups that are caught together and linked by regulation to prevent incidental catch mortality from exceeding the total allowable catch. The linked and non-linked quotas are shown in Table 2. If NMFS determines that a

shark species or management group must be closed, then NMFS will publish a notice in the **Federal Register** of closure for that shark species, shark management group, region, and/or sub-region that will be effective no fewer than 4 days from the date of filing (§ 635.28(b)(2) and (3)). From the effective date of the notice and time of the closure, the fisheries for the shark species or management group are closed, even across fishing years, until NMFS announces, via the publication of a notice in the **Federal Register**, that additional quota is available, and the season is reopened.

TABLE 2—QUOTA LINKAGES, OPENING DATES, AND COMMERCIAL RETENTION LIMIT BY REGIONAL OR SUB-REGIONAL SHARK MANAGEMENT GROUP

Region or sub-region	Management group	Quota linkages	Opening dates	Commercial retention limits for directed shark limited access permit holders (inseason adjustments are available)
Eastern Gulf of Mexico	Blacktip Sharks	Not Linked	January 1, 2022	55 LCS other than sandbar sharks per vessel per trip.
	Aggregated Large Coastal Sharks.	Linked.		
Western Gulf of Mexico	Hammerhead Sharks.			
	Blacktip Sharks	Not Linked	January 1, 2022	55 LCS other than sandbar sharks per vessel per trip.
Gulf of Mexico	Aggregated Large Coastal Sharks.	Linked.		
	Hammerhead Sharks.			
Atlantic	Non-Blacknose Small Coastal Sharks.	Not Linked	January 1, 2022	N/A.
	Smoothhound Sharks	Not Linked	January 1, 2022.	
	Aggregated Large Coastal Sharks.	Linked	January 1, 2022	55 LCS other than sandbar sharks per vessel per trip.
	Hammerhead Sharks.			
	Non-Blacknose Small Coastal Sharks.	Linked (South of 34° N lat. only).	January 1, 2022	N/A.
	Blacknose Sharks			8 blacknose sharks per vessel per trip (applies to directed and incidental permit holders).
No regional quotas	Smoothhound Sharks	Not Linked	January 1, 2022	N/A.
	Non-Sandbar LCS Research	Linked	January 1, 2022	N/A.
	Sandbar Shark Research.			
	Blue Sharks	Not Linked	January 1, 2022	N/A.
	Porbeagle Sharks.			
	Pelagic Sharks Other Than Porbeagle or Blue.			

¹ This action modifies the percent of quota harvested at which it considers adjusting the retention limit. NMFS will consider adjustment to 40 percent to allow fishermen in the Atlantic region to more fully utilize the quota.

Classification

NMFS is issuing this rule pursuant to 305(d) of the Magnuson-Stevens Act, which authorizes the Secretary to promulgate regulations as may be necessary to carry out FMPs or FMP amendments or other provisions of the Act. This action carries out provisions of the 2006 Consolidated HMS FMP and its amendments. The NMFS Assistant Administrator has determined that the final rule is consistent with the 2006

Consolidated HMS FMP and its amendments, other provisions of the Magnuson-Stevens Act, and other applicable laws.

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

This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

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.

List of Subjects in 50 CFR Part 635

Fisheries, Fishing, Fishing vessels,
Foreign relations, Imports, Penalties,

Reporting and recordkeeping
requirements, Statistics, Treaties.

Authority: 16 U.S.C. 971 *et seq.*; 16 U.S.C.
1801 *et seq.*

Dated: November 8, 2021.

Samuel D. Rauch, III,

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

[FR Doc. 2021–24721 Filed 11–10–21; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 86, No. 216

Friday, November 12, 2021

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0961; Project Identifier MCAI-2021-00924-A]

RIN 2120-AA64

Airworthiness Directives; British Aerospace (Operations) Limited and British Aerospace Regional Aircraft Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain British Aerospace (Operations) Limited and British Aerospace Regional Aircraft Model Jetstream Series 200, Jetstream Model 3101, and Jetstream Model 3201 airplanes. This proposed AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI identifies the unsafe condition as a bent control rod within the gust lock system, which may enable both power levers to be pushed into the flight range with the gust lock lever fully engaged. This proposed AD would require replacing the push rod assembly with a modified push rod assembly. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 27, 2021.

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

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** (202) 493-2251.

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

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

For service information identified in this NPRM, contact BAE Systems (Operations) Ltd, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; phone: +44 3300 488727; fax: +44 1292 675704; email: RApublications@baesystems.com; website: <https://www.baesystems.com/Businesses/RegionalAircraft/>.

You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0961; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the MCAI, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: Doug Rudolph, Aviation Safety Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 901 Locust, Room 301, Kansas City, MO 64106; phone: (816) 329-4059; fax: (816) 329-4090; email: doug.rudolph@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0961; Project Identifier MCAI-2021-00924-A" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider

all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Doug Rudolph, Aviation Safety Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 901 Locust, Room 301, Kansas City, MO 64106. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The Civil Aviation Authority (CAA), which is the aviation authority for the United Kingdom, has issued CAA AD G-2021-0005, dated August 3, 2021 (referred to after this as "the MCAI"), to address an unsafe condition on certain serial-numbered BAE Systems (Operations) Ltd Model Jetstream Series 3100 and Series 3200 airplanes. The MCAI states:

On 8 October 2019, a Jetstream Series 3200 aircraft aborted take-off at a speed of approximately 130 kt and veered off the runway. The investigation into the serious incident concluded the take-off was initiated with an engaged Gust Lock Mechanism,

resulting in a temporary loss of aircraft control. Damage was identified in the Gust Lock mechanism, which allowed both power levers to be moved beyond flight idle with the gust locks engaged.

The serious incident investigation determined that a bent control rod within the gust lock system made it possible to move both power levers simultaneously to the max position, even though the gust locks were still engaged.

The gust-lock system is designed to lock and prevent damage to the control surfaces when the aircraft is parked during gusting wind conditions. The system contains a mechanical baulk which prevents both power levers from being moved beyond the flight idle position when the gust locks are engaged.

Three previous occurrences in which a bent control rod enabled both power levers to be moved simultaneously beyond the flight idle position while the gust lock system was engaged have been identified by the Type Certificate Holder. Service Bulletin 27–JM 5350 was first published in 1992 to introduce a stronger control rod.

This condition, if not prevented, could lead to partial or total loss of aircraft control. To address this potential unsafe condition, this [CAA] AD mandates the installation of a modified push rod assembly.

BAE Systems operating manuals contain pre-flight checks that are designed to ensure the gust locks are not engaged during take-off.

You may examine the MCAI in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0961.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Jetstream Series 3100/3200 Service Bulletin 27–JM5350, Revision 1, dated May 6, 1994. This service information specifies procedures for replacing push rod assembly part number (P/N) 137201E419 with push rod assembly P/N 137201E429. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in ADDRESSES.

FAA's Determination

This product has been approved by the aviation authority of another country and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this NPRM after determining the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the service information already described, except as discussed under “Differences Between this Proposed AD and the MCAI.”

Differences Between This Proposed AD and the MCAI

The MCAI does not apply to the Model Jetstream Series 200, whereas this proposed AD would include the Model Jetstream Series 200 because this model has an FAA type certificate and shares a similar type design in the affected area. The MCAI and service information apply to Model Jetstream Series 3100 and Jetstream Series 3200 airplanes, which are identified on the FAA type certificates as Jetstream Model 3101 and Jetstream Model 3201 airplanes, respectively.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 43 airplanes of U.S. registry.

The FAA also estimates that it would take about 6 work-hours per airplane to replace the push rod assembly. The average labor rate is \$85 per work-hour. Required parts would cost about \$300 per airplane.

Based on these figures, the FAA estimates the cost of the proposed AD on U.S. operators to be \$34,830 or \$810 per airplane.

Authority for This Rulemaking

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

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

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order

13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

British Aerospace (Operations) Limited and British Aerospace Regional Aircraft:
Docket No. FAA–2021–0961; Project Identifier MCAI–2021–00924–A.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 27, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to British Aerospace (Operations) Limited and British Aerospace Regional Aircraft Model Jetstream Series 200, Jetstream Model 3101, and Jetstream Model 3201 airplanes, serial numbers 1 through 927 and 929 through 936 inclusive, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2770, Gust Lock/Damper System.

(e) Unsafe Condition

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe

condition on an aviation product. The MCAI describes the unsafe condition as a bent control rod within the gust lock system, which may enable both power levers to be pushed into the flight range with the gust lock lever fully engaged. The FAA is issuing this AD to detect and correct bent push rod assemblies of the power lever baulk system. The unsafe condition, if not addressed, could result in loss of airplane control.

(f) Compliance

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

(g) Action

Within 2 years after the effective date of this AD, replace push rod assembly part number (P/N) 137201E419 with push rod assembly P/N 137201E429 by following the Accomplishment Instructions, sections 2.A. through 2.C. in Jetstream Series 3100/3200 Service Bulletin 27-JM 5350, Revision 1, dated May 6, 1994.

(h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (i)(1) of this AD or email: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(i) Related Information

(1) For more information about this AD, contact Doug Rudolph, Aviation Safety Engineer, General Aviation & Rotorcraft Section, International Validation Branch, FAA, 901 Locust, Room 301, Kansas City, MO 64106; phone: (816) 329-4059; fax: (816) 329-4090; email: doug.rudolph@faa.gov.

(2) For the Jetstream Series 3100/3200 service information identified in this AD, contact BAE Systems (Operations) Ltd, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; phone: +44 3300 488727; fax: +44 1292 675704; email: RApublications@baesystems.com; website: <https://www.baesystems.com/Businesses/RegionalAircraft/>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued on November 2, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-24539 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2021-0964; Project Identifier 2018-SW-051-AD]

RIN 2120-AA64

Airworthiness Directives; Leonardo S.p.a. Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Leonardo S.p.a. Model AB139 and AW139 helicopters. This proposed AD was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. This proposed AD would require incorporating into maintenance records requirements (airworthiness limitations), as specified in a European Aviation Safety Agency (now European Union Aviation Safety Agency) (EASA) AD, which is proposed for incorporation by reference (IBR). The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 27, 2021.

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

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- **Fax:** (202) 493-2251.

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

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

For material that is proposed for IBR in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; internet www.easa.europa.eu. You may find this material on the EASA website at <https://ad.easa.europa.eu>. You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0964; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the EASA AD, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT:

Kristi Bradley, Program Manager, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email kristin.bradley@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2021-0964; Project Identifier 2018-SW-051-AD" at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as "PROPIN." The FAA will treat such marked submissions as confidential

under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Kristi Bradley, Program Manager, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email kristin.bradley@faa.gov. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2018-0132, dated June 21, 2018 (EASA AD 2018-0132) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Leonardo S.p.A. Model AB139 and AW139 helicopters.

This proposed AD was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. The FAA is proposing this AD to address the failure of certain parts, which could result in the loss of control of the helicopter. See EASA AD 2018-0132 for additional background information.

FAA's Determination

These helicopters have been approved by EASA and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the European Union, EASA has notified the FAA about the unsafe condition described in its AD. The FAA is proposing this AD after evaluating all known relevant information and determining that the unsafe condition described previously is likely to exist or develop on other helicopters of these same type designs.

Related Service Information Under 1 CFR Part 51

EASA AD 2018-0132 requires certain actions and associated thresholds and intervals, including life limits and maintenance tasks. These requirements (airworthiness limitations) include new life limits for a certain part-numbered main rotor damper, tail gear box center housing, and tail assembly; and new maintenance tasks (e.g., inspections for cracking) for the fuselage structure assembly (STA 5700, RH/LH side), and tail structure assembly (tail/rear fuselage attachment fittings).

Proposed AD Requirements in This NPRM

This proposed AD would require incorporating into maintenance records requirements (airworthiness limitations), which are specified in EASA AD 2018-0132 described previously, except as discussed under "Differences Between this Proposed AD and the MCAI."

ADs Mandating Airworthiness Limitations

The FAA has previously mandated airworthiness limitations by mandating each airworthiness limitation task (e.g., inspections and replacements (life limits)) as an AD requirement or issuing ADs that require revising the airworthiness limitations section (ALS) of the existing maintenance manual or instructions for continued airworthiness to incorporate new or revised inspections and life limits. This proposed AD, however, would require operators to incorporate into maintenance records required by 14 CFR 91.417(a)(2) or 135.439(a)(2), as applicable for your rotorcraft, the requirements (airworthiness limitations) specified in an MCAI AD. The FAA does not intend this as a substantive change. For these ADs, the ALS requirements for operators are the same but are complied with differently. Requiring the incorporation of the new ALS requirements into the maintenance records, rather than requiring individual ALS tasks (e.g., repetitive inspections and replacements), requires operators to record AD compliance once after updating the maintenance records, rather than after every time the ALS task is completed.

In addition, paragraph (h) of the proposed AD allows operators to incorporate later approved revisions of the ALS document as specified in the Ref. Publications section of EASA AD 2018-0132 without the need for an alternative method of compliance (AMOC).

Differences Between This Proposed AD and the MCAI

Paragraph (1) of EASA AD 2018-0132 requires compliance with actions and associated thresholds and intervals, including life limits and maintenance tasks, from the effective date of EASA AD 2018-0132. Paragraph (3) of EASA AD 2018-0132 requires incorporating the actions and associated thresholds and intervals, including life limits and maintenance tasks, into the approved maintenance program within 12 months after the effective date of EASA AD 2018-0132. This proposed AD requires

incorporating into maintenance records requirements (airworthiness limitations) within 30 days after the effective date of this AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 130 helicopters of U.S. Registry. Labor rates are estimated at \$85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD. Incorporating requirements (airworthiness limitations) into maintenance records would require about 2 work-hours for a cost of \$170 per helicopter and a cost of \$22,100 for the U.S. fleet.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed, I certify this proposed regulation:

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

(2) Would not affect intrastate aviation in Alaska, and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

- 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

Leonardo S.p.a.: Docket No. FAA–2021–0964; Project Identifier 2018–SW–051–AD.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 27, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Leonardo S.p.a. Model AB139 and AW139 helicopters, certificated in any category.

(d) Subject

Joint Aircraft Service Component (JASC) Code: 5101, Aircraft Structures; and 6300, Main Rotor Drive Systems.

(e) Unsafe Condition

This AD was prompted by the identification of certain parts needing maintenance actions, including life limits and maintenance tasks. The FAA is issuing this AD to address the failure of certain parts, which could result in the loss of control of the helicopter.

(f) Compliance

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

(g) Required Action

Within 30 days after the effective date of this AD, incorporate into maintenance records required by 14 CFR 91.417(a)(2) or 135.439(a)(2), as applicable for your rotorcraft, the requirements (airworthiness limitations) specified in paragraph (1) of European Aviation Safety Agency (now European Union Aviation Safety Agency) (EASA) AD 2018–0132, dated June 21, 2018 (EASA AD 2018–0132).

(h) Provisions for Alternative Requirements (Airworthiness Limitations)

After the action required by paragraph (g) of this AD has been done, no alternative

requirements (airworthiness limitations) are allowed unless they are approved as specified in the provisions of the “Ref. Publications” section of EASA AD 2018–0132.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (j)(2) of this AD. Information may be emailed to: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(j) Related Information

(1) For information about EASA AD 2018–0132, contact the EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu; internet www.easa.europa.eu. You may find this EASA AD on the EASA website at <https://ad.easa.europa.eu>. You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. This material may be found in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0964.

(2) For more information about this AD, contact Kristi Bradley, Program Manager, COS Program Management Section, Operational Safety Branch, Compliance & Airworthiness Division, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email kristin.bradley@faa.gov.

Issued on November 4, 2021.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021–24538 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Pilatus Aircraft Ltd. (Pilatus) Model PC–12/47E airplanes. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI identifies the unsafe condition as inward vent valves installed during production without chromate conversion coating on the bonding surface. This proposed AD would require modifying the inward vent valves and prohibiting installation of unmodified inward vent valves. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by December 27, 2021.

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

- **Federal eRulemaking Portal:** Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- **Fax:** (202) 493–2251.

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

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

For service information identified in this NPRM, contact Pilatus Aircraft Ltd., CH–6371, Stans, Switzerland; phone: +41 848 24 7 365; email: techsupport.ch@pilatus-aircraft.com; website: <https://www.pilatus-aircraft.com/>. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Examining the AD Docket

You may examine the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2021–0999; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the MCAI, any comments received, and other information. The street address for Docket Operations is listed above.

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2021–0999; Project Identifier MCAI–2021–00036–A]

RIN 2120–AA64

Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

FOR FURTHER INFORMATION CONTACT:

Doug Rudolph, Aviation Safety Engineer, FAA, General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, MO 64106; phone: (816) 329-4059; fax: (816) 329-4090; email: doug.rudolph@faa.gov.

SUPPLEMENTARY INFORMATION:**Comments Invited**

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2021-0999; Project Identifier MCAI-2021-00036-A” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this NPRM because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential

under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Doug Rudolph, Aviation Safety Engineer, FAA, General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, MO 64106. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2021-0010, dated January 11, 2021 (referred to after this as “the MCAI”), to correct an unsafe condition for Pilatus Model PC-12/47E airplanes with serial number 1720 and serial number 2001 and higher. The MCAI states:

An occurrence was reported where, on the production line, a batch of inward vent valves without a chromate conversion coating on the bonding surface were installed on some PC-12/47E aeroplanes. Such inward vent valves are not in compliance with the latest approved design data.

This condition, if not corrected, could lead to corrosion, consequent degradation of the electrical bonding to Rib 16, and in case of lightning strike, to arcing between the ungrounded equipment and the primary structure, possibly resulting in a fire and reduced control of the aeroplane.

To address this potential unsafe condition, Pilatus issued the SB [Service Bulletin] to provide modification instructions.

For the reason described above, this [EASA] AD requires modification of each affected part, as defined in this AD. This AD also prohibits (re-) installation of affected parts.

You may examine the MCAI in the AD docket at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2021-0999.

Related Service Information Under 1 CFR Part 51

The FAA reviewed the following service documents proposed for compliance with this NPRM:

Pilatus Service Bulletin No. 28-015, dated October 12, 2020, which contains information for identifying the affected inward vent valves, removing the affected inward vent valve, and installing a modified inward vent valve.

Pall Corporation Service Bulletin SB9337-01-29-01, Issue 1, dated September 22, 2020, which contains instructions for modifying the inward vent valve by applying corrosion protective chromate conversion coating.

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

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the agency of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in the service information already described. This proposed AD would also prohibit installation of the unmodified inward vent valves on any airplane.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 24 airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Modification per airplane if both sides affected.	3 work-hours × \$85 per hour = \$255	\$50	\$305	\$7,320

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some of the

costs of this proposed AD may be covered under warranty, thereby

reducing the cost impact on affected operators.

Authority for This Rulemaking

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

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

Regulatory Findings

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

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

(1) Would not be a "significant regulatory action" under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Pilatus Aircraft Ltd.: Docket No. FAA-2021-0999; Project Identifier MCAI-2021-00036-A.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 27, 2021.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Pilatus Aircraft Ltd. Model PC-12/47E airplanes, serial number (S/N) 1720 and S/N 2001 and larger, certificated in any category.

(d) Subject

Joint Aircraft System Component (JASC) Code 2800, Aircraft Fuel System.

(e) Unsafe Condition

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI identifies the unsafe condition as inward vent valves installed during production without chromate conversion coating on the bonding surface. The FAA is issuing this AD to prevent corrosion and degradation of the electrical bonding to Rib 16. This condition, if not addressed, could lead to arcing between the ungrounded equipment and the primary structure in the event of a lightning strike, resulting in a fire and reduced airplane control.

(f) Compliance

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

(g) Definitions

(1) *Group 1 airplanes:* Airplanes with an inward vent valve part number (P/N) 963.04.26.520 installed with a serial number listed in section 1.C(1) of Pilatus Service Bulletin No. 28-015, dated October 12, 2020 (Pilatus SB 20-015).

(2) *Group 2 airplanes:* Airplanes without an inward vent valve P/N 963.04.26.520 installed with a serial number listed in section 1.C(1) of Pilatus SB 20-015.

(h) Modification of Inward Vent Valves

For Group 1 airplanes, within 1,200 hours time-in-service after the effective date of this AD or within 9 months after the effective date of this AD, whichever occurs first, modify each inward vent valve in accordance with the Accomplishment Instructions and Rework Instructions in Pall Corporation Service Bulletin SB9337-01-29-01, Issue 1, dated September 22, 2020 (Pall SB9337-01-29-01, Issue 1).

(i) Prohibited Installation

For all airplanes, as of the effective date of this AD, do not install an inward vent valve

P/N 963.04.26.520 that has a serial number listed in section 1.C(1) of Pilatus SB 28-015 on any airplane, unless it is modified in accordance with the Accomplishment Instructions and Rework Instructions of Pall SB9337-01-29-01, Issue 1.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD or email: 9-AVS-AIR-730-AMOC@faa.gov.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(k) Related Information

(1) For more information about this AD, contact Doug Rudolph, Aviation Safety Engineer, General Aviation & Rotorcraft Section, FAA, General Aviation & Rotorcraft Section, International Validation Branch, 901 Locust, Room 301, Kansas City, MO 64106; phone: (816) 329-4059; fax: (816) 329-4090; email: doug.rudolph@faa.gov.

(2) Refer to MCAI European Union Aviation Safety Agency AD 2021-0010, dated January 11, 2021, for related information. You may examine the MCAI at <https://www.regulations.gov> by searching for and locating Docket No. Docket No. FAA-2021-0999. For service information related to this AD, contact Pilatus Aircraft Ltd., Customer Support General Aviation, CH-6371 Stans, Switzerland; phone: +41 848 24 7 365; email: techsupport.ch@pilatus-aircraft.com; website: <https://www.pilatus-aircraft.com>. You may review this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

Issued on November 4, 2021.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2021-24540 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

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

[Docket No. FAA–2021–0978; Airspace
Docket No. 21–ASW–21]

RIN 2120–AA66

**Proposed Amendment of the Class D
and Class E Airspace and Revocation
of Class E Airspace; Hammond, LA**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to
amend the Class D and Class E airspace
and revoke Class E airspace at
Hammond, LA. The FAA is proposing
this action as the result of an airspace
review due to the decommissioning of
the Hammond very high frequency
(VHF) omnidirectional range (VOR).

DATES: Comments must be received on
or before December 27, 2021.

ADDRESSES: Send comments on this
proposal to the U.S. Department of
Transportation, Docket Operations,
West Building Ground Floor, Room
W12–140, 1200 New Jersey Avenue SE,
Washington, DC 20590; telephone (202)
366–9826, or (800) 647–5527. You must
identify FAA Docket No. FAA–2021–
0978/Airspace Docket No. 21–ASW–21,
at the beginning of your comments. You
may also submit comments through the
internet at <https://www.regulations.gov>.
You may review the public docket
containing the proposal, any comments
received, and any final disposition in
person in the Dockets Office between
9:00 a.m. and 5:00 p.m., Monday
through Friday, except federal holidays.

FAA Order JO 7400.11F, Airspace
Designations and Reporting Points, and
subsequent amendments can be viewed
online at [https://www.faa.gov/air_](https://www.faa.gov/air_traffic/publications/)
[traffic/publications/](https://www.faa.gov/air_traffic/publications/). For further
information, you can contact the
Airspace Policy Group, Federal Aviation
Administration, 800 Independence
Avenue SW, Washington, DC 20591;
telephone: (202) 267–8783. FAA Order
JO 7400.11F is also available for
inspection at the National Archives and
Records Administration (NARA). For
information on the availability of FAA
Order JO 7400.11F at NARA, email:
fr.inspection@nara.gov or go to [https://](https://www.archives.gov/federal-register/cfr/ibr-locations.html)
[www.archives.gov/federal-register/cfr/](https://www.archives.gov/federal-register/cfr/ibr-locations.html)
[ibr-locations.html](https://www.archives.gov/federal-register/cfr/ibr-locations.html).

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation
Administration, Operations Support
Group, Central Service Center, 10101

Hillwood Parkway, Fort Worth, TX
76177; telephone (817) 222–5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules
regarding aviation safety is found in
Title 49 of the United States Code.
Subtitle I, Section 106 describes the
authority of the FAA Administrator.
Subtitle VII, Aviation Programs,
describes in more detail the scope of the
agency's authority. This rulemaking is
promulgated under the authority
described in Subtitle VII, Part A,
Subpart I, Section 40103. Under that
section, the FAA is charged with
prescribing regulations to assign the use
of airspace necessary to ensure the
safety of aircraft and the efficient use of
airspace. This regulation is within the
scope of that authority as it would
amend the Class D airspace and the
Class E airspace extending upward from
700 feet above the surface, and remove
the Class E airspace area designated as
an extension to the Class D airspace at
Hammond Northshore Regional Airport,
Hammond, LA, to support instrument
flight rule operations at this airport, and
removing the Class E airspace area
designated as an extension to the Class
D airspace at Hammond Municipal
Airport, Hammond, LA, as it is
duplicate airspace.

Comments Invited

Interested parties are invited to
participate in this proposed rulemaking
by submitting such written data, views,
or arguments, as they may desire.
Comments that provide the factual basis
supporting the views and suggestions
presented are particularly helpful in
developing reasoned regulatory
decisions on the proposal. Comments
are specifically invited on the overall
regulatory, aeronautical, economic,
environmental, and energy-related
aspects of the proposal.
Communications should identify both
docket numbers and be submitted in
triplicate to the address listed above.
Commenters wishing the FAA to
acknowledge receipt of their comments
on this notice must submit with those
comments a self-addressed, stamped
postcard on which the following
statement is made: "Comments to
Docket No. FAA–2021–0978/Airspace
Docket No. 21–ASW–21." The postcard
will be date/time stamped and returned
to the commenter.

All communications received before
the specified closing date for comments
will be considered before taking action
on the proposed rule. The proposal
contained in this notice may be changed
in light of the comments received. A

report summarizing each substantive
public contact with FAA personnel
concerned with this rulemaking will be
filed in the docket.

Availability of NPRMs

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

You may review the public docket
containing the proposal, any comments
received, and any final disposition in
person in the Dockets Office (see the
ADDRESSES section for the address and
phone number) between 9:00 a.m. and
5:00 p.m., Monday through Friday,
except federal holidays. An informal
docket may also be examined during
normal business hours at the Federal
Aviation Administration, Air Traffic
Organization, Central Service Center,
Operations Support Group, 10101
Hillwood Parkway, Fort Worth, TX
76177.

**Availability and Summary of
Documents for Incorporation by
Reference**

This document proposes to amend
FAA Order JO 7400.11F, Airspace
Designations and Reporting Points,
dated August 10, 2021, and effective
September 15, 2021. FAA Order JO
7400.11F is publicly available as listed
in the **ADDRESSES** section of this
document. FAA Order JO 7400.11F lists
Class A, B, C, D, and E airspace areas,
air traffic service routes, and reporting
points.

The Proposal

The FAA is proposing an amendment
to 14 CFR part 71 by:

Amending the Class D airspace at
Hammond Northshore Regional Airport,
Hammond, LA, by replacing the
outdated term "Airport/Facility
Directory" with "Chart Supplement;"

Removing the Class E airspace area
designated as an extension to the Class
D airspace at Hammond Northshore
Regional Airport as it is no longer
required;

Removing the Class E airspace
extending upward from 700 feet above
the surface at Hammond Municipal
Airport, Hammond, LA, as it is
duplicate airspace and not required;

And amending the Class E airspace
extending upward from 700 feet above
the surface to within a 6.6-mile
(decreased from a 7.5-mile) radius of
Hammond Northshore Regional Airport.

This action is the result of an airspace review due to the decommissioning of the Hammond NDB which provided guidance to instrument procedures at this airport.

Class D and E airspace designations are published in paragraphs 5000, 6004, and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

ASW LA D Hammond, LA [Amended]

Hammond Northshore Regional Airport, LA (Lat. 30°31′18″ N, long. 90°25′06″ W)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 4.1-mile radius of Hammond Northshore Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

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

* * * * *

ASW LA E4 Hammond, LA [Removed]

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

* * * * *

ASW LA E5 Hammond, LA [Removed]

ASW LA E5 Hammond, LA [Amended]

Hammond Northshore Regional Airport, LA (Lat. 30°31′18″ N, long. 90°25′06″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Hammond Northshore Regional Airport.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021–24459 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0814; Airspace Docket No. 21–AGL–30]

RIN 2120–AA66

Proposed Amendment of Class D and Class E Airspace and Revocation of Class E Airspace; Rochester and St. Cloud, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class D and Class E airspace at Rochester International Airport, Rochester, MN, and St. Cloud Regional Airport, St. Cloud, MN, and revoke Class E airspace at Rochester International Airport. The FAA is proposing this action as the result of biennial airspace reviews. The geographic coordinates of St. Cloud Regional Airport would also be updated to coincide with the FAA’s aeronautical database.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366–9826, or (800) 647–5527. You must identify FAA Docket No. FAA–2021–0814/Airspace Docket No. 21–AGL–30 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: fr.inspection@nara.gov or go to https://www.faa.gov/air_traffic/publications/.

www.archives.gov/federal-register/cfr/ibr-locations.html.

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class D airspace, Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Rochester International Airport, Rochester, MN; revoke the Class E airspace designated as an extension to Class D and Class E surface areas at Rochester International Airport; amend the Class D airspace, Class E surface area, Class E airspace designated as an extension to Class D and Class E surface areas, and Class E airspace extending upward from 700 feet above the surface at St. Cloud Regional Airport, St. Cloud, MN, to support instrument flight rule operations at these airports.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following

statement is made: "Comments to Docket No. FAA-2021-0814/Airspace Docket No. 21-AGL-30." The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Amending the Class D airspace to within a 4.4-mile (increased from a 4.3-mile) radius of Rochester International Airport, Rochester, MN; removing the Rochester VOR/DME from the airspace legal description as it is not required; and updating the outdated term "Airport/Facility Directory" to "Chart Supplement";

Amending the Class D airspace to within a 4.2-mile (increased from a 4.1-mile) radius of St. Cloud Regional Airport, St. Cloud, MN; updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and updating the outdated term "Airport/Facility Directory" to "Chart Supplement";

Amending the Class E surface area to within a 4.4-mile (increased from a 4.3-mile) radius of Rochester International Airport; removing the Rochester VOR/DME and associated extension from the airspace legal description as they are no longer required; and updating the outdated term "Airport/Facility Directory" to "Chart Supplement";

Amending the Class E surface area to within a 4.2-mile (increased from a 4.1-mile) radius of St. Cloud Regional Airport; removing the St. Cloud VOR/DME and associated extension from the airspace legal description as they are no longer required; updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and updating the outdated term "Airport/Facility Directory" to "Chart Supplement";

Removing the Class E airspace designated as an extension to Class D and Class E surface areas at Rochester International Airport as it is no longer required;

Amending the Class E airspace designated as an extension to Class D and Class E surface areas at St. Cloud Regional Airport to within 2.4 miles each side of the St. Cloud VOR/DME 140° (previously 143°) radial extending from the 4.2-mile (increased from 4.1-mile) radius of the St. Cloud Regional Airport to 7 (decreased from 7.2) miles southeast of the St. Cloud VOR/DME (previously airport); and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database;

Amending the Class E airspace extending upward from 700 feet above the surface to within a 6.9-mile (increased from a 6.8-mile) radius of Rochester International Airport; removing the Rochester VOR/DME and associated extension from the airspace legal description as they are no longer required; adding an extension within 2 miles each side of the 132° bearing from the airport extending from the 6.9-mile radius to 10.9 miles southeast of the airport; amending the southeast extension to within 4 miles each side of the 132° bearing from the Rochester Intl.: RWY 31-LOC (previously 5.3 miles northeast and 4 miles southwest of the Rochester southeast localizer course) extending from the 6.9-mile (increased from a 6.8-

mile) radius to 7.5 miles (decreased from 17.3 miles) southeast of the airport; amending the northwest extension to within 3.9 miles each side of the 312° bearing from the Rochester Intl.: RWY 13–LOC (previously 5.3 miles southwest and 4 miles northeast of the Rochester northwest localizer course) extending from the 6.9-mile (increased from 6.8-mile) radius of the airport to 11.4 (decreased from 20) miles northwest of the airport;

And amending the Class E airspace extending upward from 700 feet above the surface to within a 6.7-mile (increased from 6.6-mile) radius of St. Cloud Regional Airport; amending the southeast extension to within 2.4 miles each side of the St. Cloud VOR/DME 140° (previously 143°) radial extending from the 6.7-mile (increased from 6.6-mile) radius of the airport to 7 (decrease from 7.2) miles southeast of the St. Cloud VOR/DME (previously airport); and updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database.

This action is due to biennial airspace reviews.

Class D and Class E airspace designations are published in paragraphs 5000, 6002, 6004, and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AGL MN D Rochester, MN [Amended]

Rochester International Airport, MN
(Lat. 43°54'30" N, long. 92°30'00" W)

That airspace extending upward from the surface to and including 3,800 feet MSL within a 4.4-mile radius of the Rochester International Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be published continuously in the Chart Supplement.

AGL MN D St. Cloud, MN [Amended]

St. Cloud Regional Airport, MN
(Lat. 45°32'46" N, long. 94°03'34" W)

That airspace extending upward from the surface to and including 3,500 feet MSL within a 4.2-mile radius of the St. Cloud Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

Paragraph 6002 Class E Airspace Designated as a Surface Area.

* * * * *

AGL MN E2 Rochester, MN [Amended]

Rochester International Airport, MN
(Lat. 43°54'30" N, long. 92°30'00" W)

Within a 4.4-mile radius of Rochester International Airport. This Class E airspace area is effective during the specific dates and times established by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

AGL MN E2 St. Cloud, MN [Amended]

St. Cloud Regional Airport, MN
(Lat. 45°32'46" N, long. 94°03'34" W)

Within a 4.2-mile radius of St. Cloud Regional Airport. This Class E airspace area is effective during the specific dates and times established by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

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

* * * * *

AGL MN E4 Rochester, MN [Removed]

AGL MN E4 St. Cloud, MN [Amended]

St. Cloud Regional Airport, MN
(Lat. 45°32'46" N, long. 94°03'34" W)
St. Cloud VOR/DME
(Lat. 45°32'58" N, long. 94°03'31" W)

That airspace extending upward from the surface within 2.4 miles each side of St. Cloud VOR/DME 140° radial extending from the 4.4-mile radius of St. Cloud Regional Airport to 7 miles southeast of the St. Cloud VOR/DME.

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

* * * * *

AGL MN E5 Rochester, MN [Amended]

Rochester International Airport, MN
(Lat. 43°54'30" N, long. 92°30'00" W)
Rochester Intl.: RWY 31–LOC
(Lat. 43°55'19" N, long. 92°30'54" W)
Rochester Intl.: RWY 13–LOC
(Lat. 43°54'06" N, long. 92°29'02" W)
Mayo Clinic-St. Mary's Hospital, MN
(Lat. 44°01'11" N, long. 92°28'59" W)

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the Rochester International Airport, and within 2 miles each side of the 132° bearing from the Rochester International Airport extending from the 6.9-mile radius of Rochester International Airport to 10.9 miles southeast of Rochester International Airport, and within 4 miles each side of the 132° bearing from the Rochester Intl.: RWY 31–LOC extending from the 6.9-mile radius of Rochester International Airport to 7.5 miles southeast of Rochester International Airport, and within 3.9 miles each side of the 312° bearing from the Rochester Intl.: RWY 13–LOC extending from the 6.9-mile radius of Rochester International Airport to 11.4 miles northwest of Rochester International Airport, and within a 6.4-mile radius of the Mayo Clinic-St. Mary's Hospital.

* * * * *

AGL MN E5 St. Cloud, MN [Amended]

St. Cloud Regional Airport, MN

(Lat. 45°32'46" N, long. 94°03'34" W)

St. Cloud VOR/DME

(Lat. 45°32'58" N, long. 94°03'31" W)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of St. Cloud Regional Airport, and within 2.4 miles each side of the St. Cloud VOR/DME 140° extending from the 6.7-mile radius of the airport to 7 miles southeast of the St. Cloud VOR/DME.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021-24456 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 171**

[Docket No. FAA-2021-0979; Airspace
Docket No. 21-AGL-31]

RIN 2120-AA66

**Proposed Amendment of Class D and
Class E Airspace; Multiple Illinois
Towns**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to amend the Class D airspace at Chicago/Rockford, IL, and the Class E airspace at Poplar Grove, IL; Freeport, IL; Rochelle, IL; and Chicago/Rockford, IL. The FAA is proposing this action as the result of airspace reviews caused by the decommissioning of the Rockford very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program. The names and geographic coordinates of various airports would also be updated to coincide with the FAA's aeronautical database.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366-9826, or (800) 647-5527. You must identify FAA Docket No. FAA-2021-0979/Airspace Docket No. 21-AGL-31 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

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

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

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:**Authority for This Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class D airspace at Chicago/Rockford International Airport, Chicago/Rockford, IL, and Class E airspace extending upward from 700 feet above the surface at Poplar Grove Airport, Poplar Grove, IL; Albertus Airport, Freeport, IL; Rochelle Municipal Airport/Koritz Field, Rochelle, IL; and Chicago/Rockford International Airport to support instrument flight rule operations at these airports.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis

supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2021-0979/Airspace Docket No. 21-AGL-31." The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

**Availability and Summary of
Documents for Incorporation by
Reference**

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas,

air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Amending the Class D airspace at Chicago/Rockford International Airport, Chicago/Rockford, IL, by adding an extension 1 mile each side of the 185° bearing from the airport extending from the 4.6-mile radius of the airport to 4.7 miles south of the airport; adding an extension 1 mile each side of the 245° bearing from the Chicago/Rockford INTL: RWY 07–LOC extending from the 4.6 mile radius of the airport to 4.9 miles southwest of the Chicago/Rockford INTL: RWY 07–LOC; and updating the header of the airspace legal description from “Rockford, IL” to “Chicago/Rockford, IL” to coincide with the FAA’s aeronautical database;

Amending the Class E airspace extending upward from 700 feet above the surface at Poplar Grove Airport, Poplar Grove, IL, by updating the name of the airport (previously Belvidere LTD Airport) to coincide with the FAA’s aeronautical database; updating the header of the airspace legal description from “Belvidere, IL” to “Poplar Grove, IL” to coincide with the FAA’s aeronautical database; and removing the exclusionary language as it is not required;

Amending the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (increased from a 6.5-mile) radius of Albertus Airport, Freeport, IL; removing the city associated with the airport from the airspace legal description to comply with changes to FAA Order JO 7400.2N, Procedures for Handling Airspace Matters; and updating the geographic coordinates of the airport to coincide with the FAA’s aeronautical database;

Amending the Class E airspace extending upward from 700 feet above the surface at Rochelle Municipal Airport/Koritz Field, Rochelle, IL, by updating the name (previously Airport-Koritz Field) and geographic coordinates of the airport to coincided with the FAA’s aeronautical database; and removing the exclusionary language as it is not required;

And amending the Class E airspace extending upward from 700 feet above the surface at Chicago/Rockford International Airport by adding an extension within 3 miles each side of the 185° bearing of the Chicago/Rockford INTL: RWY 01–LOC extending from the 7.1-mile radius of the airport to 12.3 miles south of the Chicago/Rockford INTL: RWY 01–LOC; and updating the header of the airspace legal

description from “Rockford, IL” to “Chicago/Rockford, IL” to coincide with the FAA’s aeronautical database.

This action is due to airspace reviews caused by the decommissioning of the Rockford VOR, which provided navigation information for the instrument procedures these airports, as part of the VOR MON Program.

Class D and Class E airspace designations are published in paragraphs 5000 and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AGL IL D Chicago/Rockford, IL [Amended]

Chicago/Rockford International Airport, IL
(Lat. 42°11′43″ N, long. 89°05′50″ W)
Chicago/Rockford INTL: RWY 07–LOC
(Lat. 42°12′10″ N, long. 89°04′58″ W)

That airspace extending upward from the surface of the earth to and including 3,200 feet MSL within a 4.6-mile radius of the Chicago/Rockford International Airport, and within 1 mile each side of the 185° bearing from the airport extending from the 4.6-mile radius of the airport to 4.7 miles south of the airport, and within 1 mile each side of the 245° bearing from the Chicago/Rockford INTL: RWY 07–LOC extending from the 4.6-mile radius of the airport to 4.9 miles southwest of the Chicago/Rockford INTL: RWY 07–LOC.

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

* * * * *

AGL IL E5 Poplar Grove, IL [Amended]

Poplar Grove Airport, IL
(Lat. 42°19′22″ N, long. 88°50′11″ W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Poplar Grove Airport.

* * * * *

AGL IL E5 Freeport, IL [Amended]

Albertus Airport, IL
(Lat. 42°14′46″ N, long. 89°34′55″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Albertus Airport.

* * * * *

AGL IL E5 Rochelle, IL [Amended]

Rochelle Municipal Airport/Koritz Field, IL
(Lat. 41°53′34″ N, long. 89°04′47″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Rochelle Municipal Airport/Koritz Field.

AGL IL E5 Chicago/Rockford, IL [Amended]

Chicago/Rockford International Airport, IL

(Lat. 42°11'43" N, long. 89°05'50" W)
Chicago/Rockford INTL: RWY 01–LOC
(Lat. 42°12'36" N, long. 89°05'17" W)

That airspace extending upward from 700 feet above the surface within a 7.1-mile radius of the Chicago/Rockford International Airport, and within 3 miles each side of the 185° bearing from the Chicago/Rockford INTL: RWY 01–LOC extending from the 7.1-mile radius of the airport to 12.3 miles south of the Chicago/Rockford INTL: RWY 01–LOC.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021–24457 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0980; Airspace
Docket No. 21–AGL–32]

RIN 2120–AA66

Proposed Amendment of Class D and Class E Airspace; Janesville, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class D and Class E airspace at Janesville, WI. The FAA is proposing this action as the result of an airspace review caused by the decommissioning of the Rockford very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program. The name and geographic coordinates of the airport would also be updated to coincide with the FAA's aeronautical database.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366–9826, or (800) 647–5527. You must identify FAA Docket No. FAA–2021–0980/Airspace Docket No. 21–AGL–32 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

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

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class D airspace and Class E airspace extending upward from 700 feet above the surface at Southern Wisconsin Regional Airport, Janesville, WI, to support instrument flight rule operations at this airport.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above.

Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA–2021–0980/Airspace Docket No. 21–AGL–32." The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by:

Amending the Class D airspace to within a 4.3-mile (increased from a 4.1-mile) radius of Southern Wisconsin Regional Airport, Janesville, WI; adding an extension 1 mile each side of the

221° bearing from the airport extending from the 4.3-mile radius of the airport to 4.4 miles southwest of the airport; adding an extension 1 mile each side of the 331° bearing from the airport extending from the 4.3-mile radius of the airport to 4.4 miles northwest of the airport; updating the name (previously Rock County Airport) and geographic coordinates of the airport to coincide with the FAA's aeronautical database; removing the city associated with the airport from the airspace legal description to comply with changes to FAA Order JO 7400.2N, Procedures for Handling Airspace Matters; and updating the outdated term "Airport/Facility Directory" to "Chart Supplement";

And amending the Class E airspace extending upward from 700 feet above the surface to within a 6.8-mile (decreased from an 8.9-mile) radius of Southern Wisconsin Regional Airport; adding an extension 2 miles each side of the 042° bearing from the airport extending from the 6.8-mile radius of the airport to 10.9 miles northeast of the airport; removing the city associated with the airport from the airspace legal description to comply with changes to FAA Order JO 7400.2N; and removing the exclusionary language as it is not required.

This action is due to an airspace review caused by the decommissioning of the Rockford VOR, which provided navigation information for the instrument procedures this airport, as part of the VOR MON Program.

Class D and Class E airspace designations are published in paragraphs 5000 and 6005, respectively, of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

- 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 5000 Class D Airspace.

* * * * *

AGL WI D Janesville, WI [Amended]

Southern Wisconsin Regional Airport, WI
(Lat. 42°37'13" N, long. 89°02'30" W)

That airspace extending from the surface to and including 3,300 feet MSL within a 4.3-mile radius of the Southern Wisconsin Regional Airport, and within 1 mile each side of the 221° bearing from the airport extending from the 4.3-mile radius of the airport to 4.4 miles southwest of the airport, and within 1 mile each side of the 331° bearing from the airport extending from the 4.3-mile radius of the airport to 4.4 miles northwest of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

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

* * * * *

AGL WI E5 Janesville, WI [Amended]

Southern Wisconsin Regional Airport, WI
(Lat. 42°37'13" N, long. 89°02'30" W)
Beloit Airport, WI
(Lat. 42°29'52" N, long. 88°58'03" W)

That airspace extending upward from 700 feet above the surface within an 6.8-mile radius of the Southern Wisconsin Regional Airport, and within 2 miles each side of the 042° bearing from the Southern Wisconsin Regional Airport extending from the 6.8-mile radius of the Southern Wisconsin Regional Airport to 10.9 miles northeast of the Southern Wisconsin Regional Airport, and within a 6.3-mile radius of the Beloit Airport.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021–24458 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0852; Airspace
Docket No. 19–AAL–43]

RIN 2120–AA66

Proposed Establishment of United States Area Navigation (RNAV) Route T–374; Kotzebue, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish United States Area Navigation (RNAV) route T–374 in the vicinity of Kotzebue, AK in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590; telephone: 1(800) 647–5527, or (202) 366–9826. You must identify FAA Docket No. FAA–2021–0852; Airspace Docket No. 19–AAL–43 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and

subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. FAA Order JO 7400.11F is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Christopher McMullin, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of RNAV in Alaska and improve the efficient flow of air traffic within the National Airspace System (NAS) by lessening the dependency on ground based navigation.

Comments Invited

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

Communications should identify both docket numbers (FAA Docket No. FAA-2021-0852; Airspace Docket No. 19-AAL-43) and be submitted in triplicate to the Docket Management Facility (see

ADDRESSES section for address and phone number). You may also submit comments through the internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2021-0852; Airspace Docket No. 19-AAL-43". The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRM

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

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Operations Support Group, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

In 2003, Congress enacted the Vision 100-Century of Aviation Reauthorization Act (Pub. L. 108-176), which established a joint planning and development office in the FAA to manage the work related to the Next Generation Air Transportation System (NextGen). Today, NextGen is an ongoing FAA-led modernization of the nation's air transportation system to make flying safer, more efficient, and more predictable.

In support of NextGen, this proposal is part of a larger and comprehensive T-route modernization project in the state of Alaska. The project mission statement states: "To modernize Alaska's Air Traffic Service route structure using satellite based navigation Development of new T-routes and optimization of existing T-routes will enhance safety, increase efficiency and access, and will provide en route continuity that is not subject to the restrictions associated with ground based airway navigation." As part of this project, the FAA evaluated the existing Colored Airway structure for: (a) Direct replacement (*i.e.*, overlay) with a T-route that offers a similar or lower Minimum En route Altitude (MEA) or Global Navigation Satellite System Minimum En route Altitude (GNSS MEA); (b) the replacement of the colored airway with a T-route in an optimized but similar geographic area, while retaining similar or lower MEA; or (c) removal with no route structure (T-route) restored in that area because the value was determined to be insignificant.

The aviation industry/users have indicated a desire for the FAA to transition the Alaskan en route navigation structure away from dependency on Non-Directional Beacons (NDB), and move to develop and improve the RNAV route structure. The FAA proposes to establish RNAV route T-374 to provide an alternate routing for Colored Federal airways A-5 and B-4. The proposed route would also serve as a southern alternative to the existing T-233, providing a lower GNSS MEA.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish RNAV route T-374 in the vicinity of Kotzebue, AK in support of a large and comprehensive T-route modernization project for the state of Alaska. The proposed route is described below.

T-374: The FAA proposes to establish T-374 from the Kotzebue, AK, (OTZ) VHF Omnidirectional Range/distance measuring equipment (VOR/DME) to the

Fort Yukon, AK, (FYU) VOR and Tactical Air Navigational System (VORTAC).

United States Area Navigation Routes are published in paragraph 6011 of FAA Order JO 7400.11F dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The RNAV listed in this document would be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration

proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 6011 United States Area Navigation Routes.

* * * * *

T-374 Kotzebue, AK to Fort Yukon, AK [New]

Kotzebue, AK (OTZ)	VOR/DME	(Lat. 66°53'08.46" N, long. 162°32'23.77" W)
CIBDU, AK	WP	(Lat. 66°52'57.45" N, long. 161°03'44.52" W)
ZUBES, AK	WP	(Lat. 66°53'14.38" N, long. 157°09'29.91" W)
CUTIB, AK	WP	(Lat. 66°46'36.19" N, long. 155°51'33.05" W)
NINGE, AK	WP	(Lat. 66°45'28.85" N, long. 155°24'12.50" W)
WUNED, AK	WP	(Lat. 66°50'12.62" N, long. 154°40'00.78" W)
CEREX, AK	WP	(Lat. 66°43'14.18" N, long. 153°00'37.00" W)
WEPSI, AK	WP	(Lat. 66°51'22.94" N, long. 151°52'10.42" W)
Bettles, AK (BTT)	VOR/DME	(Lat. 66°54'18.03" N, long. 151°32'09.18" W)
Fort Yukon, AK (FYU)	VORTAC	(Lat. 66°34'27.31" N, long. 145°16'35.97" W)

* * * * *

Issued in Washington, DC, on November 3, 2021.

Michael R. Beckles,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021-24631 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0977; Airspace Docket No. 21-ASW-20]

RIN 2120-AA66

Proposed Amendment Class E Airspace; Hugo, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Hugo, OK.

The FAA is proposing this action as the result of an airspace review due to the decommissioning of the Hugo non-directional beacon (NDB). The geographic coordinates of the airport would also be updated to coincide with the FAA's aeronautical database.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366-9826, or (800) 647-5527. You must identify FAA Docket No. FAA-2021-0977/Airspace Docket No. 21-ASW-20, at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and

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

FOR FURTHER INFORMATION CONTACT:

Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the

authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend the Class E airspace extending upward from 700 feet above the surface at Stan Stamper Municipal Airport, Hugo, OK, to support instrument flight rule operations at this airport.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2021-0977/Airspace Docket No. 21-ASW-20." The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in

person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by amending the Class E airspace extending upward from 700 feet above the surface to within a 6.4-mile (increased from a 6.3-mile) radius of Stan Stamper Municipal Airport, Hugo, OK; removing the Hugo NDB and associated extension from the airspace legal description; updating the geographic coordinates of the airport to coincide with the FAA's aeronautical database; and removing the exclusionary language as it is not required.

This action is the result of an airspace review due to the decommissioning of the Hugo NDB which provided guidance to instrument procedures at this airport.

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative

comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

ASW OK E5 Hugo, OK [Amended]

Stan Stamper Municipal Airport, OK
(Lat. 34°02'06" N, long. 95°32'31" W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Stan Stamper Municipal Airport.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021–24455 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0976; Airspace
Docket No. 21–ASW–22]

RIN 2120–AA66

Proposed Revocation of Class E Airspace; Carrizo Springs, TX

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking
(NPRM).

SUMMARY: This action proposes to amend the Class E airspace at Glass Ranch Airport, Carrizo Spring, TX. The FAA is proposing this action as the result of the cancellation of the instrument procedures and closure of the airport. The geographic coordinates of the Indio-Faith Airport, Carrizo Spring, TX, would also be updated to coincide with the FAA's aeronautical database.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone (202) 366–9826, or (800) 647–5527. You must identify FAA Docket No. FAA–2021–0976/Airspace Docket No. 21–ASW–22, at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783. FAA Order JO 7400.11 is also available for

inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order JO 7400.11F at NARA, email: fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT:

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would revoke the Class E airspace extending upward from 700 feet above the surface at Glass Ranch Airport, Carrizo Springs, TX, due to the cancellation of the instrument procedures and closure of the airport.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA–2021–0976/Airspace Docket No. 21–ASW–22." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Federal Aviation Administration, Air Traffic Organization, Central Service Center, Operations Support Group, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by removing Glass Ranch Airport, Carrizo Spring, TX, and the associated airspace from the airspace legal description; updating the header to "Carrizo Springs, TX" (previously Carrizo Springs, Glass Ranch Airport, TX) to coincide with the FAA's aeronautical database; removing the city associated with the airports in the airspace legal description to comply with changes to FAA Order JO 7400.2N, Procedures for Handling Airspace Matters; and updating the geographic coordinates of Indio-Faith Airport, Carrizo Springs, TX, to coincide with the FAA's aeronautical database.

This action is necessary due to the cancellation of the instrument

procedures and closure of the Glass Ranch Airport.

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

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

* * * * *

ASW TX E5 Carrizo Springs, TX [Amended]

Indio-Faith Airport, TX

(Lat. 28°15′48″ N, long. 100°09′46″ W)

Faith Ranch Airport, TX

(Lat. 28°12′31″ N, long. 100°01′08″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Indio-Faith Airport, and within a 6.4-mile radius of Faith Ranch Airport, excluding that airspace within Mexico.

Issued in Fort Worth, Texas, on November 4, 2021.

Martin A. Skinner,

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

[FR Doc. 2021–24454 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2021–0972; Airspace Docket No. 21–AGL–27]

RIN 2120–AA66

Proposed Amendment of VOR Federal Airways V–26, V–193, and V–285, and Revocation of White Cloud, MI, Domestic Low Altitude Reporting Point in the Vicinity of White Cloud, MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend the VHF Omnidirectional Range (VOR) Federal airways V–26, V–193, and V–285, and revoke the White Cloud, MI, domestic low altitude reporting point. The FAA is proposing this action due to the planned decommissioning of the VOR portion of the White Cloud, MI, VOR/Distance Measuring Equipment (VOR/DME) navigational aid (NAVAID). The White Cloud VOR is being decommissioned in support of the FAA’s VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before December 27, 2021.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590; telephone: 1 (800) 647–5527, or (202) 366–9826. You must identify FAA Docket No. FAA–2021–0972; Airspace Docket No. 21–AGL–27 at the beginning of your comments. You may also submit comments through the internet at <https://www.regulations.gov>.

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

FOR FURTHER INFORMATION CONTACT:

Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the National Airspace System as necessary to preserve the safe and efficient flow of air traffic.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions

presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2021–0972; Airspace Docket No. 21–AGL–27) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA–2021–0972; Airspace Docket No. 21–AGL–27.” The postcard will be date/time stamped and returned to the commenter.

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

Availability of NPRMs

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

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

The FAA is planning to decommission the White Cloud, MI, VOR in September 2022. The White Cloud VOR was one of the candidate VORs identified for discontinuance by the FAA’s VOR MON program and listed in the Final policy statement notice, “Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network),” published in the **Federal Register** of July 26, 2016 (81 FR 48694), Docket No. FAA–2011–1082.

Although the VOR portion of the White Cloud VOR/DME is planned for decommissioning, the co-located Distance Measuring Equipment (DME) is being retained to support current and future area navigation (RNAV) flight procedure requirements.

The VOR Federal airways affected by the White Cloud VOR decommissioning are V–26, V–193, and V–285. With the planned decommissioning of the White Cloud VOR, the remaining ground-based NAVAID coverage in the area is insufficient to enable the continuity of the affected airways. As such, proposed modification to V–285 would result in a gap in the airway and proposed modifications to V–26 and V–193 would result in the airways being shortened. To overcome the proposed modifications to the affected airways, instrument flight rules (IFR) traffic could use portions of adjacent VOR Federal airways, including V–133, V–233, V–274, V–320, and V–420, or receive air traffic control (ATC) radar vectors to fly around or through the affected area. IFR pilots equipped with RNAV capabilities could also navigate point to point using the existing fixes that would remain in place to support continued operations through the affected area. Visual flight rules (VFR) pilots who elect to navigate via the affected ATS routes could also take

advantage of the adjacent ATS routes or ATC services listed previously.

The White Cloud, MI, domestic low altitude reporting point is also affected by the planned decommissioning of the White Cloud VOR. As a result, the White Cloud reporting point would be revoked due to the White Cloud VOR being decommissioned and the reporting point no longer being required by ATC.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to amend VOR Federal airways V–26, V–193, and V–285, and revoke the White Cloud, MI, domestic low altitude reporting point due to the planned decommissioning of the White Cloud, MI, VOR. The proposed VOR Federal airway and domestic low altitude reporting point actions are described below.

V–26: V–26 currently extends between the Blue Mesa, CO, VOR/DME and the Pierre, SD, VOR/Tactical Air Navigation (VORTAC); and between the Redwood Falls, MN, VOR/DME and the White Cloud, MI, VOR/DME. The FAA proposes to remove the airway segment between the Green Bay, WI, VORTAC and White Cloud, MI, VOR/DME. The unaffected portions of the existing airway would remain as charted.

V–193: V–193 currently extends between the intersection of the Pullman, MI, VOR/DME 243° and Gipper, MI, VORTAC 310° radials (MUSKY fix) and the Sault Ste Marie, MI, VOR/DME. The FAA proposes to remove the airway segment between the intersection of the Pullman, MI, VOR/DME 243° and Gipper, MI, VORTAC 310° radials (MUSKY fix) and Traverse City, MI, VOR/DME. The unaffected portions of the existing airway would remain as charted.

V–285: V–285 currently extends between the Brickyard, IN, VORTAC and the White Cloud, MI, VOR/DME. The FAA proposes to remove the airway segment between the Victory, MI, VOR/DME and Manistee, IN, VOR/DME. Additional changes to other portions of the airway have been proposed in a separate NPRM. The unaffected portions of the existing airway would remain as charted.

White Cloud, MI: The FAA proposes to remove the White Cloud, MI, domestic low altitude reporting point.

All NAVAID radials listed in the VOR Federal airway V–285 description below are unchanged and stated in True degrees.

VOR Federal airways are published in paragraph 6010(a) and Domestic Low Altitude Reporting Points are published in paragraph 7001 of FAA Order JO

7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airways listed in this document would be published subsequently in FAA Order JO 7400.11.

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

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

- 1. The authority citation for part 71 continues to read as follows:

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

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and

effective September 15, 2021, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways.

* * * * *

V-26 [Amended]

From Blue Mesa, CO; Montrose, CO; 13 miles 112 MSL, 131 MSL, Grand Junction, CO; Meeker, CO; Cherokee, WY; Muddy Mountain, WY; 14 miles, 37 miles 75 MSL, 84 miles 90 MSL, Rapid City, SD; Philip, SD; to Pierre, SD. From Redwood Falls, MN; Farmington, MN; Eau Claire, WI; Wausau, WI; to Green Bay, WI.

* * * * *

V-193 [Amended]

From Traverse City, MI; Pellston, MI; to Sault Ste Marie, MI.

* * * * *

V-285 [Amended]

From Brickyard, IN; Kokomo, IN; Goshen, IN; INT Goshen 038° and Kalamazoo, MI, 191° radials; Kalamazoo; INT Kalamazoo 014° and Victory, MI, 167° radials; to Victory. From Manistee, MI; to Traverse City, MI.

* * * * *

Paragraph 7001 Domestic Low Altitude Reporting Points.

* * * * *

White Cloud, MI [Removed]

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Issued in Washington, DC, on November 3, 2021.

Michael R. Beckles,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2021–24623 Filed 11–10–21; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 16

[EPA–HQ–OECA–2021–0552; FRL–8948–01–OMS]

Privacy Act Regulations for EPA–79

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is proposing to revise the Agency’s Privacy Act regulations to exempt a new system of records, EPA–79, the National Enforcement Investigations Center (NEIC) Master Tracking System, from certain requirements of the Privacy Act because the records in EPA’s NEIC Master Tracking System are maintained for use in civil and criminal actions. A notice has been published in the

Federal Register on October 29, 2021 for the creation of this new system of records that will contain information collected by NEIC when supporting enforcement investigations. In the “Rules and Regulations” section of this **Federal Register**, EPA is simultaneously publishing the revision of the Agency’s Privacy Act Regulations for EPA–79 as a direct final rule without a prior proposed rule. If the Agency receives no adverse comment, it will not take further action on this proposed rule.

DATES: Comments must be received on or before December 13, 2021.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OECA–2021–0552, at <https://www.regulations.gov/>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Michael Roach, Chief, Infrastructure and Project Support Branch, National Enforcement Investigations Center, Office of Criminal Enforcement, Forensics and Training, U.S. Environmental Protection Agency, Building 25—Box 25227, Denver Federal Center, Denver, CO 80225; Roach.Michael@epa.gov; (303) 462–9080.

SUPPLEMENTARY INFORMATION: The EPA published a Privacy Act system of records notice for information collected using the NEIC Master Tracking System (86 FR 60033, October 29, 2021).

I. Why is EPA issuing this proposed rule?

The EPA proposes to revise the Agency’s Privacy Act regulations in order to exempt a new system of

records, EPA-79, the NEIC Master Tracking System, from certain requirements of the Privacy Act. The EPA has published a direct final rule exempting this system of records in the “Rules and Regulations” section of this **Federal Register** because it views this as a noncontroversial action and anticipates no adverse comment. EPA explains its reasons for the direct final rule in the preamble to that rule.

If EPA receives no adverse comment, it will not take further action on this proposed rule. If EPA receives adverse comment, it will withdraw the direct final rule and the rule will not take effect. EPA will address public comments in any subsequent final rule based on this proposed rule. EPA does not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

II. General Information

The EPA published a Privacy Act system of records notice for information collected using the NEIC Master Tracking System (66 FR 49947, Oct. 2, 2001; 84 FR 37866, Aug. 2, 2019). The system supports and documents investigations of persons or organizations alleged to have violated any Federal environmental statute or regulation or, pursuant to a cooperative agreement with a state, local, or tribal authority, an environmental statute or regulation of such authority. NEIC maintains information related to such investigative efforts, including the nature of work, investigation outcomes, required resources, and information about the supporting staff.

The EPA compiles and maintains the records in the NEIC Master Tracking System for use in criminal and civil investigations and actions. This system of records, EPA-79, is maintained by the Office of Enforcement and Compliance Assurance, Office of Criminal Enforcement, Forensics and Training, National Enforcement Investigations Center. This component of EPA performs as its principal function, activities pertaining to the enforcement of criminal laws.

Pursuant to the Privacy Act, when information is maintained for the purpose of civil actions, the relevant provision of the Privacy Act is 5 U.S.C. 552a(d)(5) which states “nothing in this [Act] shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.” 5 U.S.C. 552a(d)(5).

In addition, section (j)(2) of the Privacy Act provides that the head of an agency may promulgate regulations to exempt a Privacy Act system of records from certain provisions of the Act if the system is maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of: (A) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision. 5 U.S.C. 552a(j)(2). Accordingly the EPA proposes to exempt such records in the NEIC Master Tracking System, EPA-79, from 5 U.S.C. 552a(c)(3), (c)(4), (d), (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(5), (e)(8) and (f)(2)–(f)(5) and (g) for the following reasons:

(1) From subsection (c)(3), because making available to a named individual an accounting of disclosures of records concerning him/her/them could reveal investigative interest on the part of EPA and/or the Department of Justice. This could allow record subjects to impede the investigation, *e.g.*, destroy evidence, intimidate potential witnesses, or flee the area to avoid inquiries or apprehension by law enforcement personnel. Further, such a disclosure could reveal the identity of a confidential source and hamper the Agency’s investigation.

(2) From subsection (c)(4), which concerns providing notice to others regarding corrections or disputed information in accordance with subsection (d) of the Privacy Act, because no access to these records is available under subsection (d) of the Act.

(3) From subsection (d), which requires an agency to permit an individual to access, contest or request amendment of records pertaining to him/her/them, because the records contained in this system relate to official Federal investigations.

Individual access to these records could compromise ongoing investigations, reveal confidential informants and/or sensitive investigative techniques used in particular investigations, or constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation.

(4) From subsections (e)(1) and (e)(5), which require an agency to collect/maintain only accurate and relevant information about an individual, because the accuracy or relevance of information obtained in the course of a law enforcement investigation is not always known when collected. Material that may seem unrelated, irrelevant, or incomplete when collected may take on added meaning or significance as the investigation progresses. Also, in the interest of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of criminal activity. Therefore, it would impede the investigative process if it were necessary to assure the relevance, accuracy, timeliness and completeness of all information obtained.

(5) From subsection (e)(2), which requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about the individual’s rights, benefits, or privileges under Federal programs. Application of this provision could impair investigations and law enforcement by alerting the subject of the investigation to the existence of the investigation. Further, compliance with the requirements of this subsection during the course of an investigation could impede the information gathering process or cause the destruction of evidence, thus hampering the investigation.

(6) From subsection (e)(3), which requires an agency to inform those supplying information of its authority to collect the information, its plans for using or sharing that information, and the effects of not providing the requested information. The application of this provision could provide the subject of the investigation with substantial information about the nature of the investigation, which could interfere with the investigation. To comply with the requirements of this subsection during the course of an investigation could impede the information gathering process especially when undercover operations or confidential sources are used, thus hampering the investigation.

(7) From subsections (e)(4)(G) and (H), which require an agency to publish—in the **Federal Register**—procedures

concerning access to records, because no access to these records is available under subsection (d) of the Privacy Act, for the reasons explained above in the discussion of subsection (d).

(8) From subsection (e)(8), which requires notice to an individual whenever a record on such individual is made available to others under compulsory legal process, because complying with this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

(9) From subsections (f)(2), (f)(3), (f)(4) and (f)(5), concerning agency rules for obtaining access to records under subsection d, because this system is exempt from the access and amendment provisions of subsection (d). Since EPA is claiming that this system of records is exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable and are exempted to the extent that this system of records is exempted from subsection (d) of the Act.

(10) From subsection (g), which provides for civil remedies if an agency fails to comply with certain requirements of the Act applicable to a nonexempt system of records, because EPA is claiming that this system of records is exempt from subsections (c)(3) and (4); (d); (e)(1), (2), (3), (4)(G) and (H), (5), and (8); and (f)(2), through (5) of the Act. The provisions of subsection (g) of the Act are inapplicable to the extent that this system of records is exempted from those subsections of the Act.

The EPA also compiles and maintains the records in the NEIC Master Tracking System for use in civil investigations and actions. In those cases, the system again is maintained by the Office of Enforcement and Compliance Assurance, Office of Criminal Enforcement, Forensics and Training, National Enforcement Investigations Center. 5 U.S.C. 552a(k)(2) states that the head of an agency may promulgate regulations to exempt the system from certain provisions of the Act if the system “is investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2)” of 5 U.S.C. 552a. Accordingly all such records in the NEIC Master Tracking System, EPA–79, are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (e)(4)(H) and (f)(2) through (f)(5):

(1) From subsection (c)(3) because making available to named individual an accounting of disclosures of records

concerning him/her/them could reveal investigative interest on the part of EPA and/or the Department of Justice. This could allow record subjects to impede the investigation, e.g., destroy evidence, intimidate potential witnesses, or flee the area to avoid inquiries or apprehension by law enforcement personnel. Further, such a disclosure could reveal the identity of a confidential source, and hamper the Agency’s investigation.

(2) From subsection (d), which requires an agency to permit an individual to access, contest or request amendment of records pertaining to him/her/them, because the records contained in this system relate to official Federal investigations. Individual access to these records could compromise ongoing investigations, reveal confidential informants and/or sensitive investigative techniques used in particular investigations, or constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation.

(3) From subsection (e)(1), which requires each agency to maintain only such information about an individual as is relevant and necessary to accomplish a purpose of the agency, because in the course of law enforcement investigations information may occasionally be obtained or introduced the accuracy of which is unclear or which is not strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate to retain all information that may aid in establishing patterns of criminal activity. Moreover, it would impede any investigative process, whether civil or criminal, if it were necessary to assure the relevance, accuracy, timeliness and completeness of all information obtained.

(4) From subsections (e)(4)(G) and (H), which require an agency to publish—in the **Federal Register**—procedures concerning access to records, because no access to these records is available under subsection (d) of the Privacy Act, for the reasons explained above in the discussion of subsection (d).

(5) From subsection (f)(2), (f)(3), (f)(4) and (f)(5), concerning agency rules for obtaining access to records under subsection (d), because this system is exempt from the access and amendment provisions of subsection (d). Since EPA is proposing to determine that this system of records is exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable

and are exempted to the extent that this system of records is exempted from subsection (d) of the Act.

Finally, EPA is making conforming edits to the regulations to remove references to the prior EPA–46 OCEFT/NEIC Master Tracking System, which EPA–79 replaces.

III. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

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

This action was submitted to the Office of Management and Budget (OMB) for review and reviewed without comment.

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

This action is not expected to be an Executive Order 13771 regulatory action because this action is not a “significant regulatory action” under the terms of Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not impose an information collection burden under the PRA. This action contains no provisions constituting a collection of information under the PRA.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments.

F. Executive Order 13132 (Federalism)

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have tribal implications as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

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

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

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

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

J. National Technology Transfer and Advancement Act

This rulemaking does not involve technical standards.

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

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

List of Subjects in 40 CFR Part 16

Environmental protection, Administrative practice and procedure, Confidential business information, Government employees, Privacy.

Lynnann Hitchens,

Principal Deputy Assistant Administrator.

For the reasons stated in the preamble, title 40, chapter I, part 16 of the Code of Federal Regulations is proposed to be amended as follows:

PART 16—IMPLEMENTATION OF PRIVACY ACT OF 1974

■ 1. The authority citation for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552a (as revised).

- 2. Amend § 16.11 by:
 - a. Revising paragraph (a);
 - b. Removing and reserving paragraph (c)(3);
 - c. Adding paragraph (c)(5);
 - d. Revising the heading and first two sentences of paragraph (d); and
 - e. Revising the introductory text of paragraph (e).

The addition and revisions read as follows:

§ 16.11 General exemptions.

(a) *Systems of records affected.* (1) EPA–17 OCEFT Criminal Investigative Index and Files.

(2) EPA–40 Inspector General’s Operation and Reporting (IGOR) System Investigative Files.

(3) EPA–63 eDiscovery Enterprise Tool Suite.

(4) EPA–79 NEIC Master Tracking System.

* * * * *

(c) * * *

(5) The Agency’s system of records, EPA–79 system of records is maintained by the National Enforcement and Investigations Center, Office of Criminal Enforcement, Forensics and Training, a component of EPA which performs as its principal function activities pertaining to the enforcement of criminal laws. Authority for the criminal law enforcement activities comes from Reorganization Plan No. 3 of 1970 (5 U.S.C. app. 1), effective December 2, 1970; Powers of Environmental Protection Agency, 18 U.S.C. 3063; Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9603; Resource Conservation and Recovery Act, 42 U.S.C. 6928; Federal Water Pollution Control Act, 33 U.S.C. 1319, 1321; Toxic Substances Control Act, 15 U.S.C. 2614, 2615; Clean Air Act, 42 U.S.C. 7413; Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. 136j, 136l; Safe Drinking Water Act, 42 U.S.C. 300h–2, 300i–1; Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. 11045; and the Marine Protection, Research, and Sanctuaries Act of 1972, 33 U.S.C. 1415.

(d) *Scope of exemption.* EPA systems of records 17, 40, 63, and 79 are exempted from the following provisions of the PA: 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (2), (3), (4)(G), and (H), (5), and (8); (f)(2) through (5); and (g). To the extent that the exemption for EPA systems of records 17, 40, 63 and 79 claimed under 5 U.S.C. 552a(j)(2) of the Act is held to be invalid, then an exemption under 5 U.S.C. 552a(k)(2) is claimed for these systems of records from (c)(3), (d), (e)(1), (e)(4)(G) and (H), and (f)(2) through (5). * * *

(e) *Reasons for exemption.* EPA systems of records 17, 40, 63, and 79 are exempted from the provisions of the PA in paragraph (d) of this section for the following reasons:

* * * * *

■ 3. Amend § 16.12 by:

■ a. Revising paragraph (a)(1);

■ b. Revising the first sentence in paragraph (a)(4)(i);

■ c. Revising paragraph (a)(4)(iii); and

■ d. Revising the introductory text of paragraph (a)(5).

The revisions read as follows:

§ 16.12 Specific exemptions.

(a) * * *

(1) *Systems of records affected.* (i) EPA–17 OCEFT Criminal Investigative Index and Files.

(ii) EPA–21 External Compliance Program Discrimination Complaint Files.

(iii) EPA–30 OIG Hotline Allegation System.

(iv) EPA–40 Inspector General’s Operation and Reporting (IGOR) System Investigative Files.

(v) EPA–41 Inspector General’s Operation and Reporting (IGOR) System Personnel Security Files.

(vi) EPA–63 eDiscovery Enterprise Tool Suite.

(vii) EPA–79 NEIC Master Tracking System.

* * * * *

(4) * * *

(i) EPA systems of records 17, 30, 40, 41, 63, and 79 are exempted from the following provisions of the PA, subject to the limitations set forth in 5 U.S.C. 552a(k)(2): 5 U.S.C. 552a(c)(3); (d); (e)(1), (4)(G) and (4)(H); and (f)(2) through (5). * * *

* * * * *

(iii) EPA–17 OCEFT Criminal Investigative Index and Files, EPA–40 Inspector General’s Operation and Reporting (IGOR) System Investigative Files, and EPA–79 NEIC Master Tracking System are exempted under 5 U.S.C. 552a(j)(2), and these systems are exempted under 5 U.S.C. 552a(k)(2) only to the extent that the (j)(2) exemption is held to be invalid.

(5) *Reasons for exemption.* EPA systems of records 17, 21, 30, 40, 41, 63, and 79 are exempted from the provisions of the PA in paragraph (a)(4) of this section for the following reasons:

* * * * *

[FR Doc. 2021–23832 Filed 11–10–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 141****[FRL–9232–01–OW]****The National Drinking Water Advisory Council Microbial and Disinfection Byproducts Rule Revisions Working Group: Request for Nominations****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Request for nominations.

SUMMARY: The Environmental Protection Agency (EPA) is requesting that the National Drinking Water Advisory Council (NDWAC or Council), a Federal Advisory Committee established under the Safe Drinking Water Act of 1974, provide the agency with advice and recommendations on key issues related to potential revisions to the following Microbial and Disinfection Byproducts (MDBP) rules: Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules, Surface Water Treatment Rule, Interim Enhanced Surface Water Treatment Rule, and Long-Term 1 Enhanced Surface Water Treatment Rule. EPA is seeking consensus advice from the NDWAC, which would be used to inform the development of potential rule revisions. To support the work of the Council, EPA is asking the NDWAC to form a working group, to be called the Microbial and Disinfection Byproducts Rule Revisions Working Group, that would include stakeholders with a variety of backgrounds and expertise. The working group would explore specific issues and identify potential MDBP rule revisions options for the Council to consider in making its recommendations to EPA. This announcement solicits nominations of qualified individuals to serve on the working group. EPA anticipates the working group would be active approximately from Spring 2022 through mid-2023.

DATES: Nominations should be submitted no later than December 13, 2021 per the instructions below.

ADDRESSES: Please submit nominations and supporting information electronically, with the subject line “NDWAC MDBP Working Group” to MDBPRevisions@epa.gov, as there may be a delay in processing U.S. mail and no hand deliveries are currently accepted due to the COVID–19 pandemic. If you have concerns about submitting your nomination electronically, you may contact Elizabeth Corr, the Designated Federal

Official (DFO) for the NDWAC, by email at corr.elizabeth@epa.gov, with the subject line “NDWAC MDBP Working Group,” or by phone at (202) 564–3798 to discuss a possible alternative delivery method. For more information on submitting nominations, go to the **SUPPLEMENTARY INFORMATION** section of this document.

For more information on the MDBP Rule Revisions Working Group, including specific charge to the Council and working group formation information, visit: <https://www.epa.gov/ndwac>.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding this announcement and request for nominations may contact Elizabeth Corr at corr.elizabeth@epa.gov; or by phone at (202) 564–3798. You may also mail Elizabeth Corr at the Office of Ground Water and Drinking Water, MC: 4601M, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460, but be advised that there may be a delay in processing U.S. mail and no hand deliveries will be accepted due to the COVID–19 pandemic. Further information on the NDWAC can be found at: <https://www.epa.gov/ndwac>. For more information about the MDBP rule revisions visit: www.epa.gov/dwsixyearreview/revisions-microbial-and-disinfection-byproducts-rules.

SUPPLEMENTARY INFORMATION: *Working Group Nominations:* EPA seeks perspectives from state officials and tribal officials, drinking water system operators from systems of all sizes, and environmental and public interest representatives. Any interested person and/or organization may nominate qualified individuals for possible working group participation. Interested individuals may self-nominate. EPA values and welcomes diversity. All qualified individuals are encouraged to apply regardless of sex, race, disability, or ethnicity. Nominations should be submitted in time to arrive no later than December 13, 2021.

EPA will consider all nominations. Criteria to be used in evaluating nominees includes:

- Demonstrated experience with drinking water issues at the national, state, or local levels, particularly with knowledge of the MDPB rules;
- Excellent interpersonal, oral, and written communication and consensus-building skills;
- Willingness to commit time to the working group and demonstrated ability to work constructively on committees; and
- Background that would help members contribute to the diversity of

expertise, experience, and perspectives on the working group, e.g., geographic, economic, social, cultural, educational backgrounds, professional affiliations, and other considerations.

Nominations must include a resume that provides the nominee's background, experience, and educational qualifications, and a brief statement (one page or less) describing the nominee's interest in serving on the working group and addressing the other criteria previously described. EPA encourages nominees to provide any additional information that may be useful for consideration, such as their availability to participate as a member of the working group, and how the nominee's background, skills, and experience would contribute to the diversity of the working group. Nominees should be identified by name, occupation, position, current business address, email address, and telephone number. The DFO will use the email address provided for the nominee to acknowledge receipt of nominations.

EPA anticipates that most or all meetings of the working group would be held virtually. Individuals selected to serve on the working group may be offered travel expenses and per diem to attend any in-person meetings.

NDWAC: Congress created the Council on December 16, 1974, as part of the Safe Drinking Water Act of 1974, Public Law 93–523, 42 U.S.C. 300j–5. The Council is operated in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2. The Council consists of 15 members, including the chairperson, all of whom are appointed by the EPA Administrator. Five members are from appropriate state and local agencies concerned with water hygiene and public water supply; five members represent private organizations or groups demonstrating an active interest in the field of water hygiene and public water supply—of which two such members shall be associated with small, rural public water systems; and five members are from the general public.

MDBP Rules: On January 11, 2017 (40 FR 141; January 11, 2017) EPA identified eight contaminants covered by the MDBP rules as candidates for revision in the agency's review of existing national primary drinking water regulations (NPDWRs): Chlorite, *Cryptosporidium*, Haloacetic acids, Heterotrophic bacteria, *Giardia lamblia*, *Legionella*, Total Trihalomethanes, and viruses. The eight contaminants are included in the following MDBP rules: Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules, Surface Water Treatment Rule, Interim

Enhanced Surface Water Treatment Rule, and Long-Term 1 Enhanced Surface Water Treatment Rule. The purpose of the Surface Water Treatment Rules (SWTRs) identified as candidates for revision is to reduce disease incidence associated with pathogens and viruses in drinking water. The SWTRs require public water systems to filter and disinfect surface water sources to provide protection from microbial pathogens. The purpose of the Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules is to reduce drinking water exposure to disinfection byproducts which can form in water when disinfectants used to control microbial pathogens react with natural organic matter found in source water. If consumed in excess of EPA's standard over many years, disinfection byproducts may increase health risks.

Jennifer L. McLain,

Director, Office of Ground Water and Drinking Water.

[FR Doc. 2021–24795 Filed 11–10–21; 8:45 am]

BILLING CODE 6560–50–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

41 CFR Part 51–4

RIN 3037–AA16

Prohibition on the Payment of Subminimum Wages Under 14(c) Certificates as a Qualification for Participation as a Nonprofit Agency Under the AbilityOne Program

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Notice of proposed rulemaking; request for comments; extension of comment period.

SUMMARY: The Commission is extending the deadline for the submission of written comments in response to its October 12, 2021 proposed rule.

DATES: The comment period for the notice of proposed rulemaking published October 12, 2021, at 86 FR 56679, is extended. Initial written comments must be received no later than 11:59 p.m. Eastern Time on December 12, 2021.

ADDRESSES: You may submit comments, identified by RIN 3037–AA16, only by the following method: Internet—Federal eRulemaking Portal. Electronic comments may be submitted through <https://www.regulations.gov>. To locate the proposed rule, use RIN 3037–AA16 or key words such as “Section 14(c),”

“Committee for Purchase,” or “Subminimum Wage” to search documents accepting comments. Follow the instructions for submitting comments. Please be advised that comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an alternative accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. You may also access documents of Commission published in the **Federal Register** by using the article search feature at: www.federalregister.gov.

FOR FURTHER INFORMATION CONTACT:

Shelly Hammond, Director of Contracting and Policy, by telephone (703) 603–2100 or by email at shammond@abilityone.gov. During and after the comment period, you may inspect all public comments about the proposed priority and requirements by accessing Regulations.gov.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record: Upon request, we will provide an appropriate accommodation to an individual with a disability who needs assistance to review the comments for the proposed rule. If you want to contact us to request assistance, please contact the person listed in this section.

SUPPLEMENTARY INFORMATION: On October 12, 2021, The Commission issued a notice of proposed rulemaking (“NPRM”) regarding Prohibition on the Payment of Subminimum Wages Under 14(c) as a Qualification for participation as a nonprofit agency under the AbilityOne Program.

To ensure that members of the public have sufficient time to comment, and to ensure the Commission has the benefit of a complete record, the Commission is extending the deadline for submission of initial comments to no later than 11:59 p.m. Eastern Time on December 12, 2021.

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2021–24714 Filed 11–10–21; 8:45 am]

BILLING CODE 6350–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 8, 64, and 76

[GN Docket No. 17–142; DA 21–1375; FR ID 57383]

Improving Competitive Broadband Access to Multiple Tenant Environments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: In this document, the Wireline Competition Bureau (Bureau) of the Federal Communications Commission (Commission) grants a motion for extension of time in the 2021 Improving Competitive Broadband Access to Multiple Tenant Environments record update to extend the reply comment deadline.

DATES: Reply comments are due on or before November 19, 2021.

ADDRESSES: You may submit comments, identified by GN Docket No. 17–142, by any of the following methods:

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing ECFS: <https://www.fcc.gov/ecfs/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, 35 FCC Rcd 2788 (Mar. 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large

print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Government Affairs Bureau at (202) 418-0530.

FOR FURTHER INFORMATION CONTACT:

Jesse Goodwin, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau, at (202) 418-0958, or email: Benjamin.Goodwin@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, DA 21-1375, in GN Docket No. 17-142, adopted and released on November 3, 2021. The complete text of this document is available for download at <https://www.fcc.gov/document/wcb-extends-reply-deadline-multi-tenant-buildings-public-notice>. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Synopsis

By this Order, the Wireline Competition Bureau (Bureau) grants a 15-day extension of time for filing reply comments to a public notice seeking to refresh the record in the above-captioned proceeding. As a result, reply comments are now due on or before November 19, 2021.

On September 7, 2021, the Commission released the Improving Competitive Broadband Access to Multiple Tenant Environments Public Notice (*MTEs Public Notice*), seeking to refresh the record in this proceeding following a 2019 Notice of Proposed Rulemaking. The *MTEs Public Notice* set deadlines for filing comments and reply comments at 30 and 45 days, respectively, after a summary of the item was published in the **Federal Register**. The **Federal Register** published that summary on September 20, 2021, and established deadlines of October 20, 2021, and November 4, 2021, for filing comments and reply comments, respectively. See 86 FR 52120 (Sept. 20, 2021).

On October 27, 2021, NCTA filed a Request for Extension of Time seeking a 30-day extension of the reply comment deadline. NCTA observes that “questions posed by the Public Notice raised complex and important issues regarding the broadband services in MTEs and how best to foster competition in that market, and a large array of stakeholders filed comments in response.” It argues that due to the “volume and complexity of the

record”—which includes numerous comments from a variety of different stakeholders that raise issues ranging from technical network configurations and the interplay between federal, state, and local regulatory schemes—more time is needed to review and respond. NCTA asserts that “granting a modest extension” would provide “sufficient opportunity for all interested parties to fully assess the arguments raised by commenters [which] is important to ensure the Commission has a complete record on which to act.” NCTA also contends that allotting additional time “will assist the Commission as it considers ways to advance its goals of bridging the digital divide and facilitating enhanced broadband deployment in MTEs.” No party has filed an opposition to NCTA's request.

As set forth in § 1.46 of the Commission's rules, it is the policy of the Commission that extensions of time shall not be routinely granted. In this case, however, NCTA has demonstrated that a limited extension of time is warranted to allow interested parties to address the complex issues raised by commenters representing a diverse set of stakeholders. Moreover, in refreshing the record, the Bureau sought to develop a more complete understanding of the issues previously raised in the 2019 Notice of Proposed Rulemaking. Providing additional time for replies should improve the quality of reply comments and therefore strengthen the Bureau's understanding of the relevant issues. At the same time, we find the 30-day extension that NCTA requested would unduly delay Commission consideration of the important issues raised in this proceeding. The 45-day reply period that NCTA requests would be unusual, and we find that a more typical 30-day reply period appropriately balances providing interested parties adequate time to prepare replies with allowing the proceeding to advance expeditiously. We therefore find that there is good cause for an extension of the reply comment deadline and that the public interest will be served by extending the reply comment deadline by 15 days to November 19, 2021.

Ex Parte Rules

This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1200 *et seq.* Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum

summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) List all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenters written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with § 1.1206(b) of the Commission's rules. In proceedings governed by § 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). See 47 CFR 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Ordering Clauses

Accordingly, *it is ordered* that, pursuant to §§ 0.204, 0.291, and 1.46 of the Commission's rules, 47 CFR 0.204, 0.291, 1.46, that the Motion for Extension of Time filed by the NCTA on October 27, 2021, is *granted* to the extent described herein.

It is further ordered, that the date for filing reply comments on the *MTEs Public Notice* is *extended* to November 19, 2021.

Federal Communications Commission.

Daniel Kahn,

Associate Bureau Chief, Wireline Competition Bureau.

[FR Doc. 2021-24669 Filed 11-10-21; 8:45 am]

BILLING CODE 6712-01-P

Notices

Federal Register

Vol. 86, No. 216

Friday, November 12, 2021

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

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2021–0023]

Notice of Request To Revise an Approved Information Collection: Laboratories

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, the Food Safety and Inspection Service (FSIS) is announcing its intention to revise the approved information collection regarding laboratories. The approval for this information collection will expire on March 31, 2022. FSIS is reducing the burden hours for this collection by 12 hours because FSIS discontinued the Pasteurized Egg Product Recognized Laboratory Form, PEROL–F–0008.05.

DATES: Submit comments on or before January 11, 2022.

ADDRESSES: FSIS invites interested persons to submit comments on this **Federal Register** notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides commenters the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Go to <https://www.regulations.gov>. Follow the online instructions at that site for submitting comments.

- *Mail:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250–3700.

- *Hand- or courier-delivered submittals:* Deliver to 1400 Independence Avenue SW, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2021–0023. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

Docket: For access to background documents or comments received, call (202)205–0495 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; (202) 720–5627.

SUPPLEMENTARY INFORMATION:

Title: Laboratories.

OMB Number: 0583–0158.

Type of Request: Request to revise an approved information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*) and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, *et seq.*). These statutes mandate that FSIS protect the public by verifying that meat, poultry, and egg products are safe, wholesome, unadulterated, and properly labeled and packaged.

FSIS is requesting a revision of the approved information collection regarding laboratories. The approval for this information collection will expire on March 31, 2022. FSIS is reducing the burden hours for this collection by 12 hours because FSIS discontinued the Pasteurized Egg Product Recognized Laboratory Form, PEROL–F–0008.05.

Any non-Federal laboratory that is applying for the FSIS Accredited Laboratory program regarding the testing of meat and poultry products needs to complete FSIS Form 10,110–2, *Application for FSIS Accredited Laboratory Program*. (9 CFR 439). State or private laboratories only submit the application once for entry into the program. FSIS uses the information collected by the form to help assess the laboratory applying for admission to the

FSIS Accredited Laboratory program. FSIS has made the following estimates based upon an information collection assessment.

Estimate of Burden: FSIS estimates that it will take respondents an average of 0.5 hours per year to complete a laboratory form.

Respondents: Laboratories.

Estimated Number of Respondents: 2.

Estimated Number of Annual

Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 1 hour.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record. Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; (202) 720–5627.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of FSIS' functions, including whether the information will have practical utility; (b) the accuracy of FSIS' estimate of the burden of the proposed collection of information, including the validity of the method and assumptions 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, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: <https://www.fsis.usda.gov/federal-register>.

FSIS will also announce and provide a link to this **Federal Register** publication through the FSIS *Constituent Update*, which is used to

provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant

Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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Theresa Nintemann,
Deputy Administrator.

[FR Doc. 2021-24674 Filed 11-10-21; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2021-0026]

Notice of Request To Revise an Approved Information Collection: Records To Be Kept by Official Establishments and Retail Stores That Grind Raw Beef Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 and Office of Management and Budget (OMB) regulations, the Food Safety and Inspection Service (FSIS) is announcing its intention to revise the approved information collection regarding records to be kept by official establishments and retail stores that grind raw beef products. The approval for this information collection will expire on March 31, 2022. FSIS is reducing the burden hours for this collection by 1,658,651 hours after consulting with several establishments and retail stores because they typically use half of the time initially estimated for the collection of records.

DATES: Submit comments on or before January 11, 2022.

ADDRESSES: FSIS invites interested persons to submit comments on this **Federal Register** notice. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides commenters the ability to type short comments directly into the comment field on the web page or to attach a file for lengthier comments. Go to <https://www.regulations.gov>. Follow the online instructions at that site for submitting comments.

- *Mail:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250-3700.

- *Hand- or Courier-Delivered submittals:* Deliver to 1400

Independence Avenue SW, Washington, DC 20250-3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS-2021-0026. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

Docket: For access to background documents or comments received, call (202)205-0495 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250-3700.

FOR FURTHER INFORMATION CONTACT: Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250-3700; (202) 720-5627.

SUPPLEMENTARY INFORMATION:

Title: Records to be Kept by Official Establishments and Retail Stores that Grind Raw Beef Products.

OMB Number: 0583-0165.

Type of Request: Request to revise an approved information collection.

Abstract: FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*), the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451, *et seq.*) and the Egg Products Inspection Act (EPIA) (21 U.S.C. 1031, *et seq.*). These statutes mandate that FSIS protect the public by verifying that meat, poultry, and egg products are safe, wholesome, unadulterated, and properly labeled and packaged.

FSIS is requesting a revision of the approved information collection regarding records to be kept by official establishments and retail stores that grind raw beef products. The approval for this information collection will expire on March 31, 2022. FSIS is reducing the burden hours for this collection by 1,658,651 hours after consulting with several establishments and retail stores because they typically use half of the time initially estimated for the collection of records.

All official establishments and retail stores that grind raw beef products for sale in commerce, including products ground at a customer's request, are required to maintain certain records. The required records include the following information: (A) The establishment numbers of the establishments supplying the materials used to prepare each lot of raw ground

beef product; (B) All supplier lot numbers and production dates; (C) The names of the supplied materials, including beef components and any materials carried over from one production lot to the next; (D) The date and time each lot of raw ground beef product is produced; and (E) The date and time when grinding equipment and other related food contact surfaces are cleaned and sanitized (9 CFR 320.1(b)(4)(i)).

Estimate of Burden: FSIS estimates that it would take about 25 hours per respondent annually.

Respondents: Official establishments and retail stores that grind raw beef products.

Estimated Number of Respondents: 65,911.

Estimated Total Annual Recordkeeping Burden on Respondents: 1,658,650 hours.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record. Copies of this information collection assessment can be obtained from Gina Kouba, Office of Policy and Program Development, Food Safety and Inspection Service, USDA, 1400 Independence Avenue SW, Mailstop 3758, South Building, Washington, DC 20250–3700; (202) 720–5627.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of FSIS's functions, including whether the information will have practical utility; (b) the accuracy of FSIS's estimate of the burden of the proposed collection of information, including the validity of the method and assumptions 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, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques, or other forms of information technology. Comments may be sent to both FSIS, at the addresses provided above, and the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20253.

Additional Public Notification

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complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

Theresa Nintemann,
Deputy Administrator.

[FR Doc. 2021–24673 Filed 11–10–21; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Proposed Collection; Comment Request: Additional Information To Be Collected Under the Uniform Grant Application Package for Discretionary Grant Programs for the WIC Farmers' Market Nutrition Program Benefit Delivery Modernization (FMNP BDM) Grants

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

ACTION: Notice.

SUMMARY: This Notice announces that the United States Department of Agriculture's (USDA) Food and Nutrition Service (FNS) plans to add WIC Farmers' Market Nutrition Program Benefit Delivery Modernization (FMNP BDM) Grants, as authorized under Section 1106 of the American Rescue Plan Act (ARPA) (Pub. L. 117–2), to its list of approved programs under the Uniform Grant Application for Non-Entitlement Discretionary Grants, as approved under OMB Control Number: 0584–0512 (Expiration Date: July 31, 2022); and that FNS intends to collect additional information for FMNP BDM Grants outside of what is currently in the uniform package. This Notice solicits public comments on the additional information to be collected for the FMNP BDM Grants.

DATES: (if applicable): To be assured of consideration, written comments must be submitted or postmarked on or before December 13, 2021.

ADDRESSES: *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.

Comments must be submitted through one of the following methods:

- **Preferred method:** Submit information through the Federal eRulemaking Portal at <http://www.regulations.gov>. Follow the online instructions for submissions.

- **Email:** Send comments to rebecca.rash@usda.gov with a subject line "FMNP Benefit Delivery Modernization Information Collection."

FOR FURTHER INFORMATION CONTACT:

Rebecca Rash on behalf Sarah Widor, Supplemental Food Programs Division, Food and Nutrition Service, U.S. Department of Agriculture, 1320 Braddock Place, Alexandria, Virginia 22314, 703-305-2937, or email rebecca.rash@usda.gov.

SUPPLEMENTARY INFORMATION: The United States Department of Agriculture's (USDA) Food and Nutrition Service (FNS) is establishing a new grant program for State agencies that administer the WIC Farmers' Market Nutrition Program (FMNP) aimed at modernizing benefit delivery and reducing disparities in program delivery, under the authorization and funding provided in section 1106 of the American Rescue Plan Act (ARPA) (Pub. L. 117-2).

The WIC FMNP Benefit Delivery Modernization (FMNP BDM) Grants will be offered in multiple rounds. As planned, \$1 million to \$5 million will be offered to State agencies in early 2022 for the first round of grants to support the modernization of FMNP benefit delivery by supporting the transition from a paper-based benefit to an electronic, mobile benefit solution readily available in the marketplace.

For the first round of grant funding, eligible entities will submit an application using FNS' Uniform Grant Application for Discretionary Grant Programs (OMB Control Number: 0584-0512, Expiration Date: July 31, 2022), which will include up to ten additional questions related to the goals of the FMNP BDM Grant. These questions will be outlined in the Request for Applications for the FMNP BDM Grant. State agencies will have the option to use any format to answer the questions. The additional questions included will relate to how FMNP State agencies will utilize FMNP BDM grant funding and how the State agency's project will: (1) Implement and support an existing mobile WIC FMNP solution, which will

modernize benefit delivery for State agencies, participants, and farmers and farmers' markets; and (2) increase FMNP benefit utilization. This will include submission of data about number of participants, current benefit level, number of authorized farmers/markets, and number of local agencies.

Additional information that State agencies will need to provide includes a letter of commitment from the anticipated provider of the electronic benefit delivery system, the names of any State agencies participating if part of a consortium grant, how the implementation will satisfy applicable privacy and data security standards, and other information that ensures the proposed use of the grant complies with current program regulations.

To measure impact of the grants and to determine whether the grants achieve their intended purposes, grantees will be required to provide narrative, semiannual progress reports using the FNS-908 Performance Progress Report (PPR) form, as a condition to accepting grant funding. On the semiannual FNS-908 PPR, grantees will also be asked to respond to six questions related to progress made toward achieving the goals of the grant program. These questions may include updates to any data submitted in the grant application. The six additional questions will be outlined in the Request for Applications for the FMNP BDM Grants.

With the additional information that will be requested, FNS estimates that each State agency will spend a total of approximately 59.33 hours completing the full grant application package. Under 0584-0512, FNS has 109,667 remaining burden hours and 21,835 remaining responses available for use. Under the FMNP BDM Grant, State agencies are expected to use 4,792.73 burden hours and 1,377 responses for the pre-award, post-award and recordkeeping burden, including the additional information to be collected. All three items make up the burden for the competitive grants that are submitted under 0584-0512.

The purpose of this Notice is to solicit public comments on the additional information to be collected for the FMNP BDM Grants through the ten question application questionnaire and through the six question semiannual progress reports for the grant program. 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.

FNS will utilize these comments to adjust the information collection as necessary.

Cynthia Long,

Administrator, Food and Nutrition Service.

[FR Doc. 2021-24662 Filed 11-10-21; 8:45 am]

BILLING CODE 3410-30-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. This collection is a revision of a currently approved collection of information relating to the reporting and recordkeeping burden associated with completing, submitting, and maintaining 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 January 11, 2022.

ADDRESSES: Comments may be sent to: Sara Olson, Chief, Policy Branch, Supplemental Food Programs Division, Food and Nutrition Service, U.S. Department of Agriculture, Braddock Metro Center II, 1320 Braddock Place, Room 328, Alexandria, VA 22314. Comments may also be submitted via fax to the attention of Sara Olson at 703-305-2086 or via email to Sara.Olson@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 Sara Olson at 703-305-2085 or via email to sara.olson@usda.gov.

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 (formerly titled WIC Federal and State Agreement).

Form Number: FNS-339.

OMB Number: 0584-0332.

Expiration Date: April 30, 2022.

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/FNS to make funds available to State agencies for the administration of the WIC, FMNP, and/or SFMNP Programs within the State, Indian Tribal Organizations, District of Columbia, and Territories, 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 responses due to 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 decreased from 129 to 127. This adjustment decreases the number of responses for this collection from 258 to 254 responses. There is no change in the burden hours for this collection (although the adjustment decreases the total annual burden from 32.35 hours to 31.75 hours, the reported burden hours for this revision will be rounded to 32 hours so the burden hours will not change from the 32 hours currently reported). The title of this information collection has been changed to Federal-State Supplemental Nutrition Programs Agreement to reflect the current title of form FNS-339.

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

This includes the State agencies that administer the WIC, FMNP, and SFMNP programs.

Estimated Number of Respondents:

The total estimated number of respondents is 127. This includes an unduplicated count of respondents that are responsible for the operation of 89 WIC Programs, 50 FMNP Programs, and 55 SFMNP Programs: 3 State agencies solely operate the FMNP program; 20 State agencies solely operate the SFMNP program; 15 State agencies operate both the FMNP and SFMNP programs; 54 State agencies solely operate the WIC program; 15 State agencies operate both the WIC and FMNP programs; 3 State agencies operate both the WIC and SFMNP programs; and 17 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: 254 responses; (127 for reporting and 127 for recordkeeping).

Estimated Time per Response: The estimated time per response for the reporting and recordkeeping requirements in this collection is .125 hours (approximately 7.5 minutes). 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.

Estimated Total Annual Burden on Respondents: The total estimated annual burden for reporting is 15.875 and the total estimated annual burden for recordkeeping is 15.875 for a grand total estimate of 31.75 hours. See the table below for the estimated total annual burden for each type of respondent and 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-89; FMNP-50; SFMNP-55).	FNS-339	127	1	127	0.125	15.875
Recordkeeping Burden						
State, Territory, and Indian Tribal Government Agencies (Respondent types: WIC-89; FMNP-50; SFMNP-55).	FNS-339	127	1	127	0.125	15.875

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
Total Reporting and Recordkeeping Burden		* 127	2	254	0.125	31.75

* This includes an unduplicated count of respondents that are responsible for the operation of 89 WIC Programs, 50 FMNP Programs, and 55 SFMNP Programs: 3 State agencies solely operate the FMNP program; 20 State agencies solely operate the SFMNP program; 15 State agencies operate both the FMNP and SFMNP programs; 54 State agencies solely operate the WIC program; 15 State agencies operate both the WIC and FMNP programs; 3 State agencies operate both the WIC and SFMNP programs; and 17 State agencies operate the WIC, FMNP, and SFMNP programs.

Cynthia Long,

Administrator, Food and Nutrition Service.

[FR Doc. 2021-24651 Filed 11-10-21; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Forest Service

Information Collection: Post-Hurricane Research and Assessment of Agriculture, Forestry, and Rural Communities in the U.S. Caribbean

AGENCY: Forest Service, USDA.

ACTION: Notice; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Forest Service is seeking comments from all interested individuals and organizations on the renewal with revisions of the currently approved information collection, Post-Hurricane Research and Assessment of Agriculture, Forestry, and Rural Communities in the U.S. Caribbean. (OMB #0596-0246).

DATES: Comments concerning this notice must be received in writing on or before January 11, 2022 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Comments concerning this information collection should be addressed to Kathleen McGinley, Social Scientist, USDA Forest Service, International Institute of Tropical Forestry (IITF), 1201 Calle Ceiba, Río Piedras, PR 00926. Comments also may be submitted via facsimile to 787-766-6302, or by email to kathleen.mcginley@usda.gov. Please put "Comments re: Post-Hurricane Research" in the subject line.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made

available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

The public may inspect the draft supporting statement and/or comments received at International Institute of Tropical Forestry (IITF), Jardín Botánico Sur, 1201 Calle Ceiba, Río Piedras, PR 00926 during normal business hours. Visitors are encouraged to call ahead to 787-764-7790 to facilitate entry to the building. The public may request an electronic copy of the draft supporting statement and/or any comments received be sent via return email. Requests should be emailed to kathleen.mcginley@usda.gov.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be made to Kathleen McGinley, Social Scientist, USDA Forest Service, by electronic mail to kathleen.mcginley@usda.gov or phone 919-600-3108. Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 twenty-four hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION:

Title: Post-Hurricane Research and Assessment of Agriculture, Forestry, and Rural Communities in the U.S. Caribbean.

OMB Number: 0596-0246.

Expiration Date of Approval: February 28, 2022.

Type of Request: Renewal with revisions.

Abstract: In September 2017, two major hurricanes passed through the Caribbean, causing catastrophic damage to communities, infrastructure, farms, and forests across Puerto Rico, U.S. Virgin Islands, and many neighboring island nations, significantly compromising local livelihoods, food security, and economic stability throughout the region. Through a series of focus groups and interviews conducted in 2018 and 2019 under OMB Approval #0596-0246, we gathered extensive information about

the wide range of effects and associated impacts of the hurricanes on agricultural and forest systems and the varied states of hurricane readiness and resilience across farm and forest sectors throughout the U.S. Caribbean. Building on this information and understanding of agricultural and forest systems, USDA Forest Service seeks a renewal with revisions to continue to collect information about the recovery of farms, forests, and rural communities from the effects and associated impacts of hurricanes Irma and Maria and to collect additional information about agriculture and forest sector hurricane vulnerabilities, mitigation, adaptation, readiness, and resilience. Such information is critical to the design and implementation of ongoing recovery work and to longer-term resilience and sustainable development efforts in the U.S. Caribbean and in other regions affected by hurricanes or other major disturbances.

The information to be collected is essential to the Department of Agriculture mandate to support agriculture and natural resources that are productive, sustainable, and provide benefits for the American public under the Rural Development Policy Act of 1980, and to the Forest Service mandate to provide expert advice and conduct research on the management of forests outside the National Forest System through the Cooperative Forestry Assistance Act of 1978. Additionally, the importance of gathering, analyzing, and sharing this type of information is reflected in the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended, and the Forest and Rangeland Renewable Resources Research Act of 1978.

Information will be collected through mixed methods, including interviews with and surveys of research participants selected purposively in line with the research objectives. This collection will be revised to further explore the topics in the original information collection and incorporate additional lines of inquiry related to the longer-term recovery of farms, forests, and rural communities and associated changes in hurricane risk, vulnerabilities, and resilience since the

2017 hurricanes. Revisions in this renewal request also include the development and use of survey tools that incorporate multiple choice and other closed ended questions that permit quantitative analysis of the topics of inquiry, in addition to open ended questions, which produce more detailed data for qualitative analysis. This renewed collection and its revisions will generate scientifically based, up-to-date information that can be used to inform ongoing recovery, resilience, and sustainable development efforts in agriculture and forest systems in the U.S. Caribbean by USDA, Forest Service, other Federal agencies, local government, civil society, and the private sector.

Affected Public: Individuals and Households, Private Sector Businesses, Non-Profit and Non-Governmental Organizations, State or Local Government.

Estimate of Annual Burden per Response: 15 minutes for surveys, 25 minutes for interviews.

Estimated Annual Number of Respondents: 250.

Estimated Annual Number of Responses per Respondent: 1 response/ respondent.

Estimated Total Annual Burden Hours on Respondents: 110 hours.

Comment Is Invited: Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) 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) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. USDA Forest Service will consider the comments received and amend the information collection as appropriate.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request toward Office of Management and Budget approval.

Alexander L. Friend,

Deputy Chief, Research & Development.

[FR Doc. 2021-24681 Filed 11-10-21; 8:45 am]

BILLING CODE 3411-15-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meetings

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of Commission public business meeting.

DATES: Friday, November 19, 2021, 12:00 p.m. EST.

ADDRESSES: Meeting to take place by telephone and is open to the public by telephone: 866-556-2513, Conference ID #: 7517508.

FOR FURTHER INFORMATION CONTACT:

Angelia Rorison: 202-376-7700; publicaffairs@usccr.gov.

SUPPLEMENTARY INFORMATION: In accordance with the Government in Sunshine Act (5 U.S.C. 552b), the Commission on Civil Rights is holding a meeting to discuss the Commission's business for the month of August. This meeting is open to the public. Computer assisted real-time transcription (CART) will be provided. The web link to access CART (in English) on Friday, November 19, 2021, is <https://www.streamtext.net/player?event=USCCR>. Please note that CART is text-only translation that occurs in real time during the meeting and is not an exact transcript. Schedule subject to change, for updates visit the USCCR Twitter at www.twitter.com/usccrgov.

Meeting Agenda

I. Approval of Agenda

II. Business Meeting

- A. Presentations from Advisory Committees to the Commission on Recent Reports/Memo Releases
- B. Discussion and Vote on Advisory Committee Appointments
- C. Vote to Appoint Travis Letellier as New Chair of South Dakota Advisory Committee
- D. Vote to Confirm USCCR Representative to the EAC
- E. Vote to Amend January 2022 Business Meeting Date
- F. Discussion and Vote on Fiscal Year 2022 Concept Papers and Fiscal Year 2023 Statutory Enforcement Report
- G. Management and Operations
 - Staff Director's Report

III. Adjourn Meeting

Dated: November 9, 2021.

Angelia Rorison,

USCCR Media and Communications Director.

[FR Doc. 2021-24841 Filed 11-9-21; 4:15 pm]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Privacy Act of 1974; System of Records

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of a new system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the United States Commission on Civil Rights (Commission) proposes to establish a new system of records titled, "CCR/Internal—Reasonable Accommodations Records." This system of records will include information that the Commission collects and maintains on applicants for employment and employees who request and/or receive reasonable accommodations from the Commission for medical or religious reasons.

DATES: Submit comments on or before December 13, 2021. This new system is effective upon publication in the **Federal Register**, except for the routine uses, which are effective December 17, 2021.

ADDRESSES: You may submit written comments through the Federal Rulemaking Portal: <http://www.regulations.gov>. All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make them available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: For general questions, please contact: David Ganz, General Counsel, United States Commission on Civil Rights at dganzz@usccr.gov or Tina Louise Martin, Director, Office of Management, U.S. Commission on Civil Rights at tmartin@usccr.gov. Please put "Reasonable Accommodations SORN" in the subject line of your email.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, the Commission proposes to establish a new system of records titled, "CCR/Internal—Reasonable Accommodations Records." This system of records covers the Commission's collection and maintenance of records on applicants for employment, employees, and other individuals who participate in Commission programs or activities who request or receive reasonable accommodations or other appropriate modifications from the

Commission for medical or religious reasons.

Title V of the Rehabilitation Act of 1973, as amended, prohibits discrimination in services and employment on the basis of disability, and Title VII of the Civil Rights Act of 1974 prohibits discrimination, including on the basis of religion. These prohibitions on discrimination require Federal agencies to provide reasonable accommodations to individuals with disabilities and those with sincerely held religious beliefs unless doing so would impose an undue hardship. In some instances, individuals may request modifications to their workspace, schedule, duties, or other requirements for documented medical reasons that may not qualify as a disability but may necessitate an appropriate modification to workplace policies and practices. The Commission may address those requests pursuant to the general authority of the Director contained in Title V of the United States Code.

Reasonable accommodations may include, but are not limited to: Making existing facilities readily accessible to individuals with disabilities; restructuring jobs, modifying work schedules or places of work, and providing flexible scheduling for medical appointments or religious observance; acquiring or modifying equipment or examinations or training materials; providing qualified readers and interpreters, personal assistants, service animals; granting permission to wear religious dress, hairstyles, or facial hair or to observe a religious prohibition against wearing certain garments; considering requests for medical and religious exemptions to specific workplace requirements; and making other modifications to workplace policies and practices.

The Commission's Office of Management processes requests for reasonable accommodations from employees and applicants for employment, respectively, who require an accommodation due to a medical or religious reason. The Commission's Office of Management also processes requests based on documented medical reasons that may not qualify as a disability but that necessitate an appropriate modification to workplace policies and practices. Other Commission offices may also receive such requests related to programs or activities for which they are responsible. The request, documentation provided in support of the request, any evaluation conducted internally, or by a third party under contract with the Commission, the decision regarding whether to grant or deny a request, and the details and

conditions of the reasonable accommodation are all included in this system of records.

The Commission has provided a report of this system of records to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget (OMB), pursuant to 5 U.S.C. 552a(r) and OMB Circular A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," dated December 23, 2016. This system will be included in the Commission's inventory of record systems.

U.S. Commission on Civil Rights.

David Ganz,
General Counsel.

SYSTEM NAME AND NUMBER:

United States Commission on Civil Rights, CCR/Internal—Reasonable Accommodations Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained primarily by the U.S. Commission on Civil Rights, Office of Management located at Pennsylvania Ave. NW, Suite 1150, Washington, DC 20425. Records may be located in locked cabinets and offices, on the Commission's local area network, or in designated U.S. data centers for FedRAMP-authorized cloud service providers.

SYSTEM MANAGER(S):

Director of Management, U.S. Commission on Civil Rights, Pennsylvania Ave. NW, Suite 1150, Washington, DC 20425, *tmartin@uscrr.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Rehabilitation Act of 1973, 29 U.S.C. 701, 791, 794; Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e; 29 CFR 1605 (Guidelines on Discrimination Because of Religion); 29 CFR 1614 (Federal Sector Equal Employment Opportunity); 29 CFR 1614 (Regulations to Implement the Equal Employment Provisions of the Americans With Disabilities Act); 5 U.S.C. 302, 1103; Executive Order 13164, Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation (July 26, 2000); and Executive Order 13548, Increasing Federal Employment of Individuals with Disabilities (July 26, 2010).

PURPOSE(S) OF THE SYSTEM:

The purpose of this system of records is to allow the Commission to collect and maintain records on applicants for employment, employees, and other individuals who participate in Commission programs or activities who request or receive reasonable accommodations or other appropriate modifications from the Commission for medical or religious reasons; to process, evaluate, and make decisions on individual requests; and to track and report the processing of such requests Commission-wide to comply with applicable requirements in law and policy.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for Federal employment and Federal employees who requested and/or received reasonable accommodations or other appropriate modifications from Commission for medical or religious reasons.

CATEGORIES OF RECORDS IN THE SYSTEM:

- ☐ Requester's name;
- ☐ Requester's status (applicant or current employee);
- ☐ Date of request;
- ☐ Employee's position title, grade, series, step;
- ☐ Position title, grade, series, step of the position the requester is applying for;
- ☐ Requester's contact information (addresses, phone numbers, and email addresses);
- ☐ Description of the requester's medical condition or disability and any medical documentation provided in support of the request;
- ☐ Requester's statement of a sincerely held religious belief and any additional information provided concerning that religious belief and the need for an accommodation to exercise that belief;
- ☐ Description of the accommodation being requested;
- ☐ Description of previous requests for accommodation;
- ☐ Whether the request was made orally or in writing;
- ☐ Documentation by a Commission official concerning whether the disability is obvious, and the accommodation is obvious and uncomplicated, whether medical documentation is required to evaluate the request, whether research is necessary regarding possible accommodations, and any extenuating circumstances that prevent the Commission official from meeting the relevant timeframe;

☐ Whether the request for reasonable accommodation was granted or denied, and if denied the reason for the denial;

☐ The amount of time taken to process the request;

☐ The sources of technical assistance consulted in trying to identify a possible reasonable accommodation;

☐ Any reports or evaluations prepared in determining whether to grant or deny the request; and,

☐ Any other information collected or developed in connection with the request for a reasonable accommodation.

RECORD SOURCE CATEGORIES:

Information is obtained from the individuals who request and/or receive a reasonable accommodation or other appropriate modification from the Commission, directly or indirectly from an individual's medical provider or another medical professional who evaluates the request, directly or indirectly from an individual's religious or spiritual advisors or institutions, and from management officials.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside the Commission as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

a. To the Department of Justice, including Offices of the U.S. Attorneys; another Federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body; another party in litigation before a court, adjudicative, or administrative body; or to a court, adjudicative, or administrative body. Such disclosure is permitted only when it is relevant or necessary to the litigation or proceeding, and one of the following is a party to the litigation or has an interest in such litigation:

(1) The Commission, or any component thereof;

(2) Any employee or former employee of the Commission in his or her official capacity;

(3) Any employee or former employee of the Commission in his or her capacity where the Department of Justice or the Commission has agreed to represent the employee;

(4) The United States, a Federal agency, or another party in litigation before a court, adjudicative, or administrative body, upon the Commission's General Counsel's

approval, pursuant to 5 CFR part 295 or otherwise.

b. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when a record, either on its face or in conjunction with other information, indicates or is relevant to a violation or potential violation of civil or criminal law or regulation.

c. To a member of Congress from the record of an individual in response to an inquiry made at the request of the individual to whom the record pertains.

d. To the National Archives and Records Administration (NARA) for records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

e. To appropriate agencies, entities, and persons when (1) the Commission suspects or has confirmed that there has been a breach of the system of records; (2) the Commission has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, the Commission (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

f. To another Federal agency or Federal entity, when the Commission determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

g. To contractors, grantees, experts, consultants, or volunteers performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Commission when the Commission determines that it is necessary to accomplish an agency function related to this system of records. Individuals provided information under this routine use are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to Commission employees.

h. To another federal agency or commission with responsibility for labor or employment relations or other issues, including equal employment

opportunity and reasonable accommodation issues, when that agency or commission has jurisdiction over reasonable accommodation.

i. To an authorized appeal grievance examiner, formal complaints examiner, administrative judge, equal employment opportunity investigator, arbitrator, or other duly authorized official engages in investigation or settlement of a grievance, complaint, or appeal filed by an individual who requested a reasonable accommodation or other appropriate modification.

j. To another Federal agency, including but not limited to the Equal Employment Opportunity Commission and the Office of Special Counsel to obtain advice regarding statutory, regulatory, policy, and other requirements related to reasonable accommodation.

k. To another Federal agency or entity authorized to procure assistive technologies and services in response to a request for reasonable accommodation.

l. To first aid and safety personnel if the individual's medical condition requires emergency treatment.

m. To another Federal agency or oversight body charged with evaluating the Commission's compliance with the laws, regulations, and policies governing reasonable accommodation requests.

n. To another Federal agency pursuant to a written agreement with the Commission to provide services (such as medical evaluations), when necessary, in support of reasonable accommodation decisions.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The records in this system of records are stored electronically on the Commission's local area network or with FedRAMP-authorized cloud service providers segregated from non-government traffic and data, with access limited to a small number of personnel. In addition, paper records are stored in locked file cabinets in access-restricted offices.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by name or other unique personal identifiers.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system of records are maintained in accordance with the General Records Schedule 2.3 and are destroyed three years after separation from the agency or all appeals are concluded, whichever is later, but

longer retention is authorized if requested for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Records in the system are protected from unauthorized access and misuse through various administrative, technical, and physical security measures. Commission security measures are in compliance with the Federal Information Security Modernization Act (Pub. L. 113–283), associated Commission policies, and applicable standards and guidance from the National Institute of Standards and Technology. Strict controls have been imposed to minimize the risk of compromising the information that is stored. Access to the paper and electronic records in this system of records is limited to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions.

RECORDS ACCESS PROCEDURES:

Individuals seeking notification of and access to their records in this system of records may submit a request in person or in writing to the Office of the General Counsel, United State Commission on Civil Rights 1331 Pennsylvania Ave. NW, Suite 1150, Washington, DC 20425 or by emailing dganz@usccr.gov. The words “Privacy Act Request” should be placed in on the face of the envelope in order to facilitate requests by mail. Individuals must furnish the following information for their records to be located:

1. Full name;
2. Reasonably specific description of the information sought including the nature of the records sought and, if possible, the approximate dates covered by the record; and,
3. If the request is made by mail, the address to which the information should be sent.

The individual requesting access to the records must also comply with the Commission’s regulations regarding verification of identity (45 CFR 705.4).

CORRECTING OR AMENDING RECORD PROCEDURES:

Individuals wishing to request amendment of records about them contained in this system of records may do so by writing to the General Counsel, United State Commission on Civil Rights, 1331 Pennsylvania Ave. NW, Suite 1150, Washington, DC 20425 or by emailing dganz@usccr.gov. Requests for amendment of records should include

the following information for their records to be located:

1. The name of the *individual* requesting the correction or amendment.
2. The name of the system of *records* in which the *record* sought to be amended is maintained.
3. The location of the *record* system from which the *record* was obtained.
4. A copy of the *record* sought to be amended or a description of that *record*.
5. A statement of the material in the *record* that should be corrected or amended.
6. A statement of the specific wording of the correction or amendment sought.
7. A statement of the basis for the requested correction or amendment, including any material that the *individual* can furnish to substantiate the reasons for the amendment sought.

NOTIFICATION PROCEDURES:

See “Record Access Procedure.”

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

None.

[FR Doc. 2021–24664 Filed 11–10–21; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Minnesota Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of virtual business meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Minnesota Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a virtual business meeting via Webex at 11:00 a.m. CT on Wednesday, December 15, 2021. The purpose of this meeting is to discuss the December 1, 2021, web briefing and next steps.

DATES: The meeting will take place on Wednesday, December 15, 2021, at 11:00 a.m. CT.

Online Registration (Audio/Visual): <https://bit.ly/3kc5s2R>.

Telephone (Audio Only): Dial 800–360–9505 USA Toll Free; Access code: 2763 835 9992.

FOR FURTHER INFORMATION CONTACT: David Barreras, DFO, at dbarreras@usccr.gov or (202) 656–8937.

SUPPLEMENTARY INFORMATION:

Committee meetings are available to the public through the conference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Individuals who are deaf, deafblind, and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference details found through registering at the web link above. To request additional accommodations, please email dbarreras@usccr.gov at least ten (10) days prior to the meeting.

Members of the public are also entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Liliana Schiller at lschiller@usccr.gov. Persons who desire additional information may contact the Regional Programs Unit at (312) 353–8311.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available via www.facadatabase.gov under the Commission on Civil Rights, Minnesota Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission’s website, <http://www.usccr.gov>, or may contact the Regional Programs Coordination Unit at the above email or street address.

Agenda

- I. Welcome & Roll Call
- II. Civil Rights Discussion
- III. Public Comment
- IV. Next Steps
- V. Adjournment

Dated: Monday, November 8, 2021.

David Mussatt,
Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021–24686 Filed 11–10–21; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Chemical Weapons Convention Provisions of the Export Administration Regulations

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on July 21, 2021, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Bureau of Industry and Security, Commerce.

Title: Chemical Weapons Convention Provisions of the Export Administration Regulations.

OMB Control Number: 0694-0117.

Form Number(s): None.

Type of Request: Regular submission, extension of a current information collection.

Number of Respondents: 72.

Average Hours per Response: 30 minutes.

Burden Hours: 36.

Needs and Uses: The Chemical Weapons Convention (CWC) is a multilateral arms control treaty that seeks to achieve an international ban on chemical weapons (CW). The CWC prohibits, the use, development, production, acquisition, stockpiling, retention, and direct or indirect transfer of chemical weapons. This collection implements the following export provision of the treaty in the Export Administration Regulations:

Schedule 1 notification and report: Under Part VI of the CWC Verification Annex, the United States is required to notify the Organization for the Prohibition of Chemical Weapons (OPCW), the international organization created to implement the CWC, at least 30 days before any transfer (export/import) of Schedule 1 chemicals to another State Party. The United States is also required to submit annual reports to the OPCW on all transfers of Schedule 1 Chemicals.

Schedule 3 End-Use Certificates: Under Part VIII of the CWC Verification Annex, the United States is required to obtain End-Use Certificates for exports of Schedule 3 chemicals to States not Party to the CWC to ensure the exported chemicals are only used for the purposes not prohibited under the Convention.

Affected Public: Business or other for-profit organizations.

Frequency: On Occasion.

Respondent's Obligation: Voluntary.

Legal Authority: CWC Implementation Act (Pub. L. 105-277, Division I), Executive Order 13128, DOC's CWC Regulation (15 CFR 710, *et seq.*)

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0694-0117.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021-24668 Filed 11-10-21; 8:45 am]

BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-051]

Certain Hardwood Plywood Products From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2019

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) continues to determine that 24 exporters of certain hardwood plywood products (hardwood plywood) from the People's Republic of China (China) under review had no shipments of subject merchandise during the period of review (POR) January 1, 2019, through December 31, 2019. Commerce also continues to determine that Lianyungang Yuantai International

Trade Co., Ltd. (Yuantai) and 33 additional companies subject to this review are part of the China-wide entity because they failed to demonstrate their eligibility for separate rates.

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT: Emily Halle, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0176.

SUPPLEMENTARY INFORMATION:

Background

On January 21, 2021, Commerce published the *Preliminary Results* of this administrative review.¹ We invited parties to comment on the *Preliminary Results*. On October 27, 2021, Commerce extended the deadline for the final results of this administrative review.² The deadline for the final results of this review is now November 5, 2021. A complete summary of the events that occurred since publication of the *Preliminary Results* may be found in the Issues and Decision Memorandum.³

Scope of the Order⁴

The products covered by the *Order* are hardwood plywood from China. For a full description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice in Appendix II. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty

¹ See *Certain Hardwood Plywood from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2019*, 86 FR 6298 (January 21, 2021) (*Preliminary Results*).

² See Memorandum, "Certain Hardwood Plywood from the People's Republic of China: Extension of Deadline for Final Results of Antidumping Duty Administrative Review, 2019," dated October 27, 2021.

³ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Certain Hardwood Plywood Products from the People's Republic of China; 2019," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁴ See *Certain Hardwood Plywood Products from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) (*Order*).

Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the Preliminary Results

Based on a review of the record and the comment received from interested parties, we made no changes to the *Preliminary Results*.

Final Determination of No Shipments

Commerce preliminarily found that 24 exporters had not shipped subject merchandise to the United States during the POR.⁵ As noted in the *Preliminary Results*, we received no-shipment certifications from these exporters, and their statements were consistent with the information we received from U.S. Customs and Border Protection (CBP).⁶

Although we received comments from the petitioner⁷ on our preliminary no-shipment findings with respect to these 24 companies, we find that these comments provide no basis to change our preliminary findings. Therefore, for these final results, we continue to find that these 24 exporters had no shipments of subject merchandise to the United States during the POR.

China-Wide Entity

With the exception of the aforementioned 24 exporters that submitted no-shipment certifications,

we find all other companies for which a review was requested, including Yuantai, to be part of the China-wide entity. Accordingly, the companies listed in Appendix I are part of the China-wide entity.

Because no party requested a review of the China-wide entity, and Commerce no longer considers the China-wide entity as an exporter conditionally subject to administrative reviews, we did not conduct a review of the China-wide entity. The rate previously established for the China-wide entity is 183.36 percent and is not subject to change as a result of this review.⁸

Assessment Rates

We have not calculated any assessment rates in this administrative review. Based on record evidence, we have determined that the aforementioned 24 exporters had no shipments of subject merchandise, and, therefore, pursuant to Commerce's assessment practice, any suspended entries entered under their case numbers will be liquidated at the China-wide entity rate.⁹

For all remaining companies subject to this review, which are part of the China-wide entity, we will instruct CBP to liquidate their entries at the current rate for the China-wide entity (*i.e.*, 183.36 percent). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously-investigated or reviewed Chinese and non-Chinese exporters that received a separate rate in a prior segment of this proceeding, and which were not assigned the China-wide rate in this review, the cash deposit rate will continue to be the existing exporter-

specific rate published for the most recently-completed period; (2) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate (including the companies listed in Appendix I), the cash deposit rate will be that for the China-wide entity (*i.e.*, 183.36 percent); and (3) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 315.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Orders

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

Notification to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h).

Dated: November 5, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of The Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Companies Determined To Be Part of the China-Wide Entity

1. Feixian Longteng Wood Co., Ltd.
2. Golder International Trade Co., Ltd.
3. Highland Industries-Hanlin
4. Huainan Mengping Import and Export Co., Ltd.

⁵ These 24 exporters are: (1) Anhui Hoda Wood Co., Ltd.; (2) Celtic Co., Ltd.; (3) Cosco Star International Co., Ltd.; (4) Happy Wood Industrial Group Co., Ltd.; (5) Jiaying Hengtong Wood Co., Ltd.; (6) Linyi Chengen Import and Export Co., Ltd.; (7) Linyi Evergreen Wood Co., Ltd.; (8) Linyi Glary Plywood Co., Ltd.; (9) Linyi Huasheng Yongbin Wood Co., Ltd.; (10) Linyi Jiahe Wood Industry Co., Ltd.; (11) Linyi Sanfortune Wood Co., Ltd.; (12) Qingdao Top P&Q International Corp.; (13) Shandong Qishan International Trading Co., Ltd.; (14) Shanghai Brightwood Trading Co., Ltd.; (15) Shanghai Futuwood Trading Co., Ltd.; (16) Shanghai Luli Trading Co., Ltd.; (17) Suining Pengxiang Wood Co., Ltd.; (18) Suqian Hopeway International Trade Co., Ltd.; (19) Suzhou Oriental Dragon Import and Export Co., Ltd.; (20) Vietnam Finewood Company Limited; (21) Xuzhou Jiangheng Wood Products Co., Ltd.; (22) Xuzhou Jiangyang Wood Industries Co., Ltd.; (23) Xuzhou Timber International Trade Co., Ltd.; and (24) Zhejiang Dehua TB Import & Export Co., Ltd.

⁶ See Memoranda, "Hardwood Plywood Products from the People's Republic of China (A-570-051): No shipment inquiry with respect to the company below during the period 01/01/2019 through 12/31/2019," dated May 12, 2020; May 14, 2020, May 15, 2020, May 19, 2020, and May 21, 2020; *see also* Memoranda, "Hardwood Plywood Products from the People's Republic of China (A-570-051): No shipment inquiry with respect to the companies below during the period 01/01/2019 through 12/31/2019," dated July 9, 2020, and July 17, 2020.

⁷ The petitioner is the Coalition for Fair Trade in Hardwood Plywood.

⁸ See Order.

⁹ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

5. Jiangsu High Hope Arser Co., Ltd.¹⁰
6. Jiangsu Sunwell Cabinetry Co., Ltd.
7. Jiangsu Top Point International Co., Ltd.
8. Jiaxing Gsun Imp. & Exp. Co., Ltd.
9. Lianyungang Yuantai International Trade Co., Ltd.
10. Linyi Bomei Furniture Co., Ltd.
11. Linyi City Dongfang Jinxin Economic and Trade Co., Ltd. (a/k/a Linyi City Dongfang Jinxin Economic and Trade Co., Ltd.)
12. Linyi Dahua Wood Co., Ltd.
13. Linyi Hengsheng Wood Industry Co., Ltd.
14. Linyi Linhai Wood Co., Ltd.
15. Linyi Mingzhu Wood Co., Ltd.
16. Pingyi Jinniu Wood Co., Ltd.
17. Qingdao Good Faith Import and Export Co., Ltd.
18. SAICG International Trading Co., Ltd.
19. Shandong Dongfang Bayley Wood Co., Ltd.
20. Shandong Jinhua International Trading Co., Ltd.
21. Shandong Jinluda International Trade Co., Ltd.
22. Shandong Senmanqi Import & Export Co., Ltd.
23. Shandong Shengdi International Trading Co., Ltd.
24. Sumec International Technology Co., Ltd.
25. Suzhou Fengshuwan Import and Export Trade Co., Ltd. a/k/a Suzhou Fengshuwan I&E Trade Co., Ltd.
26. Win Faith Trading Limited
27. Xuzhou Amish Import & Export Co., Ltd.
28. Xuzhou Andefu Wood Co., Ltd.
29. Xuzhou Constant Forest Industry Co., Ltd.
30. Xuzhou DNT Commercial Co., Ltd.
31. Xuzhou Longyuan Wood Industry Co., Ltd.
32. XuZhou PinLin International Trade Co., Ltd.
33. Xuzhou Shengping Imp and Exp Co., Ltd.
34. Yishui Zelin Wood Made Co., Ltd.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issue
 - Comment 1: Correct Liquidation Instructions for POR Entries
- V. Recommendation

[FR Doc. 2021–24705 Filed 11–10–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–523–816, C–489–845]

Certain Aluminum Foil From the Sultanate of Oman and the Republic of Turkey: Countervailing Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing the countervailing duty orders on certain aluminum foil (aluminum foil) from the Sultanate of Oman (Oman) and the Republic of Turkey (Turkey).

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT: John Conniff at (202) 482–1009 (Oman); and Whitley Herndon or Eliza Siordia at (202) 482–6274 or (202) 482–3878, respectively (Turkey), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on September 23, 2021, Commerce published its affirmative final determinations that countervailable subsidies are being provided to producers and exporters of aluminum foil from Oman and Turkey.¹ On November 5, 2021, the ITC notified Commerce of its affirmative final determinations that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act, by reason of subsidized imports of aluminum foil from Oman and Turkey.²

Scope of the Orders

The products covered by these orders are aluminum foil from Oman and Turkey. For a complete description of the scope of these orders, see the appendix to this notice.

¹ See *Certain Aluminum Foil from the Sultanate of Oman: Final Affirmative Countervailing Duty Determination*, 86 FR 52888 (September 23, 2021); and *Certain Aluminum Foil from the Republic of Turkey: Final Affirmative Countervailing Duty Determination*, 86 FR 52884 (September 23, 2021).

² See ITC Notification Letter, Investigation Nos. Inv. No. 701–TA–658–659 and 731–TA–1538–1542 (Final), dated November 5, 2021.

Countervailing Duty Orders

On November 5, 2021, in accordance with sections 705(b)(1)(A)(i) and 705(d) of the Act, the ITC notified Commerce of its final determinations in these investigations, in which it found that an industry in the United States is materially injured by reason of subsidized imports of aluminum foil from Oman and Turkey.³ Therefore, in accordance with section 705(c)(2) of the Act, Commerce is issuing these countervailing duty orders. Because the ITC determined that imports of aluminum foil from Oman and Turkey are materially injuring a U.S. industry, unliquidated entries of such merchandise from Oman and Turkey, entered or withdrawn from warehouse for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, countervailing duties for all relevant entries of aluminum foil from Oman and Turkey. With the exception of entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final affirmative injury determinations, as further described below, countervailing duties will be assessed on unliquidated entries of aluminum foil from Oman and Turkey entered, or withdrawn from warehouse, for consumption on or after March 5, 2021, the date of publication of the *Preliminary Determinations*.⁴

Suspension of Liquidation and Cash Deposits

In accordance with section 706 of the Act, Commerce will instruct CBP to reinstitute the suspension of liquidation of aluminum foil from Oman and Turkey, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates below. On or after the date of publication of the ITC's final injury

³ *Id.*

⁴ See *Certain Aluminum Foil from the Sultanate of Oman: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 86 FR 12913 (March 5, 2021); and *Certain Aluminum Foil from the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 86 FR 12911 (March 5, 2021) (collectively, *Preliminary Determinations*).

¹⁰ This company previously had a separate rate but did not file a no shipment certification or request a separate rate.

determination in the **Federal Register**, CBP must require, at the same time as importers would deposit estimated normal customs duties on this merchandise, a cash deposit equal to the rates listed in the table below. These instructions suspending liquidation will remain in effect until further notice. The all-others rate applies to all producers or exporters not specifically listed, as appropriate.

Producer/exporter	Subsidy rate (percent)
Oman	
Oman Aluminium Rolling Company LLC	1.93
All Others	1.93
Turkey	
Assan Alüminyum Sanayi ve Ticaret A.Ş. ⁵	2.60
All Others	2.60

Provisional Measures

Section 703(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months. In the underlying investigations, Commerce published the *Preliminary Determinations* on March 5, 2021. Therefore, the four-month period beginning on the date of the publication of the *Preliminary Determinations* ended on July 2, 2021.

In accordance with section 703(d) of the Act, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of aluminum foil from Oman and Turkey entered, or withdrawn from warehouse, for consumption after July 2, 2021, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will resume on the date of publication of the ITC's final determination in the **Federal Register**.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled “*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*” in the

Federal Register.⁶ On September 27, 2021, Commerce also published the notice titled “*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*” in the **Federal Register**.⁷ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.⁸

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”⁹

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the

⁶ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

⁷ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

⁸ *Id.*

⁹ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

Procedural Guidance, the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”¹⁰

Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the countervailing duty orders with respect to aluminum foil from Oman and Turkey pursuant to section 706(a) of the Act. Interested parties can find a list of countervailing duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

These orders are issued and published in accordance with section 706(a) of the Act and 19 CFR 351.211(b).

⁵ Commerce has found Kibar Dis Ticaret A.Ş., Kibar Holding, and Ispak Esnek Ambalaj Sanayi A.Ş. to be cross-owned with Assan Alüminyum Sanayi ve Ticaret A.Ş.

¹⁰ See *Final Rule*, 86 FR at 52335.

Dated: November 8, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of The Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The merchandise covered by these orders is aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. Aluminum foil is made from an aluminum alloy that contains more than 92 percent aluminum. Aluminum foil may be made to ASTM specification ASTM B479, but can also be made to other specifications. Regardless of specification, however, all aluminum foil meeting the scope description is included in the scope, including aluminum foil to which lubricant has been applied to one or both sides of the foil.

Excluded from the scope of these orders is aluminum foil that is backed with paper, paperboard, plastics, or similar backing materials on one side or both sides of the aluminum foil, as well as etched capacitor foil and aluminum foil that is cut to shape. Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above. The products under these orders are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7607.11.3000, 7607.11.6090, 7607.11.9030, 7607.11.9060, 7607.11.9090, and 7607.19.6000.

Further, merchandise that falls within the scope of these proceedings may also be entered into the United States under HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3045, 7606.12.3055, 7606.12.3091, 7606.12.3096, 7606.12.6000, 7606.91.3095, 7606.91.6095, 7606.92.3035, and 7606.92.6095. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

[FR Doc. 2021-24858 Filed 11-10-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-412-824]

Certain Cold-Rolled Steel Flat Products From the United Kingdom: Final Results of Antidumping Duty Administrative Review; 2019–2020

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) determines that the sole producer or exporter subject to this review made sales of subject

merchandise in the United States at less than normal value during the period of review (POR), September 1, 2019, through August 31, 2020.

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT: Claudia Cott, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington DC 20230; telephone: (202) 482-4270.

SUPPLEMENTARY INFORMATION:

Background

On July 8, 2021, Commerce published the *Preliminary Results* of the 2019–2020 administrative review of the antidumping duty order on certain cold-rolled steel flat products (cold-rolled steel) from the United Kingdom.¹ This administrative review covers one producer or exporter of the subject merchandise, Liberty Performance Steels, Ltd. (Liberty). We invited parties to comment on the *Preliminary Results*.² No party submitted comments. On August 9, 2021, AK Steel Corporation (AK Steel, a domestic producer and one of the companies which comprised the original petitioner group) requested that a hearing be held in this review, pursuant to 19 CFR 351.310(c). On September 15, 2021, AK Steel withdrew its request.³

Commerce conducted this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The products covered by this *Order*⁴ are certain cold-rolled (cold-reduced), flat-rolled steel products, whether or not annealed, painted, varnished, or coated with plastics or other non-metallic substances. The products covered do not include those that are clad, plated, or coated with metal. The products covered include coils that have a width or other lateral measurement (“width”) of 12.7 mm or greater, regardless of form

of coil (e.g., in successively superimposed layers, spirally oscillating, etc.). The products covered also include products not in coils (e.g., in straight lengths) of a thickness less than 4.75 mm and a width that is 12.7 mm or greater and that measures at least 10 times the thickness. The products covered also include products not in coils (e.g., in straight lengths) of a thickness of 4.75 mm or more and a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular, or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process, i.e., products which have been “worked after rolling” (e.g., products which have been beveled or rounded at the edges). For purposes of the width and thickness requirements referenced above:

(1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above, and

(2) where the width and thickness vary for a specific product (e.g., the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of this *Order* are products in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 2.50 percent of manganese, or
- 3.30 percent of silicon, or
- 1.50 percent of copper, or
- 1.50 percent of aluminum, or
- 1.25 percent of chromium, or
- 0.30 percent of cobalt, or
- 0.40 percent of lead, or
- 2.00 percent of nickel, or
- 0.30 percent of tungsten (also called wolfram), or
- 0.80 percent of molybdenum, or
- 0.10 percent of niobium (also called columbium), or
- 0.30 percent of vanadium, or
- 0.30 percent of zirconium.

Unless specifically excluded, products are included in this scope regardless of levels of boron and titanium.

For example, specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels, high strength

¹ See *Certain Cold-Rolled Steel Flat Products from the United Kingdom: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 36095 (July 8, 2021) (*Preliminary Results*).

² *Id.*

³ See AK Steel’s Letters, “Cold-Rolled Steel Flat Products from the United Kingdom/Petitioner’s Request for a Hearing,” dated August 9, 2021; and “Cold-Rolled Steel Flat Products from the United Kingdom/Petitioner’s Withdrawal of Its Hearing Request,” dated September 15, 2021.

⁴ See *Certain Cold-Rolled Steel Flat Products from Brazil, India, the Republic of Korea, and the United Kingdom: Amended Final Affirmative Antidumping Determinations for Brazil and the United Kingdom and Antidumping Duty Orders*, 81 FR 64432 (September 20, 2016) (*Order*).

low alloy (HSLA) steels, motor lamination steels, Advanced High Strength Steels (AHSS), and Ultra High Strength Steels (UHSS). IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Motor lamination steels contain micro-alloying levels of elements such as silicon and aluminum. AHSS and UHSS are considered high tensile strength and high elongation steels, although AHSS and UHSS are covered whether or not they are high tensile strength or high elongation steels.

Subject merchandise includes cold-rolled steel that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the *Order* if performed in the country of manufacture of the cold-rolled steel.

All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are within the scope of the *Order* unless specifically excluded. The following products are outside of and/or specifically excluded from the scope of the *Order*:

- Ball bearing steels;⁵
- Tool steels;⁶
- Silico-manganese steel;⁷

⁵ Ball bearing steels are defined as steels which contain, in addition to iron, each of the following elements by weight in the amount specified: (i) Not less than 0.95 nor more than 1.13 percent of carbon; (ii) not less than 0.22 nor more than 0.48 percent of manganese; (iii) none, or not more than 0.03 percent of sulfur; (iv) none, or not more than 0.03 percent of phosphorus; (v) not less than 0.18 nor more than 0.37 percent of silicon; (vi) not less than 1.25 nor more than 1.65 percent of chromium; (vii) none, or not more than 0.28 percent of nickel; (viii) none, or not more

than 0.38 percent of copper; and (ix) none, or not more than 0.09 percent of molybdenum.

⁶ Tool steels are defined as steels which contain the following combinations of elements in the quantity by weight respectively indicated: (i) More than 1.2 percent carbon and more than 10.5 percent chromium; or (ii) not less than 0.3 percent carbon and 1.25 percent or more but less than 10.5 percent chromium; or (iii) not less than 0.85 percent carbon and 1 percent to 1.8 percent, inclusive, manganese; or (iv) 0.9 percent to 1.2 percent, inclusive, chromium and 0.9 percent to 1.4 percent, inclusive, molybdenum; or (v) not less than 0.5 percent carbon and not less than 3.5 percent molybdenum; or (vi) not less than 0.5 percent carbon and not less than 5.5 percent tungsten.

⁷ Silico-manganese steel is defined as steels containing by weight: (i) Not more than 0.7 percent of carbon; (ii) 0.5 percent or more but not more than

• Grain-oriented electrical steels (GOES) as defined in the final determination of the U.S. Department of Commerce in Grain-Oriented Electrical Steel From Germany, Japan, and Poland.⁸

• Non-Oriented Electrical Steels (NOES), as defined in the antidumping orders issued by the U.S. Department of Commerce in Non-Oriented Electrical Steel From the People's Republic of China, Germany, Japan, the Republic of Korea, Sweden, and Taiwan.⁹

The products subject to the *Order* are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings:

7209.15.0000, 7209.16.0030, 7209.16.0060, 7209.16.0070, 7209.16.0091, 7209.17.0030, 7209.17.0060, 7209.17.0070, 7209.17.0091, 7209.18.1530, 7209.18.1560, 7209.18.2510, 7209.18.2520, 7209.18.2580, 7209.18.6020, 7209.18.6090, 7209.25.0000, 7209.26.0000, 7209.27.0000, 7209.28.0000, 7209.90.0000, 7210.70.3000, 7211.23.1500, 7211.23.2000, 7211.23.3000, 7211.23.4500, 7211.23.6030, 7211.23.6060, 7211.23.6090, 7211.29.2030, 7211.29.2090, 7211.29.4500, 7211.29.6030, 7211.29.6080, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7225.50.6000, 7225.50.8080, 7225.99.0090,

1.9 percent of manganese, and (iii) 0.6 percent or more but not more than 2.3 percent of silicon.

⁸ See *Grain-Oriented Electrical Steel from Germany, Japan, and Poland: Final Determinations of Sales at Less Than Fair Value and Certain Final Affirmative Determination of Critical Circumstances*, 79 FR 42501, 42503 (July 22, 2014). This determination defines grain-oriented electrical steel as “a flat-rolled alloy steel product containing by weight at least 0.6 percent but not more than 6 percent of silicon, not more than 0.08 percent of carbon, not more than 1.0 percent of aluminum, and no other element in an amount that would give the steel the characteristics of another alloy steel, in coils or in straight lengths.”

⁹ See *Non-Oriented Electrical Steel from the People's Republic of China, Germany, Japan, the Republic of Korea, Sweden, and Taiwan: Antidumping Duty Orders*, 79 FR 71741, 71741–42 (December 3, 2014). The orders define NOES as “cold-rolled, flat-rolled, alloy steel products, whether or not in coils, regardless of width, having an actual thickness of 0.20 mm or more, in which the core loss is substantially equal in any direction of magnetization in the plane of the material. The term ‘substantially equal’ means that the cross grain direction of core loss is no more than 1.5 times the straight grain direction (*i.e.*, the rolling direction) of core loss. NOES has a magnetic permeability that does not exceed 1.65 Tesla when tested at a field of 800 A/m (equivalent to 10 Oersteds) along (*i.e.*, parallel to) the rolling direction of the sheet (*i.e.*, B800 value). NOES contains by weight more than 1.00 percent of silicon but less than 3.5 percent of silicon, not more than 0.08 percent of carbon, and not more than 1.5 percent of aluminum. NOES has a surface oxide coating, to which an insulation coating may be applied.”

7226.92.5000, 7226.92.7050, and 7226.92.8050. The products subject to the *Order* may also enter under the following HTSUS subheadings:

7210.90.9000, 7212.50.0000, 7215.10.0010, 7215.10.0080, 7215.50.0016, 7215.50.0018, 7215.50.0020, 7215.50.0061, 7215.50.0063, 7215.50.0065, 7215.50.0090, 7215.90.5000, 7217.10.1000, 7217.10.2000, 7217.10.3000, 7217.10.7000, 7217.90.1000, 7217.90.5030, 7217.90.5060, 7217.90.5090, 7225.19.0000, 7226.19.1000, 7226.19.9000, 7226.99.0180, 7228.50.5015, 7228.50.5040, 7228.50.5070, 7228.60.8000, and 7229.90.1000.

The HTSUS subheadings above are provided for convenience and U.S. Customs purposes only. The written description of the scope of the *Order* is dispositive.

Final Results of Review

As noted above, Commerce received no comments concerning the *Preliminary Results*. As there are no changes from, or comments upon, the *Preliminary Results*, Commerce finds that there is no reason to modify its analysis and calculations. Accordingly, we adopt the analysis and explanation in our *Preliminary Results* for the purposes of these final results of review and we have not prepared an Issues and Decision Memorandum to accompany this **Federal Register** notice. In addition, we find that the final weighted-average dumping margin of 8.65 percent exists for entries of subject merchandise that were produced or exported by Liberty Performance Steels, Ltd. during the POR.

Assessment Rates

Commerce intends to determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review, in accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

For Liberty, we calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined

sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1).¹⁰ Where an importer-specific assessment rate is *de minimis* (i.e., less than 0.5 percent), the entries by that importer will be liquidated without reference to antidumping duties.

For entries of subject merchandise during the POR produced by Liberty for which it did not know that its merchandise was destined for the United States, we intend to instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹¹

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of cold-rolled steel from the United Kingdom entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review in the **Federal Register**, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Liberty will be equal to the weighted-average dumping margin listed above for the final results of this administrative review; (2) for merchandise exported by companies not covered in this review, but covered in the most recently completed segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, then the cash deposit rate will be the company-specific rate established for the most recently completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 22.58 percent, the all-others rate established in the less-than-fair-value investigation.¹²

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

Normally, Commerce discloses to the parties in a proceeding the calculations performed in connection with a final results of review within five days after

public announcement of final results.¹³ However, because Commerce made no adjustments to the margin calculation methodology used in the *Preliminary Results*, there are no revised calculations to disclose for the final results of review.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.221(b)(5).

Dated: November 5, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021-24649 Filed 11-10-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-875]

Fine Denier Polyester Staple Fiber from India: Final Results of Antidumping Duty Administrative Review; 2019–2020

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) assigned Reliance Industries Limited (RIL), the sole respondent subject to this antidumping duty (AD) administrative review, a dumping margin based on total adverse facts available (AFA). The period of review (POR) is July 1, 2019, through June 30, 2020.

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT:

Paola Aleman Ordaz, 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) 482-4031.

SUPPLEMENTARY INFORMATION:

Background

On July 22, 2021, Commerce published in the **Federal Register** the preliminary results of this administrative review of the AD order on fine denier polyester staple fiber (fine denier PSF) from India.¹ Although we provided interested parties with an opportunity to comment on the *Preliminary Results*, no interested party submitted comments. Accordingly, no decision memorandum accompanies this **Federal Register** notice.²

Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order³

The product covered by the *Order* is fine denier polyester staple fiber from India. For a complete description of the

¹ See *Fine Denier Polyester Staple Fiber from India: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 38683 (July 22, 2021) (*Preliminary Results*), and the accompanying Preliminary Decision Memorandum (PDM).

² For further details on the issues addressed in this review, see *Preliminary Results PDM*.

³ See *Fine Denier Polyester Staple Fiber from the People's Republic of China and India: Amended Final Affirmative Countervailing Duty Determination for the People's Republic of China and Countervailing Duty Orders for the People's Republic of China and India*, 83 FR 12149 (March 20, 2018) (*Order*).

¹⁰ In these final results, Commerce applied the assessment rate calculation method adopted 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).

¹¹ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹² See *Order*, 81 FR at 64434.

¹³ See 19 CFR 351.224(b).

scope of the *Order*, see the Preliminary Decision Memorandum.

Changes Since the Preliminary Results

Rather than subtracting the export subsidy rate that Commerce determined in the 2017–2018 administrative review in the companion countervailing duty (CVD) proceeding⁴ from the AFA rate assigned to RIL to derive its cash deposit rate, we subtracted the export subsidy rate calculated for RIL in the most recently completed segment of the companion CVD proceeding.⁵

Use of Adverse Facts Available

We continue to find that the application of total AFA, pursuant to sections 776(a) and (b) of the Act, is warranted in determining RIL's dumping margin because it withheld information regarding its sales and cost reconciliations and potential affiliations, incorrectly reported control numbers, and provided unreliable and unusable sales and cost databases.⁶ Therefore, as in the *Preliminary Results*, as AFA, we assigned RIL a dumping

margin of 21.43 percent. No interested party commented on this determination.

Commerce is not required to corroborate any dumping margin applied in a separate segment of the same proceeding. Because the 21.43 percent rate was applied in a separate segment of this proceeding, Commerce does not need to corroborate the rate in this review.

Final Results of the Review

The final estimated weighted-average dumping margin is as follows:

Exporter/producer	Estimated weighted-average dumping margin (percent)	Cash deposit rate adjusted for subsidy offset (percent) ⁷
Reliance Industries Limited	21.43	19.33

⁷ We subtracted the 2.10 percent export subsidy rate that Commerce calculated in the most recently completed segment of the companion CVD proceeding (*i.e.*, the final results of the 2019 administrative review), from the dumping margin of 21.43 percent.

Disclosure

Normally, Commerce discloses to parties to the proceeding the calculations that it performed in connection with the final results of an AD administrative review within five days after the date of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce applied a dumping margin to RIL based entirely on AFA in accordance with section 776 of the Act, there are no calculations to disclose.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of fine denier PSF from India entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for RIL will be equal to the weighted-average dumping margin, adjusted for the subsidy offset, from the table above; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the most recently established rate for the manufacturer or exporter in a completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the most recently established rate for the manufacturer of the merchandise in a completed segment of the proceeding; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 14.67 percent *ad valorem*, the all-others rate established in the less-than-fair-value investigation, adjusted for subsidy offsets.⁸ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information, disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

⁴ See *Fine Denier Polyester Staple Fiber from India: Final Results of Countervailing Duty Administrative Review; 2017–2018*, 85 FR 86537 (December 30, 2020).

⁵ See *Fine Denier Polyester Staple Fiber from India: Final Results of Countervailing Duty Administrative Review; 2019*, 86 FR 50047 (September 7, 2021).

⁶ See *Preliminary Results*.

⁸ See *Fine Denier Polyester Staple Fiber from India: Final Affirmative Antidumping Determination of Sales at Less Than Fair Value*, 83 FR 24737 (May 30, 2018).

Dated: November 5, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of The Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021-24642 Filed 11-10-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-106]

Wooden Cabinets and Vanities and Components Thereof From the People's Republic of China: Rescission of Antidumping Duty New Shipper Review; 2020

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) determines that Dalian Hualing Wood Co., Ltd. (Hualing) does not qualify as a new shipper. Therefore, we are rescinding this new shipper review (NSR).

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT: Jacob Keller, AD/CVD Operations Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4849.

SUPPLEMENTARY INFORMATION:

Background

On August 18, 2021, Commerce published in the **Federal Register** the *Preliminary Rescission* of this NSR.¹ On September 17, 2021, Hualing filed its case brief and also requested a public hearing.² On September 24, 2021, the American Kitchen Cabinet Alliance (the petitioner) submitted its rebuttal brief.³ On October 22, 2021, we held a public hearing, pursuant to 19 CFR 351.310(c).

¹ See *Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Preliminary Rescission of Antidumping Duty New Shipper Review; 2020*, 86 FR 46178 (August 18, 2021) (*Preliminary Rescission*).

² See Hualing's Letters, "Hualing Administrative Case Brief on Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China," dated September 17, 2021; and "Hualing Hearing request on Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China," dated September 17, 2021.

³ See Petitioner's Letter, "Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Rebuttal Brief," dated September 24, 2021.

Scope of the Order⁴

The products covered by the *Order* are wooden cabinets and vanities that are for permanent installation (including floor mounted, wall mounted, ceiling hung or by attachment of plumbing), and wooden components thereof. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.⁵

Analysis of Comments Received

All issues raised in this NSR are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice.⁶ The Issues and Decision Memorandum is a public document and is on file via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Rescission of the Antidumping Duty New Shipper Review

Based on information on the record, we determine that Hualing does not meet the minimum requirements under 19 CFR 351.214(b)(2)(i) for a NSR. Therefore, we determine that it is appropriate to rescind the NSR with respect to Hualing.

Assessment Rate

Commerce does not intend to instruct U.S. Customs and Border Protection (CBP) to liquidate the relevant entry because the entry is subject to the administrative review covering the period April 1, 2020, through March 31, 2021, initiated on June 11, 2021.⁷

Cash Deposit Instructions

Because we are rescinding this NSR, we are not determining a company specific cash deposit rate for Hualing in this review. Hualing continues to be

⁴ See *Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Antidumping Duty Order*, 85 FR 22126 (April 21, 2020) (*Order*).

⁵ See Memorandum, "Issues and Decision Memorandum for the Rescission of the Antidumping Duty New Shipper Review of Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China; 2020," dated concurrently with this notice (Issues and Decision Memorandum).

⁶ *Id.*

⁷ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 31282 (June 11, 2021).

part of the China-wide entity and is, therefore, subject to the China-wide entity cash deposit rate.

Administrative Protective Order

This notice serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: November 5, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
 - Comment 1: Commerce's Determination of Shipments of Subject Merchandise During the Period of Investigation
 - Comment 2: Declaration from the U.S. Customer
- V. Recommendation

[FR Doc. 2021-24647 Filed 11-10-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-091]

Certain Steel Wheels 12 to 16.5 Inches in Diameter From the People's Republic of China: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2019

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) determines that certain producers/exporters of certain steel wheels 12 to 16.5 inches in diameter (steel wheels) from the People's Republic of China (China) received

countervailable subsidies during the period of review (POR) February 25, 2019, through December 31, 2019.

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT: Kyle Clahane, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5449.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this review on July 9, 2021, and invited comments from interested parties.¹ For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.²

Scope of the Order³

The products covered by the *Order* are certain on-the-road steel wheels, discs, and rims for tubeless tires with a nominal wheel diameter of 12 inches to 16.5 inches, regardless of width. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.⁴

Analysis of Comments Received

All issues raised in the interested parties' briefs are addressed in the Issues and Decision Memorandum. A list of the issues raised by interested parties and to which Commerce responded in the Issues and Decision Memorandum is provided in the Appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

¹ See *Certain Steel Wheels (12–16.5 Inches Diameter) from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review, Rescission in Part, and Intent To Rescind in Part*; 2019, 86 FR 36250 (July 9, 2021) (*Preliminary Results*).

² See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2019 Administrative Review of the Countervailing Duty Order on Certain Steel Wheels (12–16.5 inches diameter) from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ See *Certain Steel Trailer Wheels 12 to 16.5 Inches from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 84 FR 45952 (September 3, 2019) (*Order*).

⁴ See Issues and Decision Memorandum.

Changes Since the Preliminary Results

After evaluating the comments received from interested parties and record information, we have made no changes to the net subsidy rates assigned to the mandatory respondents. For a discussion of these comments, see the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For purposes of these final results, Commerce is relying solely on facts otherwise available, including adverse facts available (AFA), pursuant to sections 776(a) and (b) of the Act because the selected mandatory respondents did not participate in this administrative review. For a full discussion of our application of AFA, see the *Preliminary Results* and the section "Use of Facts Otherwise Available and Adverse Inferences" in the accompanying Preliminary Decision Memorandum.⁵

Rescission of Administrative Review, in Part

It is Commerce's practice to rescind an administrative review of a countervailing duty order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.⁶ Normally, upon completion of an administrative review, the suspended entries are liquidated at the countervailing duty assessment rate calculated for the review period.⁷ Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the calculated countervailing duty assessment rate calculated for the review period.⁸ We continue to find that Hangzhou Antego Industry Co. Ltd. did not have reviewable entries of subject merchandise for which liquidation is

suspended. Because there is no evidence on the record of this segment of the proceeding to indicate that this company had entries, exports, or sales of subject merchandise to the United States during the POR, we are rescinding this review with respect to this company, consistent with 19 CFR 351.213(d)(3).

Final Results of Administrative Review

We determine that, for the period February 25, 2019, through December 31, 2019, the following net countervailable subsidy rates exist:

Company	Net subsidy rate <i>ad valorem</i> (percent)
Zhejiang Jingu Company Limited and Shanghai Yata Industry Company Limited ⁹	388.31
Xiamen Topu Imports & Export Co., Ltd	388.31

⁹ In the investigation, we found that Zhejiang Jingu was cross-owned with An Gang Jingu (Hangzhou) Metal Materials Co., Ltd.; Hangzhou Jingu New Energy Development Co. Ltd.; Shangdong Jingu Auto Parts Co., Ltd.; Zhejiang Jingu Automobile Components; Zhejiang Wheel World Co., Ltd.; and Shanghai Yata Industry Company Limited. There is no information on the record of this administrative review that would lead Commerce to reconsider that determination, therefore, we continue to find these companies cross-owned. See *Certain Steel Wheels 12 to 16.5 Inches in Diameter from the People's Republic of China: Final Affirmative Countervailing Duty Determination, and Final Affirmative Determination of Critical Circumstances*, 84 FR 32723 (July 9, 2019).

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with the final results of a review within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce applied AFA to the three mandatory respondents, in accordance with section 776 of the Act, there are no calculations to disclose.

Assessment Rate

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise covered by this review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a

⁵ See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Certain Steel Wheels (12–16.5 inches diameter) from the People's Republic of China," dated July 1, 2021 (Preliminary Decision Memorandum).

⁶ See, e.g., *Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review*; 2015, 82 FR 14349 (March 20, 2017); and *Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review*; 2017, 84 FR 14650 (April 11, 2019).

⁷ See 19 CFR 351.212(b)(2).

⁸ See 19 CFR 351.213(d)(3).

timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Rates

In accordance with section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies listed above. For all nonreviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposits, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 19 CFR 351.221(b)(5).

Dated: November 5, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of The Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Rescission of the Administrative Review, in Part
- V. Changes Since the Preliminary Results
- VI. Use of Facts Available and Application of Adverse Inferences
- VII. Changes Since the Preliminary Results
- VIII. Analysis of Comments
 - Comment: The "All-Others" Rate
- IX. Recommendation

[FR Doc. 2021-24706 Filed 11-10-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-831-804, A-351-856, A-523-815, A-821-828, A-489-844]

Certain Aluminum Foil From the Republic of Armenia, Brazil, the Sultanate of Oman, the Russian Federation, and the Republic of Turkey: Antidumping Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing antidumping duty orders on certain aluminum foil (aluminum foil) from the Republic of Armenia (Armenia), Brazil, the Sultanate of Oman (Oman), the Russian Federation (Russia), and the Republic of Turkey (Turkey).

DATES: Applicable November 12, 2021.

FOR FURTHER INFORMATION CONTACT:

Margaret Collins at (202) 482-6250 (Armenia); George McMahon at (202) 482-1167 (Brazil); Benjamin A. Smith at (202) 482-2181 (Oman); Mike Heaney at (202) 482-4475 (Russia); Bryan Hansen at (202) 482-3683 (Turkey) AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended (the Act), on September 23, 2021, Commerce published in the **Federal Register** its affirmative final determinations in the less-than-fair-value (LTFV) investigations of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey.¹ On November 5, 2021, the ITC notified Commerce of its affirmative final

determinations, pursuant to section 735(d) of the Act, that an industry in the United States is materially injured, within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of the LTFV imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey.²

Scope of the Orders

The product covered by these orders is aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey. For a complete description of the scope of these orders, *see* the appendix to this notice.

Antidumping Duty Orders

On November 5, 2021, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determinations in these investigations, in which it found that an industry in the United States is materially injured by reason of imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey.³ Therefore, in accordance with section 735(c)(2) of the Act, Commerce is issuing these antidumping duty orders. Because the ITC determined that imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey are materially injuring a U.S. industry, unliquidated entries of subject merchandise from Armenia, Brazil, Oman, Russia, and Turkey, entered into the United States or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instructions by Commerce, antidumping duties equal to the amount by which the normal value of the foreign like product exceeds the export price (or constructed export price) of subject merchandise, for all relevant entries of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey. With the exception of entries occurring after the expiration of the provisional measures period and before publication of the ITC's final affirmative injury determinations in the **Federal Register**, as further described below, antidumping duties will be assessed on unliquidated entries of aluminum foil from Armenia, Brazil, Oman, and Russia, entered or withdrawn from warehouse for consumption, on or after May 4, 2021, the date of publication of the

¹ See *Certain Aluminum Foil from the Republic of Armenia: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 52882 (September 23, 2021); *see also Certain Aluminum Foil from Brazil: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 52886 (September 23, 2021); *Certain Aluminum Foil from the Sultanate of Oman: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 52876 (September 23, 2021); *Certain Aluminum Foil from the Russian Federation: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 52878 (September 23, 2021); and *Certain Aluminum Foil from the Republic of Turkey: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 52880 (September 23, 2021) (collectively, *Final Determinations*), and accompanying Issues and Decision Memoranda.

² See *Aluminum Foil from Armenia, Brazil, Oman, Russia, and Turkey*, USITC Investigation Nos. 701-TA-658-659 and 731-TA-1538-1542 (Final) (November 5, 2021).

³ *Id.*

*Preliminary Determinations.*⁴ Regarding Turkey, because Commerce made a preliminary negative determination of sales at LTFV,⁵ Commerce did not direct CBP to suspend liquidation or to require a cash deposit of estimated antidumping duties for entries of aluminum foil from Turkey on or after May 4, 2021.

However, because Commerce made a final affirmative determination of sales at LTFV, Commerce directed CBP to begin suspension of liquidation of imports of aluminum foil from Turkey, entered or withdrawn from warehouse for consumption, on or after September 23, 2021, the date of publication of the *Turkey Final Determination*.⁶

Continuation of the Suspension of Liquidation

In accordance with section 736 of the Act, Commerce intends to instruct CBP to continue to suspend liquidation of all relevant entries of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey. These instructions suspending liquidation will remain in effect until further notice. Commerce also intends to instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the tables below. Accordingly, effective on the

date of publication in the **Federal Register** of the notice of the ITC's final affirmative injury determinations, CBP will require, at the same time that importers would normally deposit estimated duties on the merchandise, a cash deposit equal to the rates listed below. The relevant all-others rates apply to all producers or exporters not specifically listed.

Provisional Measures

Section 733(d) of the Act states that the instructions issued under section 733(d)(1) and (2) of the Act pursuant to an affirmative preliminary determination, may not remain in effect for more than four months, except that Commerce may extend the four-month period to no more than six months at the request of exporters representing a significant proportion of exports of the subject merchandise. At the request of exporters that account for a significant proportion of aluminum foil Armenia, Brazil, Oman, and Russia, Commerce extended the four-month period in each of these investigations. Commerce published the *Preliminary Determinations* in these investigations in the **Federal Register** on May 4, 2021.⁷

The extended provisional measures period, beginning on the date of publication of the *Preliminary Determinations*, ended on October 30, 2021. Therefore, in accordance with section 733(d) of the Act and its practice,⁸ Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of aluminum foil from Armenia, Brazil, Oman, and Russia, entered or withdrawn from warehouse for consumption, after October 30, 2021, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determinations in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determinations in the **Federal Register**.

Estimated Weighted-Average Dumping Margins

The estimated weighted-average dumping margins are as follows:

ARMENIA

Producers	Exporters	Weighted-average dumping margins (percent)
Rusal Armenal CJSC	Rusal Products GmbH	29.11
Rusal Armenal CJSC	Rusal Marketing GmbH	29.11
Armenia-Wide Entity .....	.....	29.11

BRAZIL

Producers/exporters	Weighted-average dumping margins (percent)
Arconic Ind. E Com de Metias LTDA *	* 63.05
Companhia Brasileira de Alumínio/CBA Itapissuma	13.93
All Others	13.93

⁴ See *Certain Aluminum Foil from the Republic of Armenia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 23672 (May 4, 2021); see also *Certain Aluminum Foil from Brazil: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 23678 (May 4, 2021); *Certain Aluminum Foil from the Sultanate of Oman: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 23681

(May 4, 2021); and *Certain Aluminum Foil from the Russian Federation: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 23683 (May 4, 2021) (collectively, *Preliminary Determinations*).

⁵ See *Certain Aluminum Foil from the Republic of Turkey: Preliminary Negative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 23686 (May 4, 2021) (*Turkey Preliminary Determination*).

⁶ See *Certain Aluminum Foil from the Republic of Turkey: Final Affirmative Determination of Sales*

at Less Than Fair Value, 86 FR 52880 (September 23, 2021) (*Turkey Final Determination*).

⁷ See *Preliminary Determinations*. Provisional measures were not in effect for entries of aluminum foil from Turkey because Commerce's preliminary determination was negative. See also *Turkey Preliminary Determination*.

⁸ See, e.g., *Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390, 48392 (July 25, 2016).

OMAN

Producers/exporters	Weighted-average dumping margins (percent)
Oman Aluminium Rolling Company LLC (OARC)	3.89
All Others	3.89

RUSSIA

Producers/exporters	Weighted-average dumping margins (percent)
Rusal Marketing GmbH/Rusal Products GmbH/RTI Limited/JSC United Company Rusal—Trading House/JSC Rusal Sayanal/JSC Ural Foil*	* 62.18
All Others	62.18

TURKEY

Producers/exporters	Weighted-average dumping margins (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent) ⁹
Assan Alüminyum Sanayi ve Ticaret A.Ş.; Kibar Dis Ticaret A.Ş.; and Ispak Esnek Ambalaj Sanayi A.Ş.	2.28	1.95
All Others	2.28	1.95

* Rate was assigned based on facts available with adverse inferences.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled “*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*” in the **Federal Register**.¹⁰ On September 27, 2021, Commerce also published the notice titled “*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*” in the **Federal Register**.¹¹ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.¹²

⁹ See *Certain Aluminum Foil from the Republic of Turkey: Final Affirmative Countervailing Duty Determination*, 86 FR 52884 (September 23, 2021), and accompanying Issues and Decision Memorandum.

¹⁰ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

¹¹ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

¹² *Id.*

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce’s online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”¹³

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an

¹³ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*, the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties’ amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”¹⁴ Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this

¹⁴ See *Final Rule*, 86 FR at 52335.

notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the antidumping duty orders with respect to aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

These antidumping duty orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: November 8, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of The Assistant Secretary for Enforcement and Compliance.

Appendix—Scope of the Orders

The merchandise covered by these orders is aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. Aluminum foil is made from an aluminum alloy that contains more than 92 percent aluminum. Aluminum foil may be made to ASTM specification ASTM B479, but can also be made to other specifications. Regardless of specification, however, all aluminum foil meeting the scope description is included in the scope, including aluminum foil to which lubricant has been applied to one or both sides of the foil.

Excluded from the scope of these orders is aluminum foil that is backed with paper, paperboard, plastics, or similar backing materials on one side or both sides of the aluminum foil, as well as etched capacitor foil and aluminum foil that is cut to shape. Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above. The products covered by these orders are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7607.11.3000, 7607.11.6090, 7607.11.9030, 7607.11.9060, 7607.11.9090, and 7607.19.6000.

Further, merchandise that falls within the scope of these orders may also be entered into the United States under HTSUS

subheadings 7606.11.3060, 7606.11.6000, 7606.12.3045, 7606.12.3055, 7606.12.3091, 7606.12.3096, 7606.12.6000, 7606.91.3095, 7606.91.6095, 7606.92.3035, and 7606.92.6095. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

[FR Doc. 2021–24859 Filed 11–10–21; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB502]

Fisheries of the US Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting; Cancellation

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

ACTION: Notice of cancellation of SEDAR 80 workshop webinars for U.S. Caribbean Queen Triggerfish Fishery Topical Working Group.

SUMMARY: The SEDAR 80 assessment process of U.S. Caribbean Queen Triggerfish will consist of a series of webinars.

DATES: The SEDAR 80 US Caribbean Queen Triggerfish Fishery Topical Working Group workshop was to be held via webinar on November 16–18, 2021, from 9 a.m. to 1 p.m. Eastern, each day.

ADDRESSES:

Meeting address: The meeting was to be held via webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: Julie.neer@safmc.net

SUPPLEMENTARY INFORMATION: The meeting notice published on October 29, 2021 (86 FR 59995). This notice announces that the meeting is cancelled and will be rescheduled at a later date.

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

Dated: November 8, 2021.

Tracey L. Thompson,

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

[FR Doc. 2021–24716 Filed 11–10–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Greater Atlantic Region Permit Family of Forms

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on July 6, 2021 (86 FR 35493) during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic & Atmospheric Administration (NOAA), Commerce.

Title: Greater Atlantic Region Permit Family of Forms.

OMB Control Number: 0648–0202.

Form Number(s): None.

Type of Request: Regular submission. Revision and extension of current information collection.

Number of Respondents: 128,237.

Average Hours Per Response: Varies.

Total Annual Burden Hours: 19,833.

Needs and Uses: This request is for revision and extension of a current information collection. Under the Magnuson-Stevens Fishery Conservation and Management Act, the Secretary of Commerce has the responsibility for the conservation and management of marine fishery resources. Much of this responsibility has been delegated to NOAA's National Marine Fisheries Service (NMFS). Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is to collect information from users of the resources.

The Secretary has enacted rules to issue permits to individuals and organizations participating in federally controlled fisheries. Permits are necessary to: (1) Register fishermen, fishing vessels, fish dealers and

processors; (2) list the characteristics of fishing vessels and/or dealer/processor operations; (3) exercise influence over compliance (e.g., withhold issuance pending collection of unpaid penalties); (4) maintain contact lists for the dissemination of important information to the industry; (5) register participants to be considered for limited entry; and (6) provide a universe for data collection samples. Identification of fishery participants, their gear types, vessels, and expected activity levels is an effective and necessary tool in the enforcement of fishery regulations.

This collection is being revised to introduce a new online permitting system (FishOnline) to allow individuals and organizations to apply and renew their fishing vessel permits, operator permits, dealer permits, Letter of Authorization (LOA), and gillnet certificates. Also, automatic VMS polling is also being removed from the list of information collections as this does not pose any burden on the vessel captain or crew.

This collection also includes the requirement for participants in certain fisheries to use onboard vessel monitoring systems (VMS) and to notify NMFS before fishing trips for the purpose of observer placement. Other permitting in this collection includes the written request to participate in any of the various exemption programs offered in the Greater Atlantic region.

Exemption programs may allow a vessel to fish in an area that is limited to vessels of a particular size, using a certain gear type, or fishing for a particular species. This collection also contains paperwork required for vessel owners to request gillnet and lobster trap tags through the Greater Atlantic region permit office.

Lastly, vessel owners that own multiple vessels, but would like to request communication from NMFS be consolidated into one mailing (and not separate mailings for each vessel), may request the single letter vessel owner option to improve efficiency of their business practice.

Affected Public: Businesses and other for-profit organizations are primarily affected. Individuals or households, state, local or tribal governments, and the Federal Government are also affected.

Frequency: on occasion, weekly, monthly, annually, every three years.

Respondent's Obligation: Mandatory.

Legal Authority: Magnuson-Stevens Fishery Conservation and Management Act.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the

Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648–0202.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–24637 Filed 11–10–21; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XB491]

Fisheries of the U.S. Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting; Cancellation

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

ACTION: Notice of cancellation of SEDAR 80 Life History Topical Working Group Webinar I for U.S. Caribbean queen triggerfish.

SUMMARY: The SEDAR 80 stock assessment of U.S. Caribbean queen triggerfish will consist of a series of data webinars.

DATES: The SEDAR 80 Life History Topical Working Group Webinar I was scheduled be held from 10 a.m. to 12 p.m. Eastern, November 19, 2021.

ADDRESSES:

Meeting address: The meeting was to be held via webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: Julie.neer@safmc.net.

SUPPLEMENTARY INFORMATION: The meeting notice published on November 1, 2021 (86 FR 60220). This notice announces that the meeting is cancelled and will be rescheduled at a later date.

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

Dated: November 8, 2021.

Tracey L. Thompson,

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

[FR Doc. 2021–24715 Filed 11–10–21; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the procurement list.

SUMMARY: The Committee is proposing to add product(s) and service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes product(s) previously furnished by such agencies.

DATES: *Comments must be received on or before:* December 11, 2021.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 715, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 785–6404, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the product(s) and service(s) listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

The following product(s) and service(s) are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Product(s)

NSN(s)—Product Name(s):

7930–00–NIB–0737—Scrubbing

Towels, Dual Textured

7920–00–NIB–0738—Disinfectant

Wipes, Surface, 110 count canister

Designated Source of Supply: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC

Contracting Activity: FEDERAL ACQUISITION SERVICE, GSA/FSS GREATER SOUTHWEST ACQUISITION

Mandatory for: Total Government Requirement

Distribution: A-List

Service(s)

Service Type: Plant Maintenance Services

Mandatory for: GSA PBS Region 5, Minton-Capehart Federal Building, Indianapolis, IN and Major General Emmett J. Bean Federal Center, Indianapolis, IN

Designated Source of Supply: GW Commercial Services, Inc., Indianapolis, IN

Contracting Activity: PUBLIC BUILDINGS SERVICE, PBS R5

Service Type: Custodial Service

Mandatory for: FAA, Air Traffic Control Tower, Morristown, NJ

Designated Source of Supply: Fedcap Rehabilitation Services, Inc., New York, NY

Contracting Activity: FEDERAL AVIATION ADMINISTRATION, 697DCK REGIONAL ACQUISITIONS SVCS

Deletions

The following product(s) are proposed for deletion from the Procurement List:

Product(s)

NSN(s)—Product Name(s):

MR 931—Refill, Roller Mop, Angled Head, 10.5" Head

MR 1106—Bag, Storage, Vacuum Sealed, 2PG

Designated Source of Supply: Industries for the Blind and Visually Impaired, Inc., West Allis, WI

Contracting Activity: Military Resale-Defense Commissary Agency

NSN(s)—Product Name(s):

7110-01-590-8676—Dual Monitor Arm, Column Mount, Ergonomic, Dark Gray, 21.7" W x 14.6" H x 7.1" D

7110-01-590-8674—Monitor Arm, Column Mount, Ergonomic, Individual, Dark Gray, 17"

Designated Source of Supply: Chicago Lighthouse Industries, Chicago, IL

Contracting Activity: GSA/FAS FURNITURE SYSTEMS MGT DIV, PHILADELPHIA, PA

NSN(s)—Product Name(s):

4330-01-121-6350—Parts Kit, Automatic Transmission Filter
5330-00-599-4230—Gasket

Designated Source of Supply: Goodwill Industries—Knoxville, Inc., Knoxville, TN

Contracting Activity: DLA LAND AND MARITIME, COLUMBUS, OH

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2021-24700 Filed 11-10-21; 8:45 am]

BILLING CODE 6353-01-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Charter Amendment of Department of Defense Federal Advisory Committees—Defense Health Board

AGENCY: Department of Defense (DoD).

ACTION: Charter amendment of Federal Advisory Committee.

SUMMARY: The DoD is publishing this notice to announce that it is amending the charter for the Defense Health Board (DHB).

FOR FURTHER INFORMATION CONTACT: Jim Freeman, DoD Advisory Committee Management Officer, 703-692-5952.

SUPPLEMENTARY INFORMATION: The Board's charter is being amended in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C., App.) and 41 CFR 102-3.50(d). The charter and contact information for the DHB's Designated Federal Officer (DFO) are found at <https://www.facadatabase.gov/FACA/apex/FACAPublicAgencyNavigation>.

The DHB provides the Secretary of Defense independent advice and recommendations to maximize the safety and quality of as well as access to, health care for DoD health care beneficiaries. The DHB will focus on matters pertaining to (a) DoD healthcare policy and program management; (b) delivery of high-quality health care services to DoD beneficiaries; (c) the promotion of health, wellness, and prevention within the DoD; (d) the treatment of disease and injury by the DoD; (e) health research priorities; and (f) other health-related matters of special interest to the DoD, as determined by the Secretary of Defense, the Deputy Secretary of Defense, or the Under Secretary of Defense for Personnel and Readiness.

The DHB is composed of not more than 20 members, and as determined by the Secretary of Defense, the DHB's total parent-level and subcommittee level membership cannot exceed 50 members unless otherwise directed by the Secretary of Defense or the Deputy Secretary of Defense. Membership will

consist of private and public healthcare leaders with a diversity of background, experience, and thought in support of the DHB's mission in one or more of the following disciplines: Health systems, clinical health care, infectious disease, public health, trauma medicine, beneficiary representation health informatics, patient care safety/quality care, neuroscience, and/or behavioral health. Individual members will be appointed according to DoD policy and procedures, and serve a term of service of one-to-four years with annual renewals. One member will be appointed as Chair of the DHB. No member, unless approved according to DoD policy and procedures, may serve more than two consecutive terms of service on the DHB, or serve on more than two DoD Federal advisory committees at one time.

Members of the DHB who are not full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, will be appointed as experts or consultants pursuant to 5 U.S.C. 3109 to serve as special government employee members. DHB members who are full-time or permanent part-time Federal civilian officers or employees, or active duty members of the Uniformed Services, will be appointed pursuant to 41 CFR 102-3.130(a) to serve as regular government employee members.

All members of the DHB are appointed to provide advice based on their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Except for reimbursement of official DHB-related travel and per diem, members serve without compensation.

The public or interested organizations may submit written statements to the DHB membership about the DHB's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the DHB. All written statements shall be submitted to the DFO for the DHB, and this individual will ensure that the written statements are provided to the membership for their consideration.

Dated: November 8, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2021-24722 Filed 11-10-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE**Office of the Secretary****Membership of the Performance Review Board**

AGENCY: Office of the Secretary of Defense (OSD), Department of Defense (DoD).

ACTION: Notice of board membership.

SUMMARY: This notice announces the appointment of the Department of Defense, Fourth Estate, Performance Review Board (PRB) members, to include the Office of the Secretary of Defense, Joint Staff, Defense Field Activities, U.S. Court of Appeals for the Armed Forces, and the following Defense Agencies: Defense Advanced Research Projects Agency, Defense Commissary Agency, Defense Contract Audit Agency, Defense Contract Management Agency, Defense Finance and Accounting Service, Defense Health Agency, Defense Information Systems Agency, Defense Legal Services Agency, Defense Logistics Agency, Defense Prisoners of War/Missing in Action Accounting Agency, Defense Security Cooperation Agency, Defense Threat Reduction Agency, Missile Defense Agency, and Pentagon Force Protection Agency. The PRB shall provide fair and impartial review of Senior Executive Service and Senior Professional performance appraisals and make recommendations regarding performance ratings and performance awards to the Deputy Secretary of Defense.

DATES: The board membership is applicable beginning on October 20, 2021.

FOR FURTHER INFORMATION CONTACT: Laura E. Devlin Dominguez, Assistant Director for Office of the Secretary of Defense Senior Executive Management Office, Washington Headquarters Service, Department of Defense, (703) 693-8373.

SUPPLEMENTARY INFORMATION: The publication of PRB membership is required by 5 U.S.C. 4314(c)(4). In accordance with 5 U.S.C. 4314(c)(4), the following executives are appointed to the Office of the Secretary of Defense PRB with specific PRB panel assignments being made from this group. Executives listed will serve a one-year renewable term, beginning October 20, 2021.

Office of the Secretary of Defense

Appointing Authority—Dr. Kathleen H. Hicks, Deputy Secretary of Defense
Principal Executive Representative—Michael B. Donley

Chairperson—Michelle Cresswell Atkinson

Dated: November 4, 2021.

Aaron T. Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

PRB PANEL MEMBERS

Julie A. Blanks	Michael V. Sorrento.
Gary A. Ashworth	Lisa K. Swan.
Llewellyn D. (Don) Means, Jr.	Douglas W. Packard.
Steven L. Schleien	Silvana Rubino-Hallman.
Michael O. Cannon	Rosalie Tinsley.
Jennifer L. Desautel	James H. Baker.
William H. Booth, Sr.	Brandi C. Vann.
Joo Y. Chung	Jagadeesh Pamulapati.
Jeffrey R. Jones	Robert P. Helfant.
Christine M. Condon	Shirley L. Reed.
Brent C. Harvey	Paul S. Koffsky.
Robert Irie	Debbra M. Caw.
David (Wes) Bennett, Jr.	Mark D. Jenkins.
Sonya I. Ebright	

PRB PANEL MEMBERS—ALTERNATES

James A. Ruocco	Michael J. Holthe.
Karyn A. Runstrom	Scott M. Vickers.
Douglas A. Glenn	Kevin M. Mulvihill.
Linda A. Marvin	Jennifer J. Balisle.
Veronica E. Hinton	

[FR Doc. 2021-24630 Filed 11-10-21; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION**Applications for New Awards; Fulbright-Hays Group Projects Abroad Program**

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for fiscal year (FY) 2022 for the Fulbright-Hays Group Projects Abroad (GPA) Program, Assistance Listing Numbers 84.021A and 84.021B. This notice relates to the approved information collection under OMB control number 1840-0792.

DATES:

Applications Available: November 12, 2021.

Deadline for Transmittal of Applications: January 11, 2022.

Pre-Application Webinar Information:

The Department will hold a pre-application meeting via webinar for prospective applicants. Detailed information regarding this webinar will be provided on the GPA website at www2.ed.gov/programs/iegpsgpa/index.html. Additionally, for prospective applicants that have never received a grant from the Department and those that are interested in learning more about the process, please review

the grant funding basics resource at <https://www2.ed.gov/documents/funding-101/funding-101-basics.pdf>.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768) and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf.

FOR FURTHER INFORMATION CONTACT: Cory Neal, U.S. Department of Education, 400 Maryland Avenue SW, Room 258-12, Washington, DC 20202. Telephone: (202) 453-6137. Email: GPA@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:**Full Text of Announcement****I. Funding Opportunity Description**

Purpose of Program: The purpose of the Fulbright-Hays GPA Program is to promote, improve, and develop the study of modern foreign languages and area studies in the United States. The program provides opportunities for faculty, teachers, and undergraduate and graduate students to conduct group projects overseas. Projects may include either (1) short-term seminars, curriculum development, or group research or study, or (2) long-term advanced intensive language programs.

This competition invites applicants to submit an application to request support for either a Fulbright-Hays GPA short-term project (GPA short-term project 84.021A) or a Fulbright-Hays GPA long-term project (GPA long-term project 84.021B). Applicants must clearly indicate on the SF 424, the Application for Federal Assistance cover sheet, whether they are applying for a GPA short-term project (84.021A) or a GPA long-term project (84.021B). Additional submission requirements are included in the application package.

There are three types of GPA short-term projects: (1) Short-term seminar projects of four to six weeks in length designed to help participants integrate international studies into the curriculum at an institution of higher education (IHE) or a school system by focusing on a particular aspect of area studies, such as the culture of an area or country of study (34 CFR 664.11); (2) curriculum development projects of four to eight weeks in length that provide participants the opportunity to acquire resource materials for curriculum

development in modern foreign language and area studies for use and dissemination in the United States (34 CFR 664.12); and (3) group research or study projects of three to twelve months in duration designed to give participants the opportunity to undertake research or study in a foreign country (34 CFR 664.13).

GPA long-term projects are advanced overseas intensive language projects designed by the applicant that may be carried out during a full year, an academic year, a semester, a trimester, a quarter, or a summer. GPA long-term projects provide participants an opportunity to use and strengthen their advanced language training overseas while experiencing the culture in the foreign country. Participants should have successfully completed at least two academic years of training in the language to be studied to be eligible to participate in a GPA intensive advanced language training program. In addition, the language to be studied must be indigenous to the host country and maximum use must be made of local institutions and personnel (34 CFR 664.14).

Priorities: This notice contains one absolute priority and five competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(ii), the absolute priority is from the regulations for this program (34 CFR 664.32). Competitive Preference Priorities 1 and 2 are from the notice of final priorities and definitions published in the **Federal Register** on June 16, 2016 (81 FR 39196) (the 2016 NFP); Competitive Preference Priority 3 is from the regulations for this program (34 CFR 664.32); Competitive Preference Priority 4 is from the notice of final priorities published in the **Federal Register** on September 24, 2010 (75 FR 59050) (the 2010 NFP); and Competitive Preference Priority 5 is from the regulations for this program (34 CFR 664.32).

Absolute Priority: For FY 2022 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

Specific Geographic Regions of the World.

A group project that focuses on one or more of the following geographic regions of the world: Africa, East Asia, South Asia, Southeast Asia and the Pacific, the Western Hemisphere (Central and South America, Mexico, and the Caribbean), Eastern and Central Europe and Eurasia, and the Near East.

Competitive Preference Priorities: For FY 2022, there are five competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we award three additional points to an application that meets Competitive Preference Priority 1; two additional points to an application that meets Competitive Preference Priority 2; two additional points for short-term projects or four additional points for long-term projects to an application that meets Competitive Preference Priority 3; two additional points to an application that meets Competitive Preference Priority 4; and two additional points to an application that meets Competitive Preference Priority 5. Applicants for GPA short-term projects may address Competitive Preference Priorities 1, 3, 4, and 5. Applicants for GPA long-term projects may address Competitive Preference Priorities 2 and 3. In the application narrative, an applicant must indicate the priority or priorities being addressed and provide a substantive description of how the proposed activities support the applicant's selected priority or priorities and provide documentation supporting such claims.

These priorities are:

Competitive Preference Priority 1—Applications for GPA Short-Term Projects from Selected Institutions and Organizations (3 Points).

Applications for GPA short-term projects from the following types of institutions and organizations:

- Minority-Serving Institutions (MSIs) (as defined in this notice);
- Community colleges (as defined in this notice);
- New applicants (as defined in this notice); or
- State educational agencies (SEAs) (as defined in this notice).

Competitive Preference Priority 2—Applications for GPA Long-Term Projects from MSIs (2 Points).

Applications for GPA long-term advanced overseas intensive language training projects from MSIs.

Competitive Preference Priority 3—Substantive Training and Thematic Focus on Less Commonly Taught Languages (2 Points for short-term projects or 4 Points for long-term projects).

Applications that propose GPA short-term projects (2 points) or GPA long-term projects (4 points) that provide substantive training and thematic focus on any modern foreign language except French, German, or Spanish.

Competitive Preference Priority 4—Inclusion of K–12 Educators (2 Points).

Applications that propose short-term projects abroad that develop and improve foreign language studies, area

studies, or both at elementary and secondary schools by including K–12 teachers or K–12 administrators as at least 50 percent of the project participants.

Competitive Preference Priority 5—Thematic Focus on Academic Fields (2 Points).

Applications that propose short-term projects abroad in modern foreign languages and area studies with an academic focus on any of the following academic fields: science, technology, engineering, mathematics, computer science, education (comparative or international), international development, political science, public health, or economics.

Definitions: The following definitions are from the 2016 NFP and are intended to provide clarity for applicants addressing Competitive Preference Priorities 1 and 2.

Community college means an institution that meets the definition in section 312(f) of the Higher Education Act of 1965, as amended (HEA) (20 U.S.C. 1058(f)); or an IHE (as defined in section 101 of the HEA (20 U.S.C. 1001)) that awards degrees and certificates, more than 50 percent of which are not bachelor's degrees (or an equivalent).

Minority-serving institution (MSI) means an institution that is eligible to receive assistance under sections 316 through 320 of part A of title III, under part B of title III, or under title V of the HEA.

New applicant means any applicant that has not received a discretionary grant from the Department of Education under the Fulbright-Hays Act prior to the deadline date for applications under this program.

State educational agency (SEA) means the State board of education or other agency or officer primarily responsible for the supervision of public elementary and secondary schools in a State. In the absence of this officer or agency, it is an officer or agency designated by the Governor or State law.

Program Authority: 22 U.S.C. 2452(b)(6).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 81, 82, and 86. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR

part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The regulations for this program in 34 CFR part 664. (e) The 2010 NFP. (f) The 2016 NFP.

Note: The regulations in 34 CFR part 86 apply to IHEs only.

II. Award Information

Type of Award: Discretionary grants.
Estimated Available Funds: The Administration has requested \$8,811,000 for awards for the Fulbright-Hays Overseas program for FY 2022, of which we intend to use an estimated \$3,332,000 for this competition. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in future fiscal years from the list of unfunded applications from this competition.

Estimated Available Funds:

\$3,332,000.

Estimated Range of Awards:

GPA short-term projects: \$50,000–\$180,000.

GPA long-term projects: \$50,000–\$300,000.

Estimated Average Size of Awards:

GPA short-term projects: \$100,059.

GPA long-term projects: \$215,025.

Maximum Award: We will not make a GPA short-term award exceeding \$180,000 for a single project period of 18 months. We will not make a GPA long-term project award exceeding \$300,000 for a single budget period of 24 months.

Estimated Number of Awards: 21.

GPA short-term projects: 10.

GPA long-term projects: 11.

Note: The Department is not bound by any estimates in this notice.

Project Period:

GPA short-term projects: Up to 18 months.

GPA long-term projects: Up to 24 months.

III. Eligibility Information

1. *Eligible Applicants:* (1) IHEs, (2) SEAs, (3) private nonprofit educational organizations, and (4) consortia of these entities.

Eligible Participants: Citizens, nationals, or permanent residents of the United States, who are (1) faculty members who teach modern foreign

languages or area studies at an IHE, (2) teachers in elementary or secondary schools, (3) experienced education administrators responsible for planning, conducting, or supervising programs in modern foreign language or area studies at the elementary, secondary, or postsecondary levels, or (4) graduate students, or juniors or seniors in an IHE, who plan teaching careers in modern foreign languages or area studies.

Note: If you are a nonprofit organization, under 34 CFR 75.51, you may demonstrate your nonprofit status by providing: (1) Proof that the Internal Revenue Service currently recognizes the applicant as an organization to which contributions are tax deductible under section 501(c)(3) of the Internal Revenue Code; (2) a statement from a State taxing body or the State attorney general certifying that the organization is a nonprofit organization operating within the State and that no part of its net earnings may lawfully benefit any private shareholder or individual; (3) a certified copy of the applicant's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or (4) any item described above if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

3. *Subgrantees:* A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

IV. Application and Submission Information

1. Application Submission

Instructions: Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 13, 2019 (84 FR 3768), and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf, which contain requirements and information on how to submit an application.

2. *Intergovernmental Review:* This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

3. *Funding Restrictions:* We specify unallowable costs in 34 CFR 664.33. We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

4. *Recommended Page Limit:* The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 40 pages and (2) use the following standards:

- A “page” is 8.5” x 11”, on one side only, with 1” margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

- Use a font that is either 12 point or larger, or no smaller than 10 pitch (characters per inch).

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet or budget section, including the narrative budget justification; the assurance and certifications; or the one-page abstract, the resumes, the biography, or letters of support. However, the recommended page limit does apply to all of the application narrative.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this program are from 34 CFR 664.31 and are as follows:

(a) *Plan of operation.* (20 points)

(1) The Secretary reviews each application for information to determine the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, gender, age, or handicapping condition.

(b) *Quality of key personnel.* (10 points)

(1) The Secretary reviews each application for information to determine the quality of key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director;

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2)(i) and (ii) of this section will commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping condition.

(3) To determine the qualifications of a person, the Secretary considers evidence of past experience and training in fields related to the objectives of the project as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (10 points)

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (20 points)

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The Secretary looks for information that shows that the methods of evaluation are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (5 points)

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows that the facilities, equipment, and supplies that the applicant plans to use are adequate.

(f) *Specific program criteria.* (35 points)

(1) In addition to the general selection criteria contained in this section, the Secretary reviews each application for information that shows that the project meets the specific program criteria.

(2) The Secretary looks for information that shows—

(i) The potential impact of the project on the development of the study of modern foreign languages and area studies in American education. (15 points)

(ii) The project's relevance to the applicant's educational goals and its relationship to its program development in modern foreign languages and area studies. (10 points)

(iii) The extent to which direct experience abroad is necessary to achieve the project's objectives and the effectiveness with which relevant host country resources will be utilized. (10 points)

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

For FY 2022, proposed GPA short-term projects will be reviewed by peer review panels with expertise in the world area that is the focus of the application. All proposed GPA long-term projects will be reviewed by one peer review panel. The International and Foreign Language Education office will prepare separate rank order slates for GPA short-term projects and GPA long-term projects recommended for new awards in FY 2022. Each slate will include the peer reviewers' scores for all applications evaluated, from the highest score to the lowest score. In cases where several applications have the same final numerical score in the rank order listing, and there are insufficient funds to support all the applications, the scores under Criterion F (2)(iii) will be used as a tiebreaker. If the scores remain tied, then the scores under Criterion F (2)(i) will be used to break the tie.

3. *Risk Assessment and Specific Conditions:* Consistent with 2 CFR 200.206, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may impose specific conditions and, under 2 CFR 3474.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance;

has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

5. *In General:* In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice inviting applications in accordance with—

(a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

(b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. 115–232) (2 CFR 200.216);

(c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322); and

(d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer

effectuates the program goals or agency priorities (2 CFR 200.340).

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report

that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

5. *Performance Measures:* For the purposes of the Government Performance and Results Act of 1993 and Department reporting under 34 CFR 75.110, the following measure will be used by the Department to evaluate the success of the GPA short-term program: The percentage of GPA short-term project participants who disseminated information about or materials from their group project abroad through more than one outreach activity within six months of returning to their home institution. The following measure will be used by the Department to evaluate the success of the GPA long-term program: The percentage of GPA long-term project participants who increased their reading, writing, and/or listening/speaking foreign language scores by one proficiency level. The efficiency of the GPA long-term program will be measured by considering the cost per GPA participant who increased his/her foreign language score in reading, writing, and/or listening/speaking by at least one proficiency level.

The information provided by grantees in their performance reports submitted via the International Resource Information System (IRIS) will be the source of data for this measure. Reporting screens for institutions can be viewed at: http://iris.ed.gov/iris/pdfs/gpa_director.pdf and http://iris.ed.gov/iris/pdfs/gpa_participant.pdf.

VII. Other Information

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department

published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Michelle Asha Cooper,

Acting Assistant Secretary for Postsecondary Education.

[FR Doc. 2021–24645 Filed 11–10–21; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER22–337–000]

Bio Energy (Ohio II), 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 Bio Energy (Ohio II), 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 November 26, 2021.

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 may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

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 the Commission's Home Page (<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. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact the Federal Energy Regulatory Commission at FERCOnlineSupport@ferc.gov or call toll-free, (866) 208-3676 or TTY, (202) 502-8659.

Dated: November 5, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021-24653 Filed 11-10-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP21-1-000, CP21-458-000]

Golden Pass Pipeline Company, LLC; Notice of Intent To Prepare an Environmental Impact Statement for the Proposed MP66-69 Compression Relocation and Modification Amendment and the Proposed MP33 Compressor Station Modification Amendment and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental impact statement (EIS) that will discuss the environmental impacts of the proposed MP66-69 Compression Relocation and Modification Amendment and the proposed MP33 Compressor Station Modification Amendment

(Amendments), involving construction and operation of facilities by Golden Pass Pipeline Company, LLC (Golden Pass) in Calcasieu Parish, Louisiana and Orange County, Texas. The original Golden Pass LNG Export Project and Expansion Pipeline Project were reviewed in the 2016 Final Environmental Impact Statement issued in Docket No. CP14-517-000 and CP14-518-000 for the Golden Pass LNG Export Project (2016 FEIS), and the Order Granting Authorizations Under Sections 3 and 7 of the Natural Gas Act was issued on December 21, 2016. The Commission will use this EIS in its decision-making process to determine whether the Amendments are in the public convenience and necessity. The schedule for preparation of the EIS is discussed in the *Schedule for Environmental Review* section of this notice.

As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental impacts that could result whenever it considers the issuance of an authorization. This gathering of public input is referred to as "scoping;" and staff intends to prepare an EIS that will address the concerns received in response to this notice based on Golden Pass's Amendments. The EIS will tier off Commission staff's EIS and its findings and conclusions for the Golden Pass LNG Export Project and Expansion Pipeline Project approved in the December 21, 2016 Order.¹ Therefore, the Commission requests comments on potential alternatives and impacts regarding the Amendments, and any relevant information, studies, or analyses of any kind concerning impacts affecting the quality of the human environment. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on December 6, 2021. Further details on how to submit comments are provided in the *Public Participation* section of this notice.

Golden Pass provided landowners with a fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" which addresses typically asked questions, including how to participate in the Commission's proceedings. This fact sheet along with

¹ The EIS for the Golden Pass LNG Export Project and Expansion Pipeline Project were filed in Docket Nos. CP14-517-000, CP14-518-000 under Accession No. 20160729-4002.

other landowner topics of interest are available for viewing on the FERC website (www.ferc.gov) under the Natural Gas Questions or Landowner Topics link.

Public Participation

There are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the *eComment* feature, which is located on the Commission's website (www.ferc.gov) under the link to FERC Online. Using *eComment* is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is also on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." You will be asked to select the type of filing you are making; a comment on a particular project is considered a "Comment on a Filing"; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the Project docket numbers (CP21-1-000; CP21-458-000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Additionally, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Summary of the Proposed Amendments

Golden Pass proposes to relocate, modify, and eliminate certain pipeline facilities previously approved by the Commission, but not yet constructed, as part of the Pipeline Expansion Project

(Docket No. CP14–518–000). According to Golden Pass, the MP66–69 Compression Relocation and Modification Amendment and the MP33 Compressor Station Modification Amendment are required due to new supply arrangements and the resulting engineering design, including pipeline hydraulics and delivery pressure requirements.

The MP66–69 Compression Relocation and Modification Amendment would consist of the following facilities in Calcasieu Parish, Louisiana (CP21–1–000):

- Relocating the approved compressor station at Milepost (MP) 66 approximately 3 miles, to MP 69, and increase the amount of compression at the relocated facility;
- adding a meter station near MP 69 to support a new interconnection (Gulf Run Interconnection and Meter Station) with a proposed interstate pipeline to be constructed and operated by Enable Gulf Run Transmission, LLC;
- removing any bi-directional piping modification to the interconnect; and
- minor modifications to existing interconnects at MP 66 and MP 68 (Transco Interconnection).

The MP33 Compressor Station Modification Amendment would consist of the following facilities in Orange County, Texas (CP21–458–000):

- Relocating the MP33 Compressor Station approximately 50 feet north-northwest to avoid an existing pipeline right-of-way;
- increasing the authorized compression at the MP33 Compression Station from 17,994 horsepower to 37,101 horsepower;
- constructing three new interconnects and appurtenant facilities adjacent to the MP33 Compressor Station, one interconnect with Midcoast Pipelines L.P., and existing Texas intrastate pipeline that will expand its system to deliver gas on Golden Pass's system, and two interconnects with Golden Triangle Storage, Inc., a jurisdiction provider, that would enable deliveries from and receipts into Golden Pass's system; and
- eliminating receipt stations at the existing Texoma delivery interconnect on Golden Pass's existing system.

Based on the environmental information provided by Golden Pass, construction of the proposed facilities in Calcasieu Parish, Louisiana would disturb about 44 acres of land for the aboveground facilities and the pipeline. Following construction, Golden Pass would maintain about 35 acres for operation of the Amendment facilities; the remaining acreage would be restored

and revert to former uses. All of the land on which the proposed MP33 Compressor Station modification would be located in Orange County, Texas is owned by Golden Pass. Accordingly, construction of the MP33 Compression Station would not adversely affect landowners.

In reviewing the Golden Pass' MP66–69 Compression Relocation and Modification Amendment proposal in Calcasieu Parish, Louisiana, no surface waterbodies are in the Amendment footprint, and the proposed amendment would actually reduce impacts on wetlands compared to the 2016 FEIS. Commission staff have identified several expected impacts that deserve attention in the EIS.

The general location of the Amendments is shown in appendix 1.²

Based on the previous pre-filing review and a review of Golden Pass' filings, Commission staff have identified increased greenhouse gas emissions as an expected impact that deserves attention in the EIS.

The NEPA Process and the EIS

The EIS issued by the Commission will discuss impacts that could occur as a result of the construction and operation of the proposed Amendments under the relevant general resource areas:

- Geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- socioeconomics and environmental justice;
- air quality and noise;
- public safety; and
- cumulative impacts.

Commission staff will also make recommendations on how to lessen or avoid impacts on the various resource areas. Your comments will help Commission staff focus its analysis on the issues that may have a significant effect on the human environment.

The EIS will present Commission staff's independent analysis of the issues. Staff will prepare a draft EIS

² The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary". For instructions on connecting to eLibrary, refer to the last page of this notice. At this time, the Commission has suspended access to the Commission's Public Reference Room due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19), issued by the President on March 13, 2020. For assistance, contact FERC at FERCOnlineSupport@ferc.gov or call toll free, (886) 208–3676 or TTY (202) 502–8659.

which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any draft and final EIS will be available in electronic format in the public record through eLibrary³ and the Commission's natural gas environmental documents web page (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). If eSubscribed, you will receive instant email notification when the environmental document is issued.

Alternatives Under Consideration

The EIS will evaluate reasonable alternatives that are technically and economically feasible and meet the purpose and need for the proposed actions. Alternatives currently under consideration include:

- The no-action alternative, meaning the Amendments are not implemented and the authorized Golden Pass Pipeline Expansion Project would remain as certificated.

With this notice, the Commission requests specific comments regarding any additional potential alternatives to the proposed action or segments of the proposed action. Please focus your comments on reasonable alternatives (including alternative facility sites and pipeline routes) that meet the Amendments purpose, are technically and economically feasible, and avoid or lessen environmental impact.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office(s), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Amendments' potential effects on historic properties.⁴ The environmental document for these Amendments will document findings on the impacts on historic properties and summarize the

³ For instructions on connecting to eLibrary, refer to the last page of this notice.

⁴ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

status of consultations under section 106.

Schedule for Environmental Review

On October 19, 2020 and June 23, 2021, the Commission issued its Notice of Application for the Amendments. Among other things, the notices alerted other agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on the request for a federal authorization within 90 days of the date of issuance of the Commission staff's final EIS for the Amendments. This notice identifies the Commission

staff's planned schedule for completion of the final EIS for the Project, which is based on an issuance of the draft EIS in February 2022.

Issuance of Notice of Availability of the final EIS—June 24, 2022

90-day Federal Authorization Decision

Deadline—September 22, 2022

If a schedule change becomes necessary for the final EIS, an additional notice will be provided so that the relevant agencies are kept informed of the Amendments' progress.

Permits and Authorizations

The table below lists the anticipated permits and authorizations for the

Amendments required under federal law. This list may not be all-inclusive and does not preclude any permit or authorization if it is not listed here. Agencies with jurisdiction by law and/or special expertise may formally cooperate in the preparation of the Commission's EIS and may adopt the EIS to satisfy their NEPA responsibilities related to these Amendments. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the *Public Participation* section of this notice.

ENVIRONMENTAL PERMITS, APPROVALS, CLEARANCES, AND CONSULTATIONS

Agency	Permit, Approval, or Consultation
FEDERAL	
Federal Energy Regulatory Commission	Natural Gas Act Section 7.
U.S. Army Corps of Engineers (USACE), New Orleans, Louisiana District.	Clean Water Act Section 404 Permit.
U.S. Fish & Wildlife Service	Section 7 of the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act.
U.S. Department of Transportation	Pre-construction Notice.
STATE of LOUISIANA	
Louisiana Department of Natural Resources Office of Coastal Management.	Coastal Use Permit Coastal Zone Management Act Consistency Determination.
Louisiana Department of Environmental Quality (LDEQ)—Air Quality Division.	Minor New Source Review (NSR) permit for MP 69 Compressor Station.
Louisiana Department of Environmental Quality—Water Quality Division	Section 401 Clean Water Act Water Quality Certification.
Louisiana Department of Wildlife and Fisheries	Louisiana Pollutant Discharge Elimination System General Permit LAG670000—Hydrostatic Test Water Discharge Permit.
Louisiana Department of Culture Recreation and Tourism/State Historic Preservation Officer.	Threatened and Endangered Species Consultation.
Louisiana Department of Transportation and Development	Section 106 National Historic Preservation Act Consultation.
STATE of TEXAS	
EPA, Region VI	Review of road easements, modifications to state highways, traffic safety.
U.S. Fish and Wildlife Service	Issuance of National Pollutant Discharge Elimination System permits:
U.S. Army Corps of Engineers ("USACE"), Galveston, TX District	• Industrial Stormwater Permit • Process Waste Water Discharge Permit • Stormwater Construction General Permit (Notification).
Texas Commission on Environmental Quality	Consultation for Federally protected threatened and endangered species.
Texas Historical Commission State Historic Preservation Office	Section 404 Permit for impacts on waters of the U.S., including wetlands.
Railroad Commission of Texas and Texas General Land office	Minor New Source Review (NSR) Permit.
Texas Parks and Wildlife Department	Section 106 National Historic Preservation Act Consultation.
	Texas Natural Resource Code Section 91.101 and Texas Water Code Section 26.131 Water Quality Certification.
	Threatened and Endangered Species Consultation.

Environmental Mailing List

This notice is being sent to the Commission's current environmental mailing list for the Amendments which includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; federally recognized Indian tribes; other interested parties; and local

libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who own homes within certain distances of aboveground facilities, and anyone who submits comments on the Amendments and includes a mailing address with their comments. Commission staff will update the environmental mailing list as

the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed Amendments. State and local government representatives should notify their constituents of this proposed Amendments and encourage

them to comment on their areas of concern.

If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:

(1) Send an email to GasProjectAddressChange@ferc.gov stating your request. You must include the docket number CP21-1-000 or CP21-458-000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. This email address is unable to accept comments.

OR

(2) Return the attached "Mailing List Update Form" (appendix 2).

Additional Information

Additional information about the Amendments is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on "General Search" and enter the docket number in the "Docket Number" field (*i.e.*, CP21-1, CP21-458). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at <https://www.ferc.gov/news-events/events> along with other related information.

Dated: November 5, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021-24661 Filed 11-10-21; 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 exempt wholesale generator filings:

Docket Numbers: EG22-21-000.

Applicants: Black Bear Alabama Solar Tenant, LLC.

Description: Notice of Self-Certification of Exempt Wholesale Generator Status of Black Bear Alabama Solar Tenant, LLC.

Filed Date: 11/5/21.

Accession Number: 20211105-5109.

Comment Date: 5 p.m. ET 11/26/21.

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

Docket Numbers: ER20-716-006.

Applicants: LS Power Grid New York Corporation I, New York Independent System Operator, Inc.

Description: Compliance filing: LS Power Grid New York Corporation I submits tariff filing per 35: LS Power Errata: correct references in Formula Rate Implementation Protocols to be effective 5/27/2020.

Filed Date: 11/5/21.

Accession Number: 20211105-5119.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER21-2082-001.

Applicants: Citizens S-Line Transmission LLC.

Description: Tariff Amendment: Response to Deficiency Letter in Docket ER21-2082 to be effective 12/31/9998.

Filed Date: 11/5/21.

Accession Number: 20211105-5183.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER21-2305-003.

Applicants: Pacific Gas and Electric Company.

Description: Compliance filing: TO20 Standby Settlement Compliance Filing to be effective 8/1/2021.

Filed Date: 11/4/21.

Accession Number: 20211104-5178.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER21-2980-001.

Applicants: Pacific Gas and Electric Company.

Description: Tariff Amendment: Errata to 2022 Balancing Accounts Update Filing to be effective 1/1/2022.

Filed Date: 11/5/21.

Accession Number: 20211105-5179.

Comment Date: 5 p.m. ET 11/15/21.

Docket Numbers: ER22-343-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA No. 5986; Queue No. AE2-254 to be effective 2/19/2021.

Filed Date: 11/5/21.

Accession Number: 20211105-5031.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-344-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amendment to ISA No. 5499; Queue No. AC1-105 to be effective 10/14/2019.

Filed Date: 11/5/21.

Accession Number: 20211105-5058.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-345-000.

Applicants: NorthWestern Corporation.

Description: Tariff Amendment: Cancellation of RS 42-SD-EP&C Agreement with East River (A-Tap) to be effective 11/6/2021.

Filed Date: 11/5/21.

Accession Number: 20211105-5085.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-346-000.

Applicants: NorthWestern Corporation.

Description: Tariff Amendment: Cancellation of RS 43-SD-EP&C Agreement with East River (Napa Junction) to be effective 11/6/2021.

Filed Date: 11/5/21.

Accession Number: 20211105-5088.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-347-000.

Applicants: Southern California Edison Company.

Description: Tariff Amendment: First Amendment LGIA 99MT 8me, LLC SA No. 199 & Termination of eTariff Record to be effective 1/5/2022.

Filed Date: 11/5/21.

Accession Number: 20211105-5118.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-348-000.

Applicants: Southwestern Public Service Company.

Description: Tariff Amendment: WTMPA Cancellation to be effective 11/6/2021.

Filed Date: 11/5/21.

Accession Number: 20211105-5135.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-349-000.

Applicants: New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: NYISO 205 Filing: Revisions to Data Reporting Requirements for Small Solar IPRs to be effective 1/5/2022.

Filed Date: 11/5/21.

Accession Number: 20211105-5140.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-350-000.

Applicants: PacifiCorp.

Description: § 205(d) Rate Filing: Idaho Falls Power JOOA to be effective 1/5/2022.

Filed Date: 11/5/21.

Accession Number: 20211105-5154.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22-351-000.

Applicants: PSEG Energy Resources & Trade LLC.

Description: § 205(d) Rate Filing: PSEG ER&T Reactive Tariff Rates for Reactive Service to be effective 1/7/2022.

Filed Date: 11/5/21.

Accession Number: 20211105–5155.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22–352–000.

Applicants: Performance Materials NA, Inc.

Description: Tariff Amendment: Notice of Cancellation of Market-Based Rate Tariff to be effective 11/8/2021.

Filed Date: 11/5/21.

Accession Number: 20211105–5159.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22–353–000.

Applicants: Indra Power Business MI, LLC.

Description: Baseline eTariff Filing: Tariffs and Agreements to be effective 1/5/2022.

Filed Date: 11/5/21.

Accession Number: 20211105–5176.

Comment Date: 5 p.m. ET 11/26/21.

Docket Numbers: ER22–354–000.

Applicants: Duke Energy Carolinas, LLC.

Description: § 205(d) Rate Filing: DEC–WCU Revised NITSA SA No. 422 to be effective 1/1/2022.

Filed Date: 11/5/21.

Accession Number: 20211105–5194.

Comment Date: 5 p.m. ET 11/26/21.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by 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 5, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021–24660 Filed 11–10–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21–29–000]

Gas Transmission Northwest LLC; Notice of Schedule for the Preparation of an Environmental Assessment for the Coyote Springs Compressor Station Project

On January 13, 2021, Gas Transmission Northwest LLC (GTN) filed a prior notice request pursuant to the Federal Energy Regulatory Commission's (FERC or Commission) regulations found at Title 18 of the Code of Federal Regulations, Parts 157.205 and 157.208, requesting authorization to construction the new Coyote Springs Compressor Station in Morrow County, Oregon. The proposed project is known as the Coyote Springs Compressor Station Project (Project), and GTN states it would provide operation reliability and flexibility and allow it to meet its mainline certificated capacity while still meeting its design pressure requirements.

On January 21, 2021, the FERC issued its Notice of Application for the Project. Subsequent to Commission staff's Environmental Assessment (EA) Report (issued on March 15, 2021), however, Commission staff determined that the Project could result in effects on National Register of Historic Places-eligible properties (historic properties). On October 8, 2021, GTN filed supplemental information clarifying that the Project would result in *no adverse effect* on historic properties, which does not meet the requirement of *no effect* on historic properties under the prior notice regulations (found at Title 18 of the Code of Federal Regulations, Part 157.206(3)(ii) and Appendix II). Therefore, the Project has converted to a Natural Gas Act 7(c) application. This notice identifies Commission staff's intention to prepare a supplemental EA for the Project and the planned schedule for the completion of the environmental review.

Schedule for Environmental Review

Issuance of supplemental EA—March 4, 2022

90-day Federal Authorization Decision Deadline—June 2, 2022

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

GTN states that as a result of existing design pressure requirements and operational fluctuations, its existing Coyote Springs Lateral is operationally constrained. In order to alleviate delivery pressure concerns, GTN proposes to install, own, and operate the 1,586 horsepower greenfield Coyote Springs Compressor Station, in Morrow County, Oregon, on the Coyote Springs Lateral near Milepost 304.25. GTN states the new compressor station would provide operational reliability and flexibility and allow it to meet the mainline certificated design capacity and design pressure requirements.

Additional Information

In order to receive notification of the issuance of the supplemental EA and to keep track of formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This service provides automatic notification of filings made to subscribed dockets, document summaries, and direct links to the documents. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

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” (*i.e.*, CP21–29), 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 5, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021–24656 Filed 11–10–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Project No. 3819–012]

**STS Hydropower, LLC; Sugarloaf
Hydro, LLC; Notice of Application for
Transfer of License and Soliciting
Comments, Motions To Intervene, and
Protests**

On October 12, 2021, STS Hydropower, LLC (transferor) and Sugarloaf Hydro, LLC (transferee) filed jointly an application for the transfer of license of the Sugarloaf Hydroelectric Project No. 3819. The project is located at the Bureau of Reclamation's Mt. Elbert Conduit, Leadville City, in Lake County, Colorado.

The applicants seek Commission approval to transfer the license for the Sugarloaf Hydroelectric Project from the transferor to the transferee. The transferee will be required by the Commission to comply with all the requirements of the license as though it were the original licensee.

Applicants Contact: For transferor: Mr. Martin Karpenski, STS Hydropower, LLC, c/o Eagle Creek Renewable Energy, LLC, 65 Madison Avenue, Morristown, New Jersey 07960, Phone: (973) 998–8400, Email: marty.karpenski@eaglecreekre.com with a copy to Mr. Joshua E. Adrian, Thompson Coburn, LLP, 1909 K Street NW, Suite 600, Washington, DC 20006,

Phone: (202) 585–6922, Email: jadrian@thompsoncoburn.com.

For transferee: Mr. Jason Kreuscher, Sugarloaf Hydro, LLC, c/o Renewable World Energies, LLC, 100 State Street, PO Box 264, Neshkoro, WI 45960, Phone: (855) 994–9376, Email: jason@rwehydro.com.

FERC Contact: Anumzziatta Purchiaroni, (202) 502–6191, anumzziatta.purchiaroni@ferc.gov.

Deadline for filing comments, motions to intervene, and protests: 30 days from the date that the Commission issues this notice. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests 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, you may submit a paper copy. Submissions sent via U.S. Postal Service must be addressed to, Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to, Kimberly D. Bose,

Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number P–3819–012. Comments emailed to Commission staff are not considered part of the Commission record. This notice is issued and published in accordance with 18 CFR 2.1.

Dated: November 5, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021–24652 Filed 11–10–21; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory
Commission

[Docket No. RM01–5–000]

**Electronic Tariff Filings; Notice of
Updates to The Commission's E-Tariff
Public Viewer**

Take notice that effective November 5, 2021, the Commission's electronic tariff (eTariff) public viewer (<https://etariff.ferc.gov/>) has been improved in several respects.

(1) Tariff Records will now contain a “Download as Filed” option which will download the as-filed PDF or RTF tariff record without any header information.¹ The download should include footnotes and other formatting in the tariff record.



(2) The “Tariff Section Search” will include a set of Boolean operators, AND, OR, NOT, and NEAR, for searching for

Tariff Section Title and Tariff Section Text. Please note that entering searches in both the Tariff Section Title and

Tariff Section Text is treated as an AND statement. A link to instructions for searching also is provided.

From Date

To Date

Section Title [Build Query](#)

Section Text [Build Query](#)

Docket#

[Section Text/Title Search Tips](#)

¹ The download version of the tariff record represents straight decoding of the XML Base 64 encoded data provided by the filer prior to any

additions or revisions introduced by Commission software, such as including the tariff record metadata in the header. See *Electronic Tariff*

Filings, Order No. 714, 124 FERC ¶ 61,270, at PP 12 n.8, 23, 109 n.61 (2008) (explaining the process for making tariff filings).

(3) The Search feature includes a list of the number of tariff records found.

Search Sections

Print/View Sections

Tariffs found: 31

For more information, contact the eTariff Advisory Staff at 202-502-6501 or etariffresponse@ferc.gov.

This notice is issued and published in accordance with 18 CFR 2.1.

Dated: November 5, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021-24659 Filed 11-10-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

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

Filings Instituting Proceedings

Docket Numbers: RP22-188-000.

Applicants: Alliance Pipeline L.P.

Description: § 4(d) Rate Filing;

Negotiated Rates—BP Capacity Release Filing to be effective 6/1/2021.

Filed Date: 11/5/21.

Accession Number: 20211105-5024.

Comment Date: 5 p.m. ET 11/17/21.

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.

Filings in Existing Proceedings

Docket Numbers: RP22-116-001.

Applicants: Fayetteville Express Pipeline LLC.

Description: Tariff Amendment: Amended Fuel Filing to be effective 12/1/2021.

Filed Date: 11/4/21.

Accession Number: 20211104-5171.

Comment Date: 5 p.m. ET 11/16/21.

Any person desiring to protest in any of the above proceedings must file in accordance with Rule 211 of the Commission's Regulations (18 CFR

385.211) on or before 5:00 p.m. Eastern time on the specified comment date.

The filings are accessible in the Commission's eLibrary system (<https://elibrary.ferc.gov/idmws/search/fercgensearch.asp>) by querying the docket number.

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 5, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021-24657 Filed 11-10-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2266-121]

Nevada Irrigation District; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

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

a. *Application Type:* Application for Temporary Variance of Maximum Pulse Flow Requirement.

b. *Project No:* 2266-121.

c. *Date Filed:* October 29, 2021.

d. *Applicant:* Nevada Irrigation District (licensee).

e. *Name of Project:* Yuba-Bear Hydroelectric Project.

f. *Location:* The project is located on the Bear River, Jackson Creek, and the South Yuba River in Sierra and Nevada counties, California.

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

h. *Applicant Contact:* Keane Sommers, Hydroelectric Manager, Nevada Irrigation District, (530) 273-8571 x 1340, sommers@nidwater.com.

i. *FERC Contact:* John Aedo, (415) 369-3335, john.aedo@ferc.gov.

j. *Deadline for filing comments, motions to intervene, and protests:* December 6, 2021.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests 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, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P-2266-121. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor 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.

k. *Description of Request:* The licensee requests a temporary variance of its maximum pulse flow requirements below Jackson Meadows Reservoir. Specifically, the licensee requests Commission approval to exceed the

maximum number of allowable flow increases and decreases, which is limited to two per year. The licensee states that the State Water Resources Control Board has limited the its ability to store water in the reservoir as a result of drought conditions and instead, has ordered the licensee to pass all project inflows into the downstream area. The licensee requests the variance indefinitely until the water storage restriction is lifted, but would also coordinate with the U.S. Forest Service and U.S. Fish and Wildlife Service for an extension if the storage curtailment remains in place come March 2022.

l. *Locations of the Application:* This filing 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. 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. Agencies may obtain copies of the application directly from the applicant.

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

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

o. *Filing and Service of 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 commenting, 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. Any filing made by an intervenor 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 385.2010.

Dated: November 5, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021-24655 Filed 11-10-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP21-197-000]

Kern River Gas Transmission Company; Notice of Availability of the Draft Environmental Impact Statement for the Proposed Delta Lateral Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental impact statement (EIS) for the Delta Lateral Project, proposed by Kern River Gas Transmission Company (Kern River) in the above-referenced docket. Kern River requests authorization to construct, own, and operate approximately 35 miles of 24-inch-diameter pipeline and related appurtenances to deliver natural gas to the Intermountain Power Project in Millard County, Utah. The Project purpose is to provide firm transportation service of 140,000 dekatherms of natural gas per day from Opal, Wyoming to the Intermountain Power Project, an electrical generating facility in Delta, Utah. Prior to filing its application, Kern River participated in the Commission's Pre-filing Process for this Project under Docket No. PF20-4-000.

The draft EIS assesses the potential environmental effects of the construction and operation of the Delta Lateral Project in accordance with the requirements of the National Environmental Policy Act (NEPA). As described in the draft EIS, the FERC staff concludes that approval of the Project would result in some adverse environmental impacts; however, with the exception of climate change impacts, these impacts would be reduced to less-than-significant levels because of the impact avoidance, minimization, and mitigation measures proposed by Kern River and those recommended by staff in the EIS. FERC staff is unable to determine the

significance level of climate change impacts.

The U.S. Department of the Interior, Bureau of Land Management (BLM), participated as a cooperating agency in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. A portion of the Project would be constructed on lands managed by the BLM Fillmore Field Office. Because the BLM must comply with the requirements of NEPA before issuing a right-of-way grant, BLM has elected to cooperate in this NEPA process and adopt the EIS per Title 40 of the Code of Federal Regulations, Section 1506.3.

The Project would consist of the following specific facilities:

- A 35.84-mile-long, 24-inch-diameter natural gas pipeline;
- a delivery meter station;
- two mainline taps with automated lateral inlet valve assemblies;
- an in-line inspection device launcher and receiver;
- an automated lateral block valve assembly; and
- ancillary facilities.

The draft EIS is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the draft EIS may do so. Your comments should focus on the draft EIS's disclosure and discussion of potential environmental effects, including climate impacts due to downstream greenhouse gas emissions, and measures to avoid or lessen environmental impacts. To ensure consideration of your comments on the proposal in the final EIS, it is important that the Commission receive your comments on or before 5:00 p.m. Eastern Time on December 27, 2021.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (www.ferc.gov) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." If you are filing a comment on a particular project, please select "Comment on a Filing" as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP21-197-000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR part 385.214). Motions to intervene are more fully described at <https://www.ferc.gov/ferc-online/ferc-online/how-guides>. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

Questions?

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. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. 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 <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

Dated: November 5, 2021.

Kimberly D. Bose,
Secretary.

[FR Doc. 2021-24654 Filed 11-10-21; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC21-36-000]

Commission Information Collection Activities (FERC-725G1 and FERC-725G4); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collections, FERC-725G1, Mandatory Reliability Standards for the Bulk-Power System: Reliability Standard PRC-004-6 (Protection System Misoperation Identification and Correction), and FERC-725G4, Mandatory Reliability Standards: Reliability Standard PRC-010-2 (Under Voltage Load Shedding). The Commission will submit these information collections to the Office of Management and Budget (OMB) in connection with a request for review and renewal.

DATES: Comments on the collection of information are due December 13, 2021.

ADDRESSES: Send written comments on FERC-725G1 and/or FERC-725G4 to OMB through www.reginfo.gov/public/do/PRAMain, Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB control number(s) (1902-0284 for FERC-725G1) and/or (1902-0282 for FERC-725G4) in the subject line. Your comments should be sent within 30 days of publication of this notice in the **Federal Register**.

Please submit copies of your comments (identified by Docket No. IC21-36-000) to the Commission as noted below. Electronic filing through <http://www.ferc.gov>, is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- Mail via U.S. Postal Service Only: Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- Hand (including courier) delivery: Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions:

OMB submissions must be formatted and filed in accordance with submission guidelines at www.reginfo.gov/public/do/PRAMain; Using the search function under the "Currently Under Review field," select Federal Energy Regulatory Commission; click "submit" and select "comment" to the right of the subject collection.

FERC submissions must be formatted and filed in accordance with submission guidelines at: <http://www.ferc.gov>. For user assistance, contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free).

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

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at DataClearance@FERC.gov and telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION:

FERC-725G1

Title: Mandatory Reliability Standards for the Bulk-Power System: Reliability Standard PRC-004-6.

OMB Control No.: 1902-0284.

Type of Request: Three-year extension of the FERC-725G1 information collection requirements.

Abstract: The Commission collects information under FERC-725G1 in accordance with section 215 of the Federal Power Act (FPA) ¹ and 18 CFR parts 39 and 40. Section 215 of the FPA gives the Commission and the North American Electric Reliability Corporation (as the Commission-approved Electric Reliability Organization) to establish and enforce reliability standards for all users, owners, and operators of the bulk-power system.² Once approved, the Reliability

¹ 16 U.S.C.824o.

² As defined at 16 U.S.C. 824o(a)(1) and 18 CFR 39.1, the term "bulk-power system" means facilities and control systems necessary for operating an interconnected electric energy transmission

Standards may be enforced by the Electric Reliability Organization subject to Commission oversight, or by the Commission independently.³

Reliability Standard PRC-004-6 requires transmission owners, generator owners, and distribution providers to identify and correct causes of

misoperations of certain protection systems for bulk-power system elements. It also requires retention of evidence of misoperations for a minimum of 12 calendar months.

Types of Respondents: Transmission Owners, Generator Owners, and Distribution Providers.

Frequency of Response: On occasion.

Estimate of Annual Burden: The Commission estimates 703 responses annually, and per-response burdens of 16.5 hours and \$1,435.50.⁴ The total estimated burdens per year are 703 responses, 11,599.5 hours, and \$1,009,156.50. These burdens are itemized in the following table:

MANDATORY RELIABILITY STANDARDS FOR THE BULK-POWER SYSTEM: RELIABILITY STANDARD PRC-004-6 (FERC-725G1)

[Annual Estimates of Respondents' Burdens]

A. Number of respondents	B. Annual number of responses per respondent	C. Total number of responses (column A × column B)	D. Average burden & cost per response ⁵	E. Total annual burden hours & total annual cost (column C × column D)	F. Cost per respondent (\$) (column E ÷ column A)
703	1	703	16.5 hrs.; \$1,435.50	11,600 hrs.; \$1,009,200 (rounded)	\$1,435.50

FERC-725G4

Title: Mandatory Reliability Standards: Reliability Standard PRC-010-2 (Under Voltage Load Shedding).
OMB Control No.: 1902-0282.

Type of Request: Three-year extension of the FERC-725G4 information collection requirements.⁶

Abstract: The Commission collects information under FERC-725G4 in

accordance with section 215 of the FPA and 18 CFR parts 39 and 40. Reliability Standard PRC-010-2 requires respondents to submit date-stamped documentation of their compliance with the relevant UVLS Program.⁷

Types of Respondents: UVLS Entities.⁸

Frequency of Response: On occasion.

Estimate of Annual Burden: The Commission estimates 25 responses annually, and per-response burdens of 48 hours and \$4,176.⁹ The total estimated burdens per year are 25 responses, 1,200 hours, and \$104,400. These burdens are itemized in the following table:

MANDATORY RELIABILITY STANDARDS: RELIABILITY STANDARD PRC-010-2 (UNDER VOLTAGE LOAD SHEDDING) (FERC-725G4)

[Annual Estimates of Respondents' Burdens]

A. Number of respondents	B. Annual number of responses per respondent	C. Total number of responses (column A x column B)	D. Average burden & cost per response ¹⁰	E. Total annual burden hours & total annual cost (column C x column D)	F. Cost per respondent (\$) (column E ÷ Column A)
25	1	25	48 hrs.; \$4,176	1,200 hrs.; \$104,400	\$4,176

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will

have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3)

ways to enhance the quality, utility, and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of

network (or any portion thereof), and electric energy from generating facilities needed to maintain transmission system reliability. The term does not include facilities used in the local distribution of electric energy.

³ 16 U.S.C. 824o(e).

⁴ Using the May 14, 2021 NERC compliance registration information for entities that are Generator Owners, Transmission Owners, and Distribution Providers (in the U.S.), the number of potential respondents is 1,405, taking into account overlap between functions. However, not every entity will have a misoperation event during a year. Based on our previous experience with this information collection, we are estimating that approximately half of the 1,405 potential respondents annually will have a reportable misoperation, i.e., 703 responses per year for FERC-725G1.

⁵ Commission staff estimates that the average industry hourly cost for this information collection is approximated by the current FERC 2021 average hourly costs for wages and benefits, i.e., \$87.00/hour.

⁶ If OMB renews FERC-725G4, the Commission subsequently may consider requesting that OMB combine that information collection activity with FERC-725G1. Such action would be administrative only and would not indicate the discontinuation of the information collection requirements in FERC-725G4.

⁷ "Load shedding" means disconnecting consumers from the grid to prevent demand from exceeding supply, which can cause widespread grid collapse. A "UVLS Program" provides for automatic load shedding, utilizing voltage inputs, in specific circumstances and locations.

⁸ "UVLS Entities," as defined at the NERC website at <https://www.nerc.com/pa/Stand/>

Reliability%20Standards/PRC-010-2.pdf, are distribution providers and transmission owners responsible for the ownership, operation, or control of UVLS equipment, as required by a UVLS Program.

⁹ Using the May 14, 2021 NERC compliance registration information for entities that are Transmission Owners and Distribution Providers (in the U.S.), the number of potential respondents is 494, taking into account overlap between functions. However, not every entity has an under voltage load shedding program. Approximately five percent of the potential respondents have such a program. Therefore, we estimate 25 responses per year for FERC-725G4.

¹⁰ Commission staff estimates that the average industry hourly cost for this information collection is approximated by the current FERC 2021 average hourly costs for wages and benefits, i.e., \$87.00/hour.

automated collection techniques or other forms of information technology.

Dated: November 5, 2021.

Kimberly D. Bose,

Secretary.

[FR Doc. 2021–24658 Filed 11–10–21; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9059–3]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or <https://www.epa.gov/nepa>. Weekly receipt of Environmental Impact Statements (EIS) Filed November 1, 2021 10 a.m. EST Through November 5, 2021 10 a.m. EST Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20210168, Final Supplement, USACE, CA, American River Common Features Water Resources Development Act of 2016, American River Contract 2, Review Period Ends: 12/13/2021, Contact: Nathaniel J. Martin 916–317–4021.

EIS No. 20210169, Draft Supplement, NRC, WI, License Renewal of Nuclear Plants Supplement 23 Second Renewal Regarding Subsequent License Renewal for Point Beach Nuclear Plant Units 1 and 2, Comment Period Ends: 01/03/2022, Contact: Phyllis Clark 301–415–6447.

EIS No. 20210170, Draft, FERC, UT, Delta Lateral Project, Comment Period Ends: 12/27/2021, Contact: Office of Externals Affairs 866–208–3372.

EIS No. 20210171, Fourth Draft Supplemental, USACE, CA, Folsom Dam Raise Modifications Project Draft Supplemental Environmental Impact Statement/Environmental Impact Report, Comment Period Ends: 12/27/2021, Contact: Kimberly Watts 916–557–7770.

EIS No. 20210172, Draft Supplement, BR, CA, Sites Reservoir Project Revised Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement, Comment Period Ends: 01/11/2022, Contact: Vanessa King 916–978–5077.

Amended Notice

EIS No. 20210149, Draft Supplement, FHWA, MD, I–495 & I–270 Managed Lanes Study Supplemental Draft Environmental Impact Statement and Updated Draft Section 4(f) Evaluation, Comment Period Ends: 11/30/2021, Contact: Jeanette Mar 410–779–7152. Revision to FR Notice Published 10/01/2021; Extending the Comment Period from 11/15/2021 to 11/30/2021.

Dated: November 5, 2021.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2021–24666 Filed 11–10–21; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–ORD–2015–0765; FRL–9220–02–ORD]

Board of Scientific Counselors (BOSC) Executive Committee Meeting—November 2021

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of public meeting.

SUMMARY: The Environmental Protection Agency (EPA), Office of Research and Development (ORD), gives notice of a series of additional PFAS related virtual deliberation meetings of the Board of Scientific Counselors (BOSC) Executive Committee (EC) Committee as a follow-up to meetings held September 29–30, 2021. More information can be found on the BOSC website at: <https://www.epa.gov/bosc/bosc-executive-committee-meeting-september-october-2021>. Due to unforeseen administrative circumstances this notice was not published 15 days prior to the meeting.

DATES: The deliberation meeting will be held over two days via videoconference:

- Tuesday, November 23, 2021, from 11 a.m. to 2 p.m. (EDT); and
- Wednesday, December 8, 2021, from 11 a.m. to 2 p.m. (EDT).

Attendees must register by November 22, 2021.

Meeting times are subject to change. This series of meetings is open to the public. Comments must be received by November 22, 2021, to be considered by the subcommittee. Requests for the draft agenda or making a presentation at the meeting will be accepted until November 22, 2021.

ADDRESSES: Instructions on how to connect to the videoconference will be provided upon registration at: <https://epa-bosc-e-c-mtg.eventbrite.com>.

Submit your comments to Docket ID No. EPA–HQ–ORD–2015–0765 by one of the following methods:

- www.regulations.gov: Follow the online instructions for submitting comments.

- Note:** comments submitted to the www.regulations.gov website are anonymous unless identifying information is included in the body of the comment.

- Email:** Send comments by electronic mail (email) to: ORD.Docket@epa.gov, Attention Docket ID No. EPA–HQ–ORD–2015–0765.

- Note:** comments submitted via email are not anonymous. The sender's email will be included in the body of the comment and placed in the public docket which is made available on the internet.

Instructions: All comments received, including any personal information provided, will be included in the public docket without change and may be made available online at www.regulations.gov. Information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute will not be included in the public docket and should not be submitted through www.regulations.gov or email. For additional information about the EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/dockets/>.

Public Docket: Publicly available docket materials may be accessed Online at www.regulations.gov.

Copyrighted materials in the docket are only available via hard copy. The telephone number for the ORD Docket Center is (202) 566–1752.

FOR FURTHER INFORMATION CONTACT: The Designated Federal Officer (DFO), Tom Tracy, via phone/voicemail at: 919–541–4334; or via email at: tracy.tom@epa.gov.

Any member of the public interested in receiving a draft agenda, attending the meeting, or making a presentation at the meeting should contact Tom Tracy no later than November 22, 2021.

SUPPLEMENTARY INFORMATION: The Board of Scientific Counselors (BOSC) is a federal advisory committee that provides advice and recommendations to EPA's Office of Research and Development on technical and management issues of its research programs. The meeting agenda and materials will be posted to <https://www.epa.gov/bosc>.

Proposed agenda items for the meeting include, but are not limited to, deliberation on EPA's charge questions on PFAS.

Information on Services Available: For information on translation services, access, or services for individuals with disabilities, please contact Tom Tracy at 919–541–4334 or tracy.tom@epa.gov. To request accommodation of a disability, please contact Tom Tracy at least ten days prior to the meeting to give the EPA adequate time to process your request.

Authority: Pub. L. 92–463, 1, Oct. 6, 1972, 86 Stat. 770.

Mary Ross,
Director, Office of Science Advisor, Policy and Engagement.
[FR Doc. 2021–24624 Filed 11–10–21; 8:45 am]
BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION
[OMB No. 3064–0121; –0153; and –0185]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (OMB Control No. 3064–0121; –0135; and –0185).

DATES: Comments must be submitted on or before January 11, 2022.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency website:* <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- *Email:* comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- *Mail:* Manny Cabeza (202–898–3767), Regulatory Counsel, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at

the rear of the 17th Street building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Manny Cabeza, Regulatory Counsel, 202–898–3767, mcabeza@fdic.gov, MB–3128, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to extend the validity of the following currently-approved collection of information:

1. *Title:* Certification of Compliance with Mandatory Bars to Employment.
OMB Number: 3064–0121.
Form Number: 2120/16.
Affected Public: Individuals seeking employment from the FDIC.
Burden Estimate:

ESTIMATED ANNUAL BURDEN					
[OMB 3064–0121]					
Information collection description	Type of burden	Estimated number of respondents	Estimated number of responses per respondent	Estimated time per response (minutes)	Estimated annual burden (hours)
Form 2120/16	Reporting	528	1	10	88
Total Annual Burden .....	.....	.....	.....	.....	88

General Description of Collection: This information collection arises from the reporting requirements contained in 12 CFR part 336, subpart B, of the FDIC Rules and Regulations entitled “Minimum Standards of Fitness for Employment with the Federal Deposit Insurance Corporation”. This rule implements Section 19 of the Resolution Trust Corporation Completion Act (Completion Act), Public Law 103–204, by (among other things) prescribing a certification, with attachments in some cases, relating to job applicants’ fitness and integrity. More specifically, the statute provides that the FDIC shall issue regulations implementing

provisions that prohibit any person from becoming employed by the FDIC who has been convicted of any felony; has been removed from, or prohibited from participating in the affairs of, any insured depository institution pursuant to any final enforcement action by any appropriate federal banking agency; has demonstrated a pattern or practice of defalcation regarding obligations to insured depository institutions; or has caused a substantial loss to federal deposit insurance funds. This collection of information implements these mandatory bars to employment through a certification, signed by job applicants prior to an offer of employment using

form 2120/16. There has been no change in the method or substance of this information collection. The change in estimated annual burden is due to an increase in the estimated number of new hires from an annual average of 500 in 2018 to an annual average of 528 currently.

2. *Title:* Purchaser Eligibility Certification.
OMB Number: 3064–0135.
Form Number: 7300–06.
Affected Public: Individuals and entities wishing to purchase receivership assets from the FDIC.
Burden Estimate:

ESTIMATED ANNUAL BURDEN
[OMB No. 3064–0135]

Information collection description	Type of burden (obligation to respond)	Frequency of response	Number of respondents	Number of responses per respondent	Hours per response (minutes)	Estimated annual burden (hours)
Purchaser Eligibility Certification (Form No. 7300–06).	Reporting (Voluntary to obtain a benefit).	On occasion	380	1	30	190
Total Estimated Annual Burden (Hours):	.....	.....	.....	.....	.....	190

Source: FDIC.

General Description of Collection: The FDIC is statutorily prohibited from selling assets held by insured depository institutions that have been placed under the conservatorship or receivership of the FDIC to individuals or entities that profited or engaged in wrongdoing at the expense of those failed institutions, or seriously mismanaged those failed institutions.¹ This statutory prohibition is implemented by regulation.² The FDIC uses Form No. 7300–06: Purchaser Eligibility Certification (PEC) to determine an entity or person's eligibility to purchase assets. This Information Collection (IC) pertains to the voluntary submission of the PEC by

persons seeking to certify their eligibility to be able to purchase receivership assets. Potential respondents to this IC include any entity or individual that wishes to bid on or purchase assets held by insured depository institutions that have been placed under the conservatorship or receivership of the FDIC. This IC contains one reporting requirement. The FDIC arrived at the estimated time to respond estimate of 30 minutes per PEC form, through observation of individuals completing these forms at open-outcry auction events. Since the form has not been revised, the FDIC believes this estimate remains reasonable and

appropriate for this ICR. The FDIC estimated the number of respondents by tabulating the number of PECs received in each year between 2015 and 2020. Over that period, the FDIC received 2,282 PECs, or approximately 380 PECs per year on average.

3. *Title:* Resolution plans required for insured depository institutions with \$100 billion or more in total assets.

OMB Number: 3064–0185.

Form Number: None.

Affected Public: FDIC insured depository institutions with \$50 billion or more in total assets.

Burden Estimate:

SUMMARY OF ESTIMATED ANNUAL IMPLEMENTATION BURDENS
[OMB No. 3064–0185]

Description	Type of burden (obligation to respond)	Frequency of response	Number of respondents	Number of responses/ respondent	Time per response (hours)	Estimated annual burden (hours)
Resolution Plan Updates by GSIB specified CIDs.	Reporting (Mandatory)	Annual (3 year cycle) ..	9	1	21,920	197,280
Resolution Plan Updates non-GSIB specified CIDs.	Reporting (Mandatory)	Annual (3 year cycle) ..	22	1	3,785.5	83,281
Resolution Plans by New Filers.	Reporting (Mandatory)	Annual (3 year cycle) ..	2	1	4,430.7	8,861.4
Notice of Material Change.	Reporting (Mandatory)	On occasion	2	1	120	240
Exemption Request	Reporting (Required to obtain benefit).	On occasion	1	1	1	1
Total Estimated Annual Burden:..	.....	.....	.....	.....	.....	289,663.4

Source: FDIC.

General Description of Collection: In 2012, the FDIC issued a rule requiring covered insured depository institutions (CIDs)³ to submit resolution plans to the FDIC (Rule).⁴ The Rule was established to facilitate the FDIC's

readiness to resolve a CIDI under the Federal Deposit Insurance Act (FDI Act).⁵ Since issuing the Rule in 2012, the FDIC and CIDs have been through multiple resolution plan submission cycles. Through this experience, the

FDIC has learned what aspects of the resolution planning process are most valuable and what could be clarified or exempted. Furthermore, the FDIC has gained additional resolution capabilities relevant to IDI resolution through

¹ 12 U.S.C. 1821(p).

² 12 CFR 340.

³ According to 12 CFR 360.10(b)(4), covered insured depository institution means an insured

depository institution with \$50 billion or more in total assets, as determined based upon the average of the institution's four most recent Reports of Condition and Income or Thrift Financial Reports

(Call Report), as applicable to the insured depository institution.

⁴ 77 FR 3075.

⁵ 12 U.S.C. 1811, *et seq.*

separate rulemakings subsequent to the issuance of the IDI Rule.⁶

In November 2018, FDIC Chairman McWilliams announced that the agency planned to revise the IDI Rule, and that the next round of resolution plans submitted pursuant to the IDI Rule would not be required until the rulemaking process was complete.⁷ The FDIC partially lifted the resolution plan moratorium for CIDs with \$100 billion or more in assets on January 19, 2021.⁸ On June 25, 2021, the FDIC issued a statement (Statement) that outlined a modified approach to implementing the Rule.⁹ The modified approach applies to IDs with \$100 billion or more in total assets (specified CIDs) and announces the FDIC's intent to extend the submission frequency to a three-year cycle, streamline content requirements, and place greater emphasis on engagement with firms. In the Statement, the FDIC stated that it intends to send a letter to each specified CIDI advising it of the timing of its next resolution plan submission during the three-year cycle. To streamline content requirements, the FDIC has exempted all specified CIDs from including in their resolution plans the provision, identification, description, or discussion of the following topics: Least Costly Resolution Method; Asset Valuation and Sales, Major Counterparties; Material Entity Financial Statements; Systemically Important Functions; Backup Plans; Assessment of the Resolution Plan; and High-Level Description of Resolution Strategy.¹⁰ In addition, the FDIC plans to exempt certain specified CIDs from additional content items required under the Rule; these exemptions are tailored to the specified CIDI's own circumstances and will be communicated to each specified CIDI in the FDIC's letter. Specified CIDs may also submit written requests to the FDIC for exemptions from additional categories of information, which should include a description of why the information would not be useful or material to the FDIC in planning to resolve the specified CIDI. The

Statement also clarifies the post-submission engagement process and contemplates one such engagement per specified CIDI per three-year resolution plan cycle. At present, CIDs with less than \$100 billion in total assets are not expected to submit resolution plans during the period of this IC.

The Rule contains "collections of information" as defined by the Paperwork Reduction Act (PRA) of 1995. As such, the FDIC must obtain approval by the Office of Management and Budget prior to collecting said collections of information. This IC was last approved for renewal on December 6, 2018 for an estimated 43 annual responses and a total estimated annual burden estimate of 572,791 hours.

Given the changes to the PRA requirements of the Rule since the 2018 ICR, the FDIC has revised the delineation of burdens. As per their changes, the IC now comprises the following line items:

1. Resolution Plan Updates by specified CIDs whose top tier parent company is a U.S. global systemically important bank as defined in 12 CFR 217.402 (GSIB specified CIDs).
2. Resolution Plan Updates by specified CIDs whose top tier parent company is not a U.S. global systemically important bank (non-GSIB specified CIDs).
3. Resolution Plans by New Filers.
4. Notices of Material Change.
5. Exemption Requests.

Potential respondents to this IC, as defined by the Rule under the modified approach described in the Statement, are specified CIDs, or IDs with total assets greater than or equal to \$100 billion, based upon the average of the IDI's four most recent Call Reports. As of March 31, 2021, there are 33 IDs meeting those requirements.¹¹ The FDIC anticipates that one of these Specified CIDs will cease to exist due to its pending merger with another specified CIDI.¹² The FDIC also anticipates that a new specified CIDI will be created due to the pending merger of two IDs with expected combined assets over \$100 billion.¹³ Thus, on net, the FDIC anticipates that there will be 33 potential respondents to this IC. The

estimated number of respondents will vary by line item.

Resolution Plan Updates

Of the set of potential respondents, the FDIC estimates that 9 GSIB Specified CIDs and 22 non-GSIB specified CIDs will submit Resolution Plan Updates.¹⁴ To estimate the burden imposed by the Rule under the modified approach described in the Statement, FDIC started with the methodology used in the 2018 ICR. That methodology relied on results from a survey of seven banks to estimate an average PRA burden per submission of 65 hours per billion dollars of assets. FDIC then made the following adjustments to the burden estimate to reflect the modified approach described in the Statement:

- Reduced the estimated average PRA burden by five hours per billion dollars of assets to reflect the exclusion of content the Statement announced the FDIC would exempt from the specified CIDs' resolution plans.¹⁵
- Reduced the estimated average PRA burden by two hours per billion dollars of assets to reflect the rescission of guidance that had requested that each CIDI provide information on how a failure scenario would impact its creditor stack.¹⁶
- Increased the estimated average PRA burden by 2 hours per billion of assets to reflect the anticipated engagement contemplated in the Statement, which contemplates one such engagement per specified CIDI over the three-year filing period.¹⁷
- Reduced the estimated average burdens for GSIB specified CIDs by four percent to reflect expected exemptions tailored to each GSIB specified CIDI. The four percent reduction was estimated by dividing the total number of such exemptions across all GSIB specified CIDs (8) by the total number of required content items across all GSIB specified CIDs (198).

• Further reduced the estimated average burdens for non-GSIB specified CIDs by 20 percent to reflect expected exemptions tailored to each non-GSIB specified CIDI. The 20 percent reduction was estimated by dividing the total number of such exemptions across all non-GSIB specified CIDs (97) by the total number of required content items across all non-GSIB specified CIDs (484).

Based on the above methodology, FDIC estimates that the burden hours

⁶ See, e.g., 12 CFR parts 370 & 371.

⁷ See FDIC Chairman Jelena McWilliams, "Keynote Remarks," speech before the 2018 Annual Conference of The Clearing House (TCH) and Bank Policy Institute (BPI) (November 28, 2018), available at <https://www.fdic.gov/news/news/speeches/spnov2818.html>.

⁸ See FDIC Announces Lifting IDI Plan Moratorium (January 19, 2021), available at <https://www.fdic.gov/resauthority/idi-statement-01-19-2021.pdf>.

⁹ See Statement on Resolution Plans for Insured Depository Institutions, available at <https://www.fdic.gov/resauthority/idi-statement-06-25-2021.pdf>.

¹⁰ Id. at page 9.

¹¹ FDIC Call Report Data, March 31, 2021.

¹² See FRB Order No. 2021-04 (May 14, 2021), available at <https://www.federalreserve.gov/newsevents/pressreleases/files/orders20210514a1.pdf>, last accessed on July 16, 2021.

¹³ See First Citizens BancShares, Inc., "First Citizens, CIT Receive FDIC Approval of Proposed Merger," July 14, 2021, available at <https://www.globenewswire.com/news-release/2021/07/14/2262762/0/en/First-Citizens-CIT-Receive-FDIC-Approval-of-Proposed-Merger.html>, last accessed on July 16, 2021.

¹⁴ Based on FDIC Call Report Data, March 31, 2021.

¹⁵ See Statement, at page 9.

¹⁶ Id.

¹⁷ Id. at page 10.

per submission would be 57.6 hours per billion dollars for Resolution Plan Updates by GSIB specified CIDs.¹⁸ Using assets reported on Call Reports for the nine GSIB specified CIDs, we estimate a total burden of 591,840 hours for Resolution Plan Updates by GSIB specified CIDs, or an average of 65,760 hours per submission.¹⁹

Using the same methodology, FDIC estimates that the burden hours per submission to be 48 hours per billion dollars for non-GSIB specified CIDs.²⁰ Using the assets reported on the latest Call Report for the 22 non-GSIB specified CIDs, we estimate a total burden of 249,840 hours for Resolution Plan Updates by non-GSIB specified CIDs, or an average of 11,356 hours per submission.²¹

Under the modified approach described in the Statement, each respondent is expected to prepare a single submission in the upcoming three-year renewal cycle, resulting in a response rate of one in three years (or $\frac{1}{3}$ per year). Because the OMB's PRA renewal system limits annual responses to values greater than or equal to one, however, FDIC uses an annual rate of one response by both GSIB specified CIDs and non-GSIB specified CIDs (rather than $\frac{1}{3}$). To estimate the annual hourly burden incurred by a respondent, we divide the estimated burden hours per submission by three to arrive at the estimated burden hours per year. Thus, FDIC estimates that Resolution Plan Updates by GSIB specified CIDs will incur 21,920 hours per year²² and Resolution Plan Updates by non-GSIB specified CIDs will incur 3,785.5 hours per year.²³

Resolution Plans by New Filers

Of the set of potential respondents, the FDIC estimates that two Specified CIDs will each submit a new Resolution Plan (*i.e.*, submit a plan for the first time).²⁴ To estimate the burden imposed

by the Rule under the modified approach described in the Statement, FDIC started with the methodology used in the 2018 ICR. That methodology assumed that IDIs that cross the \$50 billion threshold will incur approximately 7,200 hours to prepare and submit their first resolution plan. This estimate is substantially higher than a comparative CIDI completing an annual update due to the higher costs of preparing a resolution plan for the first time.²⁵ Given that, under modified approach described in the Statement, the total asset threshold is \$100 billion in assets rather than \$50 billion in assets, as was the case in the 2018 ICR, and the submission moratorium on CIDs with less than \$100 billion in total assets remains in place, the FDIC believes that 14,400 hours (7,200 hours $\times$ 2) is a reasonable and appropriate estimate for the burden of first time submissions under the Rule for purposes of this IC. Furthermore, note that the non-individual streamlined content exemptions and engagement changes described above, taken together, reduce the estimated average burden hours of Resolution Plan Updates by 7.7 percent.²⁶ The FDIC believes that these changes would also reduce the burden of first time submissions by the same percentage. Thus, FDIC estimates that that each first time Resolution Plan submission will take 13,292 hours to prepare.²⁷

As stated above, each respondent is expected to prepare a single submission in the upcoming three-year cycle, resulting in a response rate equal to $\frac{1}{3}$ per year. Because the OMB's PRA renewal system limits annual responses to values greater than or equal to one, however, FDIC uses an annual rate of one response by New Filers. To estimate the annual hourly burden incurred by a respondent, FDIC divides the estimated burden hours per submission by three to arrive at the estimated burden hours per year. Thus, FDIC estimates that Resolution Plans by New Filers will incur 4,430.7 hours per year.²⁸

Notice of Material Change

According to the Rule, a CIDI shall file with the FDIC a notice no later than 45 days after any event, occurrence,

submitted a plan and two CIDs will merge to become a specified CIDI.

²⁵ For example, using the 65 hours per billion dollars parameter, a CIDI with \$50 billion in assets is estimated to incur 3,250 hours to prepare and submit a Resolution Plan Update.

²⁶ 7.7 percent = 5 hours / 65 hours $\times$ 100 percent.
²⁷ 13,292 hours = 14,400 $\times$ (100 percent – 7.7 percent).

²⁸ 4,430.7 hours per year = 13,292 hours per submission / 3 years per submission.

change in conditions or circumstances or other change that results in, or could reasonably be foreseen to have, a material effect on the resolution plan of the CIDI.²⁹ The 2018 ICR estimated one annual respondent, two annual responses per respondent, and 120 hours of burden per response, for this Notice of Material Change. The FDIC believes that two annual respondents each with one annual response per respondent is a more reasonable and appropriate estimate, and this estimate reflects that change. Thus FDIC estimates two annual respondents, one annual response per respondent, and 120 hours of burden per response for the line item Notice of Material Change.

Exemption Request

As described above, the Rule and the Statement permit a specified CIDI to seek exemptions from the informational requirements of the Rule beyond those described in the Statement or in the letter from the FDIC to the specified CIDI. Such a request should be in writing and include a “description of why the information would not be useful or material to the FDIC”³⁰ Since the FDIC does not have access to information that would enable it to estimate how many institutions will seek to submit an exemption request or how long it would take to prepare such a request, the FDIC uses placeholder estimates of one such exemption request and one burden hour to complete it.³¹ Thus FDIC estimates one annual respondent, one annual response per respondent, and one hour of burden per response for the line item Exemption Request.

Request for Comment

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the

²⁹ See 12 CFR 360.10(c)(1)(v).

³⁰ See Statement at page 10.

³¹ The SMEs considered basing an estimate for a § 360.10 exemption request on the estimate of 20 burden hours recently used for an exemption request under § 360.9. The SMEs ultimately determined that the exemption requests under the two provisions were unlikely to be analogous, however, and that the breadth and variability of § 360.10 exemption requests made it impracticable for the FDIC to develop a meaningful estimate without additional information that is not currently available.

¹⁸ 57.6 hours = (65 hours – 5 hours – 2 hours + 2 hours) $\times$ (100 percent – 4 percent).

¹⁹ 65,760 hours per submission = 591,840 hours for nine submissions / 9 submissions. 591,840 hours = 57.6 hours per submission per billion dollars in asset $\times$ \$10,275 billion in assets, as reported in the March 31, 2021 Call Report.

²⁰ 48 hours = (65 hours – 5 hours – 2 hours + 2 hours) $\times$ (100 percent – 20 percent).

²¹ 11,356 hours per submission = 249,840 hours for twenty-two submissions / 22 submissions. 249,840 hours = 48 hours per submission per billion dollars in asset $\times$ \$5,205 billion in assets, as reported in the March 31, 2021 Call Report. We adjust the assets of one non-GSIB specified CIDI to include the assets of the IDI that merged with it.

²² 21,920 hours per year = 65,760 hours per submission / 3 years per submission.

²³ 3,785 hours per year = 11,356 hours per submission / 3 years per submission.

²⁴ Based on FDIC Call Report Data, March 31, 2021, one specified CIDI has not previously

burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on November 8, 2021.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2021-24648 Filed 11-10-21; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL MARITIME COMMISSION

Sunshine Act Meetings

TIME AND DATE: November 16, 2021; 10:00 a.m.

PLACE: This meeting will be held at the Federal Maritime Commission and also streamed live from www.fmc.gov.

800 N Capitol Street NW, 1st Floor Hearing Room, Washington, DC.

Requests for attendance in-person should be sent to Secretary@fmc.gov, and the subject line should include "November 16, 2021, Meeting". Interested members of the public have until 5:00 p.m. (Eastern) Friday, November 12, 2021, to register to attend in-person.

Attendees will be sent a form to complete and show to FMC staff to attest to their vaccination status. Attendees can also show a negative test that was administered up to 3 days prior to the November 16, 2021. All attendees will always maintain masking while in the building.

STATUS: Part of the meeting will be open to the public and held in-person with a limited capacity for public attendants, and also available to view streamed live, accessible from www.fmc.gov. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions Open to the Public

1. Staff Briefing on Ocean Carrier Revenue, Service Contract and Spot Pricing
2. Staff Briefing on Ocean Carrier Capacity Analysis and Blank Sailing Trends

Portions Closed to the Public

1. Staff Briefing on Ocean Carrier Revenue, Service Contract and Spot Pricing
2. Staff Briefing on Ocean Carrier Capacity Analysis and Blank Sailing Trends

CONTACT PERSON FOR MORE INFORMATION: Rachel Dickon, Secretary, (202) 523-5725.

Rachel Dickon,
Secretary.

[FR Doc. 2021-24855 Filed 11-9-21; 4:15 pm]

BILLING CODE 6730-02-P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Notice of Board Meeting

DATES: November 19, 2021 at 10:00 a.m.

ADDRESSES: Telephonic. Dial-in (listen only) information: Number: 1-415-527-5035, Code: 2764 159 8100; or via web: <https://tspmeet.webex.com/tspmeet/onstage/g.php?MTID=ecdb887922475a6e8a36ced6552e9c308>.

FOR FURTHER INFORMATION CONTACT: Kimberly Weaver, Director, Office of External Affairs, (202) 942-1640.

SUPPLEMENTARY INFORMATION:

Board Meeting Agenda

Open Session

1. Approval of the October 26, 2021 Board Meeting Minutes
2. Monthly Reports
 - (a) Participant Activity Report
 - (b) Investment Performance
 - (c) Legislative Report
3. Quarterly Report
 - (d) Metrics
4. 2022 Board Calendar Review
5. Enterprise Risk Management Update

Closed Session

Information covered under 5 U.S.C. 552b (c)(6).

Authority: 5 U.S.C. 552b (e)(1).

Dated: November 5, 2021.

Dharmesh Vashee,

General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2021-24632 Filed 11-10-21; 8:45 am]

BILLING CODE P

GENERAL SERVICES ADMINISTRATION

Privacy Act of 1974; New System of Records

AGENCY: General Services Administration (GSA).

ACTION: Notice of a new system of records.

SUMMARY: This system of records clarifies GSA's procedures and authority to collect information related to reasonable accommodations. It does not create new authority to collect such information.

DATES: This system of records will go into effect without further notice on December 13, 2021 unless otherwise revised pursuant to comments received.

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

- By email to the GSA Privacy Act Officer: gsa.privacyact@gsa.gov.
- By mail to: Privacy Office (IDE), General Services Administration, 1800 F Street NW, Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Call or email Richard Speidel, Privacy Act Officer, at 202-322-8246, or gsa.privacyact@gsa.gov.

Qamar Hasan,

Acting Chief Privacy Officer, Office of the Deputy Chief Information Officer, General Services Administration.

SYSTEM NAME AND NUMBER:

Reasonable Accommodation Records—GSA/HRO-1.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

This system is maintained by the Chief Human Capital Officer at GSA's Central Office at 1800 F Street NW, Washington, DC 20405. Records may also be located at the offices of supervisors assigned to GSA or supervisors assigned to other agencies that receive human resources services from GSA.

SYSTEM MANAGER(S) AND ADDRESS:

Office of Human Resources Management, GSA 1800 F Street NW, Washington, DC 20405.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Rehabilitation Act of 1973, 29 U.S.C. 791; The Americans with Disabilities Act of 1990, 42 U.S.C. 12101; Title VII of the Civil Rights Act, 42 U.S.C. 2000e-16; the Family and Medical Leave Act of 1993, 29 U.S.C. 2601; 40 U.S.C. 3173; E.O. 13164 (July 28, 2000); E.O. 13548 (July 26, 2010); E.O. 14042 (September 9, 2021); and E.O. 14043 (September 9, 2021).

PURPOSE(S) OF THE SYSTEM:

This system is maintained for the purpose of considering, deciding, and implementing requests for reasonable accommodation or exemption from vaccine or other requirements made by GSA employees and applicants. Records may be shared with non-GSA personnel, pursuant to a contract or similar support agreement, when necessary to adjudicate the request.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former GSA employees and applicants, or employees and applicants of other Federal entities that receive administrative support from GSA pursuant to an interagency agreement, who have requested reasonable accommodations under the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, Title VII of the Civil Rights Act, E.O. 14043, or other applicable authority.

CATEGORIES OF RECORDS IN THE SYSTEM:

- First, middle, and last name of the person who requires the accommodation;
- Address, phone number, and email address of the person who requires the accommodation;
- Date of the request;
- Event for which the request was made;
- Program or activity for which the request was made;
- Job (occupational series, grade level, and office) for which reasonable accommodation was requested;
- Information concerning the nature of the disability or the need for accommodation, including appropriate medical or other documentation when necessary to consider the request;
- Information about the requestor's religious beliefs, provided by the requestor in support of a request for accommodation or exemption from a requirement or penalty;
- Type of accommodation requested or received;
- Information concerning the agency's review of reasonable accommodation requests, to include information requested or received that forms the basis of an approval or denial, and any information obtained during the appeals process;
- Expense information associated with the requested accommodation;
- Whether an accommodation requested or provided occurred during pre-employment, during current employment, or former employment or for a particular event;
- How the requested accommodation would assist in job performance, participation in a GSA program or activity, or attendance at a GSA-sponsored meeting or event;
- The amount of time taken to process the request.
- Whether the request was granted or denied and the reason; and
- The sources of technical assistance consulted in trying to identify a possible reasonable accommodation.

RECORD SOURCE CATEGORIES:

Information is obtained from employees who requested or received reasonable accommodations from GSA or another agency that receives support services from GSA.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside GSA as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

- a. To medical personnel to meet a bona fide medical emergency.
- b. To another Federal agency to which GSA provides human resources services when the records are relevant and necessary to help determine whether the employee is entitled to an accommodation.
- c. To a Member of Congress or his or her staff on behalf of and at the request of the individual who is the subject of the record.
- d. To an authorized appeal, grievance, hearing, or complaints examiner; an equal employment opportunity investigator, arbitrator, or mediator; and an exclusive representative or other person authorized to investigate or settle a grievance, complaint, or appeal filed by an individual who is the subject of the record.
- e. To appropriate agencies, entities, and persons when (1) GSA suspects or has confirmed that there has been a breach of the system of records, (2) GSA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, GSA (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with GSA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- f. To another Federal agency or Federal entity, when GSA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the

Federal Government, or national security, resulting from a suspected or confirmed breach.

g. To the Office of Personnel Management (OPM), the Office of Management and Budget (OMB), the Government Accountability Office (GAO), and the Equal Employment Opportunity Commission (EEOC) in accordance with their responsibilities for evaluating Federal programs.

h. To the National Archives and Records Administration (NARA) for records management purposes.

i. To an expert, consultant, or contractor of GSA engaged in a duty related to an agency function to the extent necessary to perform the function.

j. To the Department of Justice or other Federal agency conducting litigation or in proceedings before any court, adjudicative or administrative body, when: (a) GSA or any component thereof, or (b) any employee of GSA in his/her official capacity, or (c) any employee of GSA in his/her individual capacity where DOJ or GSA has agreed to represent the employee, or (d) the United States or any agency thereof, is a party to the litigation or has an interest in such litigation, and GSA determines that the records are both relevant and necessary to the litigation.

k. In connection with any litigation or settlement discussions regarding claims by or against the GSA, including public filing with a court, to the extent that GSA determines the disclosure of the information is relevant and necessary to the litigation or discussions.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Records in this system of records are stored electronically or on paper in secure facilities. Electronic records are stored on GSA's secure network.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Information covered by this system of records notice may be retrieved by the name of the individual employee.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

System records are retained and disposed of according to GSA records maintenance and disposition schedules and the requirements of the National Archives and Records Administration (General Records Schedule 2.3, item 20).

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access is limited to authorized individuals with passwords or keys. Computer records are protected by a password system that is compliant with

National Institute of Standards and Technology standards. Paper records are stored in locked metal containers or in secured rooms when not in use. Information is released to authorized officials based on their need to know.

RECORD ACCESS PROCEDURES:

Individuals wishing to access their own records should contact the system manager at the address above. See 17 CFR 146.3 for full details on what to include in a Privacy Act access request.

CONTESTING RECORD PROCEDURES:

Individuals wishing to contest the content of records about themselves contained in this system of records should contact the system manager at the address above. See 17 CFR 146.8 for full details on what to include in a Privacy Act amendment request.

NOTIFICATION PROCEDURES:

Individuals seeking notification of any records about themselves contained in this system of records should contact the system manager at the address above. See 17 CFR 146.3 for full details on what to include in a Privacy Act notification request.

EXEMPTION PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

N/A.

[FR Doc. 2021-24685 Filed 11-10-21; 8:45 am]

BILLING CODE 6820-14-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0035; Docket No. 2021-0053; Sequence No. 11]

Information Collection; Claims and Appeals

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, and the Office of Management and Budget (OMB) regulations, DoD, GSA, and NASA invite the public to comment on an extension concerning claims and appeals. DoD, GSA, and NASA invite comments on: Whether the proposed collection of information is necessary

for the proper performance of the functions of Federal Government acquisitions, including whether the information will have practical utility; the accuracy of the estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. OMB has approved this information collection for use through January 31, 2022. DoD, GSA, and NASA propose that OMB extend its approval for use for three additional years beyond the current expiration date.

DATES: DoD, GSA, and NASA will consider all comments received by January 11, 2022.

ADDRESSES: DoD, GSA, and NASA invite interested persons to submit comments on this collection through <http://www.regulations.gov> and follow the instructions on the site. This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. If there are difficulties submitting comments, contact the GSA Regulatory Secretariat Division at 202-501-4755 or GSARegSec@gsa.gov.

Instructions: All items submitted must cite OMB Control No. 9000-0035, Claims and Appeals. 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.

FOR FURTHER INFORMATION CONTACT: Zenaida Delgado, Procurement Analyst, at telephone 202-969-7207, or zenaida.delgado@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. OMB Control Number, Title, and Any Associated Form(s)

9000-0035, Claims and Appeals.

B. Need and Uses

This clearance covers the information that contractors must submit to comply with the following Federal Acquisition Regulation (FAR) requirements:

FAR 52.233-1, Disputes. This clause requires contractors to submit a claim in writing to the contracting officer for a written decision. For any claim exceeding \$100,000, contractors must provide 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. Contractors may appeal the contracting officer's decision by submitting written appeals to the appropriate officials.

If the contractor refuses the Government's offer to use alternative dispute resolution (ADR), the contractor must inform the contracting officer, in writing, of the contractor's specific reasons for rejecting the offer.

The contracting officer will use the information to decide the disposition of the claim.

C. Annual Burden

Respondents: 4,500.

Total Annual Responses: 13,500.

Total Burden Hours: 13,500.

Obtaining Copies: Requesters may obtain a copy of the information collection documents from the GSA Regulatory Secretariat Division by calling 202-501-4755 or emailing GSARegSec@gsa.gov. Please cite OMB Control No. 9000-0035, Claims and Appeals.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Government-Wide Acquisition Policy, Office of Acquisition Policy, Office of Government-Wide Policy.

[FR Doc. 2021-24690 Filed 11-10-21; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[CFDA Number: 93.576]

Announcement of the Intent To Award a Supplement to Upwardly Global in New York, NY

AGENCY: Office of Refugee Resettlement (ORR), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of issuance of a supplement.

SUMMARY: The ACF, ORR, Division of Refugee Services (DRS) announces the intent to award a supplement in the amount of up to \$1,500,000 to Upwardly Global in New York, NY. The purpose of this award is to enable the recipient to provide program services to Afghan Special Immigrant Visa holders and humanitarian parolees currently housed on U.S. military installations awaiting resettlement. Upwardly Global will

provide on-base services for four months, and then continue to provide remote support to eligible Afghan entrants at resettlement sites throughout the U.S.

DATES: The proposed period of support is 11/15/2021 to 9/29/2024.

FOR FURTHER INFORMATION CONTACT: Anastasia Brown, Director, Division of Refugee Services, Office of Refugee Resettlement, 330 C Street SW, Washington, DC 20201. Telephone: 202-401-4559; Email: Anastasia.Brown@acf.hhs.gov.

SUPPLEMENTARY INFORMATION: ORR announces the intent to award a supplement to Upwardly Global's Refugee Career Pathways program due to the significant need for career training among recent Afghan arrivals to the U.S. under Operation Allies Welcome (OAW). Following resettlement, Afghan entrants will be required to quickly secure employment as a pathway to self-sufficiency. Without training in career opportunities in the U.S., many Afghan entrants will have great difficulty identifying employment opportunities that offer a path to economic self-sufficiency by drawing upon their professional skills and background.

Statutory Authority: Immigration and Nationality Act § 412(c)(1)(A), 8 U.S.C. 1522(c)(1)(A).

Karen Shields,

Senior Grants Policy Specialist, Office of Grants Policy, Office of Administration.

[FR Doc. 2021-24849 Filed 11-9-21; 4:15 pm]

BILLING CODE 4184-46-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Solicitation of Nominations for Membership on the Secretary's Advisory Committee on Human Research Protections

AGENCY: Office of the Assistant Secretary for Health, Office for Human Research Protections, Office of the Secretary, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Office for Human Research Protections (OHRP), a program office in the Office of the Assistant Secretary for Health, Department of Health and Human Services (HHS), is seeking nominations of qualified candidates to be considered for appointment as members of the Secretary's Advisory Committee on Human Research Protections (SACHRP). SACHRP provides advice and

recommendations to the Secretary, HHS (Secretary), through the Assistant Secretary for Health, on matters pertaining to the continuance and improvement of functions within the authority of HHS directed toward protections for human subjects in research. SACHRP was established by the Secretary on October 1, 2002. OHRP is seeking nominations of qualified candidates to fill three positions on the Committee membership that will be vacated during the 2022 calendar year.

DATES: Nominations for membership on the Committee must be received no later than January 11, 2022.

ADDRESSES: Nominations may be emailed to SACHRP@hhs.gov. Nominations may also be mailed or delivered to Julia Gorey, Executive Director, SACHRP, Office for Human Research Protections, Department of Health and Human Services, 1101 Wootton Parkway, Suite 200, Rockville, MD 20852. Nominations will not be accepted by facsimile.

FOR FURTHER INFORMATION CONTACT: Julia Gorey, Executive Director, SACHRP, Office for Human Research Protections, 1101 Wootton Parkway, Suite 200, Rockville, MD 20852, telephone: 240-453-8141. A copy of the Committee charter and list of the current members can be obtained by contacting Ms. Gorey, accessing the SACHRP website at www.hhs.gov/ohrp/sachrp, or requesting via email at sachrp@hhs.gov.

SUPPLEMENTARY INFORMATION: The Committee provides advice on matters pertaining to the continuance and improvement of functions within the authority of HHS directed toward protections for human subjects in research. Specifically, the Committee provides advice relating to the responsible conduct of research involving human subjects with particular emphasis on special populations such as neonates and children, prisoners, the decisionally impaired, pregnant women, embryos and fetuses, economically and educationally disadvantaged populations, individuals and populations in international studies, investigator conflicts of interest and populations in which there are individually identifiable samples, data or information. In addition, the Committee is responsible for reviewing selected ongoing work and planned activities of the OHRP and other offices/agencies within HHS responsible for human subjects protection.

Nominations: The OHRP is requesting nominations to fill three positions for voting members of SACHRP. Nominations of potential candidates for

consideration are being sought from a wide array of fields, including, but not limited to: Public health and medicine, behavioral and social sciences, patient advocacy, health administration, and biomedical ethics. To qualify for consideration of appointment to the Committee, an individual must possess demonstrated experience and expertise in any of the several disciplines and fields pertinent to human subjects protection and/or clinical research.

The individuals selected for appointment to the Committee can be invited to serve a term of up to four years. Committee members receive a stipend and reimbursement for per diem and any travel expenses incurred for attending Committee meetings and/or conducting other business in the interest of the Committee. Interested applicants may self-nominate. The following information should be included in the package of material submitted for each individual being nominated for consideration: (1) A letter of nomination that clearly states the name and affiliation of the nominee, the basis for the nomination (*i.e.*, specific attributes which qualify the nominee for service in this capacity), and a statement that the nominee is willing to serve as a member of the Committee; (2) the nominator's name, address, daytime telephone number, and the home and/or work address, telephone number, and email address of the individual being nominated; and (3) a current copy of the nominee's curriculum vitae. Federal employees should not be nominated for consideration of appointment to this Committee.

The Department makes every effort to ensure that the membership of HHS Federal advisory committees is fairly balanced in terms of points of view represented and the committee's function. Every effort is made to ensure that individuals from a broad representation of geographic areas, women and men, ethnic and minority groups, and the disabled are given consideration for membership on HHS Federal advisory committees. Appointment to this Committee shall be made without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, and cultural, religious, or socioeconomic status. Individuals who are selected to be considered for appointment will be required to provide detailed information regarding their financial holdings, consultancies, and research grants or contracts. Disclosure of this information is necessary in order to determine if the selected candidate is involved in any activity that may pose a potential

conflict with the official duties to be performed as a member of SACHRP.

Authority: 42 U.S.C. 217a, Section 222 of the Public Health Service Act, as amended. The Committee is governed by the provisions of Public Law 92–463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

Dated: November 4, 2021.

Julia Gorey,

Executive Director, Secretary's Advisory Committee on Human Research Protections, Office for Human Research Protections.

[FR Doc. 2021–24644 Filed 11–10–21; 8:45 am]

BILLING CODE 4150–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Tribal Self-Governance Planning Cooperative Agreement Program

Announcement Type: New.

Funding Announcement Number: HHS–2022–IHS–TSGP–0001.

Assistance Listing (Catalog of Federal Domestic Assistance or CFDA) Number: 93.444.

Key Dates

Application Deadline Date: February 10, 2022.

Earliest Anticipated Start Date: March 28, 2022.

I. Funding Opportunity Description

Statutory Authority

The Indian Health Service (IHS) is accepting applications for Planning Cooperative Agreements for the Tribal Self-Governance Program (TSGP). This program is authorized under the Snyder Act, 25 U.S.C. 13; the Transfer Act, 42 U.S.C. 2001(a); and Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. 5383(e). This program is described in the Assistance Listings located at <https://sam.gov/content/home> (formerly known as Catalog of Federal Domestic Assistance) under 93.444.

Background

The TSGP is more than an IHS program; it is an expression of the Government-to-Government relationship between the United States (U.S.) and Indian Tribes. Through the TSGP Tribes negotiate with the IHS to assume Programs, Services, Functions, and Activities (PSFAs), or portions thereof, which gives Tribes the authority to manage and tailor health care

programs in a manner that best fits the needs of their communities.

Participation in the TSGP affords Tribes the most flexibility to tailor their health care needs by choosing one of three ways to obtain health care from the Federal government for their citizens. Specifically, Tribes can choose to: (1) Receive health care services directly from the IHS; (2) contract with the IHS to administer individual programs and services the IHS would otherwise provide (referred to as Title I Self-Determination Contracting); and (3) compact with the IHS to assume control over health care programs the IHS would otherwise provide (referred to as Title V Self-Governance Compacting or the TSGP). These options are not exclusive and Tribes may choose to combine options based on their individual needs and circumstances.

The TSGP is a tribally-driven initiative and strong Federal-Tribal partnerships are essential to the program's success. The IHS established the Office of Tribal Self-Governance (OTSG) to implement the Self-Governance authorities under the ISDEAA. The primary OTSG functions are to: (1) Serve as the primary liaison and advocate for Tribes participating in the TSGP; (2) develop, direct, and implement TSGP policies and procedures; (3) provide information and technical assistance to Self-Governance Tribes; and (4) advise the IHS Director on compliance with TSGP policies, regulations, and guidelines. Each IHS Area has an Agency Lead Negotiator (ALN), designated by the IHS Director to act on his or her behalf, who has authority to negotiate Self-Governance Compacts and Funding Agreements. Tribes interested in participating in the TSGP should contact their respective ALN to begin the Self-Governance planning and negotiation process. Tribes currently participating in the TSGP that are interested in expanding existing or adding new PSFAs should also contact their respective ALN to discuss the best methods for expanding or adding new PSFAs.

Purpose

The purpose of this Planning Cooperative Agreement is to provide resources to Tribes interested in entering the TSGP and to existing Self-Governance Tribes interested in assuming new or expanded PSFAs. Title V of the ISDEAA requires a Tribe or Tribal organization (T/TO) to complete a planning phase to the satisfaction of the Tribe. The planning phase must include legal and budgetary research and internal Tribal government planning and organizational preparation

relating to the administration of health care programs. See 25 U.S.C. 5383(d).

The planning phase is critical to negotiations and helps Tribes make informed decisions about which PSFAs to assume and what organizational changes or modifications are necessary to successfully support those PSFAs. A thorough planning phase improves timeliness and efficient negotiations and ensures that the Tribe is fully prepared to assume the transfer of IHS PSFAs to the Tribal health program.

A Planning Cooperative Agreement is not a prerequisite to enter the TSGP and a Tribe may use other resources to meet the planning requirement. Tribes that receive Planning Cooperative Agreements are not obligated to participate in the TSGP and may choose to delay or decline participation based on the outcome of their planning activities. This also applies to existing Self-Governance Tribes exploring the option to expand their current PSFAs or assume additional PSFAs.

II. Award Information

Funding Instrument—Cooperative Agreement

Estimated Funds Available

The total funding identified for fiscal year (FY) 2022 is approximately \$600,000. Individual award amounts are anticipated to be \$120,000. The funding available for competing awards issued under this announcement is subject to the availability of appropriations and budgetary priorities of the Agency. The IHS is under no obligation to make awards that are selected for funding under this announcement.

Anticipated Number of Awards

Approximately five awards will be issued under this program announcement.

Period of Performance

The period of performance is for 1 year.

Cooperative Agreement

Cooperative agreements awarded by the Department of Health and Human Services (HHS) are administered under the same policies as grants. However, the funding agency, IHS, is anticipated to have substantial programmatic involvement in the project during the entire award segment. Below is a detailed description of the level of involvement required of the IHS.

Substantial Agency Involvement Description for Cooperative Agreement

A. Provide descriptions of PSFAs and associated funding at all organizational

levels (service unit, area, and headquarters) including funding formulas and methodologies related to determining Tribal shares.

B. Meet with Planning Cooperative Agreement recipients to provide program information and discuss methods currently used to manage and deliver health care.

C. Identify and provide statutes, regulations, and policies that provide authority for administering IHS programs.

D. Provide technical assistance on the IHS budget, Tribal shares, and other topics as needed.

III. Eligibility Information

1. Eligibility

To be eligible for this opportunity, applicant must meet the following criteria:

- Applicant must be an “Indian Tribe” as defined in 25 U.S.C. 5304(e); a “Tribal Organization” as defined in 25 U.S.C. 5304(l); or an “Inter-Tribal Consortium” as defined at 42 CFR 137.10. Please note that Tribes prohibited from contracting pursuant to the ISDEAA are not eligible. See section 424(a) of the Consolidated Appropriations Act, 2014, Public Law 113–76, as amended by section 428 of the Consolidated Appropriations Act, 2018, Public Law 115–141, and section 1201 of the Consolidated Appropriations Act, 2021, Public Law 116–260.

- Pursuant to 25 U.S.C. 5383(c)(1)(B), applicant must request participation in self-governance by resolution or other official action by the governing body of each Indian Tribe to be served. Note: If the applicant has already successfully completed the planning phase required and requested participation in the IHS Tribal Self-Governance Program by official Tribal action, then the applicant is not eligible for this funding opportunity.

- Pursuant to 25 U.S.C. 5383(c)(1)(C), applicant must demonstrate financial stability and financial management capability for 3 fiscal years.

Please see Section IV.2, Application and Submission Information, Content and Form Application Submission for details on required documentation. Meeting the eligibility criteria for a Planning Cooperative Agreement does not mean that a T/TO is eligible for participation in the IHS TSGP under Title V of the ISDEAA. See 25 U.S.C. 5383, 42 CFR 137.15–23. For additional information on the eligibility for the IHS TSGP, please visit the “Eligibility and Funding” page on the OTSG website located at <http://www.ihs.gov/SelfGovernance>.

The program office will notify any applicants deemed ineligible.

Note: Please refer to Section IV.2 (Application and Submission Information/Subsection 2, Content and Form of Application Submission) for additional proof of applicant status documents required, such as Tribal Resolutions, proof of nonprofit status, etc.

2. Cost Sharing or Matching

The IHS does not require matching funds or cost sharing for grants or cooperative agreements.

3. Other Requirements

Applications with budget requests that exceed the highest dollar amount outlined under Section II Award Information, Estimated Funds Available, or exceed the period of performance outlined under Section II Award Information, Period of Performance, are considered not responsive and will not be reviewed. The Division of Grants Management (DGM) will notify the applicant.

Additional Required Documentation Tribal Resolution

The DGM must receive an official, signed Tribal Resolution prior to issuing a Notice of Award (NoA) to any applicant selected for funding. An Indian T/TO that is proposing a project affecting another Indian Tribe must include resolutions from all affected Tribes to be served. However, if an official signed Tribal Resolution cannot be submitted with the application prior to the application deadline date, a draft Tribal Resolution must be submitted with the application by the deadline date in order for the application to be considered complete and eligible for review. The draft Tribal Resolution is not in lieu of the required signed resolution, but is acceptable until a signed resolution is received. If an application without a signed Tribal Resolution is selected for funding, the applicant will be contacted by the Grants Management Specialist (GMS) listed in this funding announcement and given 90 days to submit an official, signed Tribal Resolution to the GMS. If the signed Tribal Resolution is not received within 90 days, the award will be forfeited.

Tribes organized with a governing structure other than a Tribal council may submit an equivalent document commensurate with their governing organization.

IV. Application and Submission Information

1. Obtaining Application Materials

The application package and detailed instructions for this announcement are available at <https://www.Grants.gov>.

Please direct questions regarding the application process to Mr. Paul Gettys at (301) 443–2114 or (301) 443–5204.

2. Content and Form Application Submission

Mandatory documents for all applicants include:

- Abstract (one page) summarizing the project.

- Application forms:

1. SF–424, Application for Federal Assistance.

2. SF–424A, Budget Information—Non-Construction Programs.

3. SF–424B, Assurances—Non-Construction Programs.

- Project Narrative (not to exceed 10 pages). See Section IV.2.A, Project Narrative for instructions.

1. Background information on the organization.

2. Proposed scope of work, objectives, and activities that provide a description of what the applicant plans to accomplish.

- Budget Justification and Narrative (not to exceed five pages). See Section IV.2.B, Budget Narrative for instructions.

- One-page Timeframe Chart.

- Tribal Resolution(s), which must explicitly authorize participation in a Self-Governance Planning Cooperative Agreement.

- Letters of Support from organization’s Board of Directors (optional).

- Biographical sketches for all Key Personnel.

- Contractor/Consultant resumes or qualifications and scope of work.

- Disclosure of Lobbying Activities (SF–LLL), if applicant conducts reportable lobbying.

- Certification Regarding Lobbying (GG-Lobbying Form).

- Copy of current Negotiated Indirect Cost rate (IDC) agreement (required in order to receive IDC).

- Organizational Chart (optional).

- Documentation sufficient to demonstrate financial stability and financial management capability for 3 fiscal years. The Indian Tribe must provide evidence that, for the 3 fiscal years prior to requesting participation in the TSGP, the Indian Tribe has had no uncorrected significant and material audit exceptions in the required annual audit of the Indian Tribe’s Self-Determination Contracts or Self-

Governance Funding Agreements with any Federal agency. See 25 U.S.C. 5383, 42 CFR 137.15–23. For T/TOs that expended \$500,000 or more in Federal awards, the OTSG shall retrieve the audits directly from the Federal Audit Clearinghouse. For T/TO that expended less than \$500,000 in Federal awards, the T/TO must provide evidence of the program review correspondence from IHS or Bureau of Indian Affairs officials. See 42 CFR 137.21–23.

- Documentation of current Office of Management and Budget (OMB) Financial Audit (if applicable).

Acceptable forms of documentation include:

1. Email confirmation from Federal Audit Clearinghouse (FAC) that audits were submitted; or

2. Face sheets from audit reports. Applicants can find these on the FAC website at <https://harvester.census.gov/facdissem/Main.aspx>.

Public Policy Requirements

All Federal public policies apply to IHS grants and cooperative agreements. Pursuant to 45 CFR 80.3(d), an individual shall not be deemed subjected to discrimination by reason of their exclusion from benefits limited by Federal law to individuals eligible for benefits and services from the IHS. See <https://www.hhs.gov/grants/grants/grants-policies-regulations/index.html>.

Requirements for Project and Budget Narratives

A. *Project Narrative*: This narrative should be a separate document that is no more than 10 pages and must: (1) Have consecutively numbered pages; (2) use black font 12 points or larger; (3) be single-spaced; and (4) be formatted to fit standard letter paper (8½ x 11 inches).

Be sure to succinctly answer all questions listed under the evaluation criteria (refer to Section V.1, Evaluation Criteria) and place all responses and required information in the correct section noted below or they will not be considered or scored. If the narrative exceeds the page limit, the application will be considered not responsive and will not be reviewed. The 10-page limit for the narrative does not include the work plan, standard forms, Tribal Resolutions, budget, budget justifications, narratives, and/or other items.

There are three parts to the narrative: Part 1—Program Information; Part 2—Program Planning and Evaluation; and Part 3—Program Report. See below for additional details about what must be included in the narrative.

The page limits below are for each narrative and budget submitted.

Part 1: Program Information (limit—4 pages)

Section 1: Needs

Describe the Tribe's current health program activities, including: How long it has been operating; what programs or services are currently being provided; and if the applicant is currently administering any ISDEAA Title I Self-Determination Contracts or Title V Self-Governance Compacts. Identify the need for assistance and how the Planning Cooperative Agreement would benefit the health activities the Tribe is currently administering or looking to expand.

Part 2: Program Planning and Evaluation (limit—4 pages)

Section 1: Program Plans

Project Objective(s), Work Plan, and Approach

State in measureable terms the objectives and appropriate activities to achieve the following Planning Cooperative Agreement recipient award activities:

(A) Research and analyze the complex IHS budget to gain a thorough understanding of funding distribution at all organizational levels and determine which PSFAs the Tribe may elect to assume or expand.

(B) Establish a process to identify PSFAs and associated funding that may be incorporated into current programs.

(C) Determine the Tribe's share of each PSFA and evaluate the current level of health care services being provided to make an informed decision on new or expanded program assumption.

(D) Describe how the objectives are consistent with the purpose of the program, the needs of the people to be served, and how they will be achieved within the proposed timeframe. Identify the expected results, benefits, and outcomes or products to be derived from each objective of the project and how they will be measured.

Organizational Capabilities, Key Personnel, and Qualifications

Describe the organizational structure of the Tribe and its ability to manage the proposed project. Include resumes or position descriptions of key staff showing requisite experience and expertise. If applicable, include resumes and scope of work for consultants that demonstrate experience and expertise relevant to the project.

Section 2: Program Evaluation

Define the criteria to be used to evaluate planning activities and how

they will be measured. Describe fully and clearly the methodology that will be used to determine if the needs identified are being met and if the outcomes are being achieved. This section must address the following questions:

(A) Are the goals and objectives measurable and consistent with the purpose of the program and the needs of the people to be served?

(B) Are the goals achievable within the proposed timeframe?

Part 3: Program Report (Limit—2 pages)

Section 1: Describe your organization's significant program activities and accomplishments over the past 6–12 months associated with the goals of this announcement.

Please identify and describe significant program activities and achievements associated with the delivery of quality health services. Provide a comparison of the actual accomplishments to the goals established for the project period or, if applicable, provide justification for the lack of progress.

B. Budget Narrative (Limit—5 pages)

Provide a budget narrative that explains the amounts requested for each line item of the budget from the SF–424A (Budget Information for Non-Construction Programs). The budget narrative should specifically describe how each item will support the achievement of proposed objectives. Be very careful about showing how each item in the "Other" category is justified. Do NOT use the budget narrative to expand the project narrative.

3. Submission Dates and Times

Applications must be submitted through [Grants.gov](https://www.Grants.gov) by 11:59 p.m. Eastern Time on the Application Deadline Date. Any application received after the application deadline will not be accepted for review. [Grants.gov](https://www.Grants.gov) will notify the applicant via email if the application is rejected.

If technical challenges arise and assistance is required with the application process, contact [Grants.gov](https://www.Grants.gov) Customer Support (see contact information at <https://www.Grants.gov>). If problems persist, contact Mr. Paul Gettys (Paul.Gettys@ihs.gov), Acting Director, DGM, by telephone at (301) 443–2114 or (301) 443–5204. Please be sure to contact Mr. Gettys at least 10 days prior to the application deadline. Please do not contact the DGM until you have received a [Grants.gov](https://www.Grants.gov) tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

The IHS will not acknowledge receipt of applications.

4. Intergovernmental Review

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

5. Funding Restrictions

- Pre-award costs are not allowable.
- The available funds are inclusive of direct and indirect costs.
- Only one cooperative agreement may be awarded per applicant.

6. Electronic Submission Requirements

All applications must be submitted via *Grants.gov*. Please use the <https://www.Grants.gov> website to submit an application. Find the application by selecting the “Search Grants” link on the homepage. Follow the instructions for submitting an application under the Package tab. No other method of application submission is acceptable.

If the applicant cannot submit an application through *Grants.gov*, a waiver must be requested. Prior approval must be requested and obtained from Mr. Paul Gettys, Acting Director, DGM. A written waiver request must be sent to GrantsPolicy@ihs.gov with a copy to Paul.Gettys@ihs.gov. The waiver request must: (1) Be documented in writing (emails are acceptable) before submitting an application by some other method, and (2) include clear justification for the need to deviate from the required application submission process.

Once the waiver request has been approved, the applicant will receive a confirmation of approval email containing submission instructions. A copy of the written approval must be included with the application that is submitted to the DGM. Applications that are submitted without a copy of the signed waiver from the Acting Director of the DGM will not be reviewed. The Grants Management Officer of the DGM will notify the applicant via email of this decision. Applications submitted under waiver must be received by the DGM no later than 5:00 p.m. Eastern Time on the Application Deadline Date. Late applications will not be accepted for processing. Applicants that do not register for both the System for Award Management (SAM) and *Grants.gov* and/or fail to request timely assistance with technical issues will not be considered for a waiver to submit an application via alternative method.

Please be aware of the following:

- Please search for the application package in <https://www.Grants.gov> by entering the Assistance Listing (CFDA) number or the Funding Opportunity

Number. Both numbers are located in the header of this announcement.

- If you experience technical challenges while submitting your application, please contact *Grants.gov* Customer Support (see contact information at <https://www.Grants.gov>).
- Upon contacting *Grants.gov*, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the agency must be obtained.
- Applicants are strongly encouraged not to wait until the deadline date to begin the application process through *Grants.gov* as the registration process for SAM and *Grants.gov* could take up to 20 working days.
- Please follow the instructions on *Grants.gov* to include additional documentation that may be requested by this funding announcement.
- Applicants must comply with any page limits described in this funding announcement.
- After submitting the application, the applicant will receive an automatic acknowledgment from *Grants.gov* that contains a *Grants.gov* tracking number. The IHS will not notify the applicant that the application has been received.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

Applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B that uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, please access the request service through <https://fedgov.dnb.com/webform>, or call (866) 705-5711.

The Federal Funding Accountability and Transparency Act of 2006, as amended (“Transparency Act”), requires all HHS recipients to report information on sub-awards.

Accordingly, all IHS grantees must notify potential first-tier sub-recipients that no entity may receive a first-tier sub-award unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that are not registered with SAM must have a DUNS number

first, then access the SAM online registration through the SAM home page at <https://sam.gov> (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Please see *SAM.gov* for details on the registration process and timeline. Registration with the SAM is free of charge but can take several weeks to process. Applicants may register online at <https://sam.gov>.

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and SAM, are available on the DGM Grants Management, Policy Topics web page at <https://www.ihs.gov/dgm/policytopics/>.

V. Application Review Information

Possible points assigned to each section are noted in parentheses. The 10-page project narrative should be written in a manner that is clear to outside reviewers unfamiliar with prior related activities of the applicant. It should be well organized, succinct, and contain all information necessary for reviewers to fully understand the project. Attachments requested in the criteria do not count toward the page limit for the project narrative. Points will be assigned to each evaluation criteria adding up to a total of 100 possible points. Points are assigned as follows:

1. Evaluation Criteria

A. Introduction and Need for Assistance (25 Points)

Describe the Tribe’s current health program activities, including: How long it has been operating, what programs or services are currently being provided, and if the applicant is currently administering any ISDEAA Title I Self-Determination Contracts or Title V Self-Governance Compacts. Identify the need for assistance and how the Planning Cooperative Agreement would benefit the health activities the Tribe is currently administering and/or looking to expand.

B. Project Objective(s), Work Plan, and Approach (25 Points)

State in measurable terms the objectives and appropriate activities to achieve the following Planning Cooperative Agreement recipient award activities:

- (1) Research and analyze the complex IHS budget to gain a thorough understanding of funding distribution at all organizational levels and determine which PSFAs the Tribe may elect to assume or expand.

(2) Establish a process to identify PSFAs and associated funding that may be incorporated into current programs.

(3) Determine the Tribe's share of each PSFA and evaluate the current level of health care services being provided to make an informed decision on new or expanded program assumption.

(4) Describe how the objectives are consistent with the purpose of the program, the needs of the people to be served, and how they will be achieved within the proposed timeframe. Identify the expected results, benefits, and outcomes or products to be derived from each objective of the project.

C. Program Evaluation (25 Points)

Define the criteria to be used to evaluate planning activities and how they will be measured. Clearly describe the methodologies and parameters that will be used to determine if the needs identified are being met and if the outcomes identified are being achieved. Are the goals and objectives measurable and consistent with the purpose of the program and meet the needs of the people to be served? Are they achievable within the proposed timeframe? Describe how the assumption of PSFAs enhances sustainable health delivery. Ensure the measurement includes activities that will lead to sustainability.

D. Organizational Capabilities, Key Personnel, and Qualifications (15 Points)

Describe the organizational structure of the Tribe and its ability to manage the proposed project. Include resumes or position descriptions of key staff showing requisite experience and expertise. If applicable, include resumes and scope of work for consultants that demonstrate experience and expertise relevant to the project.

E. Categorical Budget and Budget Justification (10 Points)

Submit a budget with a narrative describing the budget request and matching the scope of work described in the project narrative. Justify all expenditures identifying reasonable and allowable costs necessary to accomplish the goals and objectives as outlined in the project narrative.

Additional documents can be uploaded as Other Attachments in *Grants.gov*. These can include:

- Work plan, logic model, and/or timeline for proposed objectives.
- Position descriptions for key staff.
- Resumes of key staff that reflect current duties.
- Consultant or contractor proposed scope of work and letter of commitment (if applicable).

- Current Indirect Cost Rate Agreement.

- Organizational chart.

- Map of area identifying project location(s).

- Additional documents to support narrative (*i.e.*, data tables, key news articles, etc.).

2. Review and Selection

Each application will be prescreened for eligibility and completeness as outlined in the funding announcement. Applications that meet the eligibility criteria shall be reviewed for merit by the Objective Review Committee (ORC) based on evaluation criteria. Incomplete applications and applications that are not responsive to the administrative thresholds (budget limit, project period limit) will not be referred to the ORC and will not be funded. The applicant will be notified of this determination.

Applicants must address all program requirements and provide all required documentation.

3. Notifications of Disposition

All applicants will receive an Executive Summary Statement from the IHS OTSG within 30 days of the conclusion of the ORC outlining the strengths and weaknesses of their application. The summary statement will be sent to the Authorizing Official identified on the face page (SF-424) of the application.

A. Award Notices for Funded Applications

The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the grant, the terms and conditions of the award, the effective date of the award, and the budget/project period. Each entity approved for funding must have a user account in GrantSolutions in order to retrieve the NoA. Please see the Agency Contacts list in Section VII for the systems contact information.

B. Approved but Unfunded Applications

Approved applications not funded due to lack of available funds will be held for 1 year. If funding becomes available during the course of the year, the application may be reconsidered.

Note: Any correspondence other than the official NoA executed by an IHS grants management official announcing to the project director that an award has been made to their organization is not an authorization to implement their program on behalf of the IHS.

VI. Award Administration Information

1. Administrative Requirements

Awards issued under this announcement are subject to, and are administered in accordance with, the following regulations and policies:

A. The criteria as outlined in this program announcement.

B. Administrative Regulations for Grants:

- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards currently in effect or implemented during the period of award, other Department regulations and policies in effect at the time of award, and applicable statutory provisions. At the time of publication, this includes 45 CFR part 75, at <https://www.govinfo.gov/content/pkg/CFR-2020-title45-vol1/pdf/CFR-2020-title45-vol1-part75.pdf>.

- Please review all HHS regulatory provisions for Termination at 45 CFR 75.372, at https://www.ecfr.gov/cgi-bin/retrieveECFR?gp&SID=2970eec67399fab1413ede53d7895d99&mc=true&n=pt45.1.75&r=PART&ty=HTML&se45.1.75_1372se45.1.75_1372.

C. Grants Policy:

- HHS Grants Policy Statement, Revised January 2007, at <https://www.hhs.gov/sites/default/files/grants/grants/policies-regulations/hhsgps107.pdf>.

D. Cost Principles:

- Uniform Administrative Requirements for HHS Awards, "Cost Principles," at 45 CFR part 75 subpart E.

E. Audit Requirements:

- Uniform Administrative Requirements for HHS Awards, "Audit Requirements," at 45 CFR part 75 subpart F.

F. As of August 13, 2020, 2 CFR 200 was updated to include a prohibition on certain telecommunications and video surveillance services or equipment. This prohibition is described in 2 CFR 200.216. This will also be described in the terms and conditions of every IHS grant and cooperative agreement awarded on or after August 13, 2020.

2. Indirect Costs

This section applies to all recipients that request reimbursement of indirect costs (IDC) in their application budget. In accordance with HHS Grants Policy Statement, Part II-27, the IHS requires applicants to obtain a current IDC rate agreement and submit it to the DGM prior to the DGM issuing an award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by

the cognizant agency or office. A current rate covers the applicable grant activities under the current award's budget period. If the current rate agreement is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate agreement is provided to the DGM.

Per 45 CFR 75.414(f) Indirect (F&A) costs, "any non-Federal entity (NFE) [i.e., applicant] that has never received a negotiated indirect cost rate, . . . may elect to charge a de minimis rate of 10 percent of modified total direct costs which may be used indefinitely. As described in Section 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the NFE chooses to negotiate for a rate, which the NFE may apply to do at any time."

Electing to charge a de minimis rate of 10 percent only applies to applicants that have never received an approved negotiated indirect cost rate from HHS or another cognizant federal agency. Applicants awaiting approval of their indirect cost proposal may request the 10 percent de minimis rate. When the applicant chooses this method, costs included in the indirect cost pool must not be charged as direct costs to the grant.

Available funds are inclusive of direct and appropriate indirect costs. Approved indirect funds are awarded as part of the award amount, and no additional funds will be provided.

Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation at <https://rates.psc.gov/> or the Department of the Interior (Interior Business Center) at <https://ibc.doi.gov/ICS/tribal>. For questions regarding the indirect cost policy, please call the Grants Management Specialist listed under "Agency Contacts" or the main DGM office at (301) 443-5204.

3. Reporting Requirements

The grantee must submit required reports consistent with the applicable deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in the imposition of special award provisions

and/or the non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure of the awardee organization or the individual responsible for preparation of the reports. Per DGM policy, all reports must be submitted electronically by attaching them as a "Grant Note" in GrantSolutions. Personnel responsible for submitting reports will be required to obtain a login and password for GrantSolutions. Please see the Agency Contacts list in Section VII for the systems contact information.

The reporting requirements for this program are noted below.

A. Progress Reports

Program progress reports are required semi-annually. The progress reports are due within 30 days after the reporting period ends (specific dates will be listed in the NoA Terms and Conditions). These reports must include a brief comparison of actual accomplishments to the goals established for the period, a summary of progress to date or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the period of performance.

B. Financial Reports

Federal Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Payment Management Services at <https://pms.psc.gov>. Failure to submit timely reports may result in adverse award actions blocking access to funds.

A Federal Financial Report is due 90 days after the end of the Period of Performance.

Grantees are responsible and accountable for reporting accurate information on all required reports: The Progress Reports, the Federal Cash Transaction Report, and the Federal Financial Report.

C. Federal Sub-Award Reporting System (FSRS)

This award may be subject to the Transparency Act sub-award and executive compensation reporting requirements of 2 CFR part 170.

The Transparency Act requires the OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier sub-awards and executive

compensation under Federal assistance awards.

The IHS has implemented a Term of Award into all IHS Standard Terms and Conditions, NoAs, and funding announcements regarding the FSRS reporting requirement. This IHS Term of Award is applicable to all IHS grant and cooperative agreements issued on or after October 1, 2010, with a \$25,000 sub-award obligation threshold met for any specific reporting period.

For the full IHS award term implementing this requirement and additional award applicability information, visit the DGM Grants Management website at <https://www.ihs.gov/dgm/policytopics/>.

D. Compliance With Executive Order 13166 Implementation of Services Accessibility Provisions for All Grant Application Packages and Funding Opportunity Announcements

Should you successfully compete for an award, recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex (including gender identity, sexual orientation, and pregnancy). This includes ensuring programs are accessible to persons with limited English proficiency and persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. Please see <https://www.hhs.gov/civil-rights/for-providers/provider-obligations/index.html> and <https://www.hhs.gov/civil-rights/for-individuals/nondiscrimination/index.html>.

- Recipients of FFA must ensure that their programs are accessible to persons with limited English proficiency. For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficiency individuals, see <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/fact-sheet-guidance/index.html> and <https://www.lep.gov>.

- For information on your specific legal obligations for serving qualified individuals with disabilities, including reasonable modifications and making services accessible to them, see <https://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>.

- HHS funded health and education programs must be administered in an environment free of sexual harassment.

See <https://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/index.html>.

- For guidance on administering your program in compliance with applicable Federal religious nondiscrimination laws and applicable Federal conscience protection and associated anti-discrimination laws, see <https://www.hhs.gov/conscience/conscience-protections/index.html> and <https://www.hhs.gov/conscience/religious-freedom/index.html>.

E. Federal Awardee Performance and Integrity Information System (FAPIS)

The IHS is required to review and consider any information about the applicant that is in the FAPIS at <https://www.fapis.gov> before making any award in excess of the simplified acquisition threshold (currently \$250,000) over the period of performance. An applicant may review and comment on any information about itself that a Federal awarding agency previously entered. The IHS will consider any comments by the applicant, in addition to other information in FAPIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants, as described in 45 CFR 75.205.

As required by 45 CFR part 75 Appendix XII of the Uniform Guidance, NFEs are required to disclose in FAPIS any information about criminal, civil, and administrative proceedings, and/or affirm that there is no new information to provide. This applies to NFEs that receive Federal awards (currently active grants, cooperative agreements, and procurement contracts) greater than \$10,000,000 for any period of time during the period of performance of an award/project.

Mandatory Disclosure Requirements

As required by 2 CFR part 200 of the Uniform Guidance, and the HHS implementing regulations at 45 CFR part 75, the IHS must require an NFE or an applicant for a Federal award to disclose, in a timely manner, in writing to the IHS or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

All applicants and recipients must disclose in writing, in a timely manner, to the IHS and to the HHS Office of Inspector General of all information related to violations of Federal criminal law involving fraud, bribery, or gratuity

violations potentially affecting the Federal award. 45 CFR 75.113.

Disclosures must be sent in writing to:

U.S. Department of Health and Human Services, Indian Health Service, Division of Grants Management, ATTN: Paul Gettys, Acting Director, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857 (Include "Mandatory Grant Disclosures" in subject line), Office: (301) 443-5204, Fax: (301) 594-0899, Email: Paul.Gettys@ihs.gov

AND

U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330 Independence Avenue SW, Cohen Building, Room 5527, Washington, DC 20201, URL: <https://oig.hhs.gov/fraud/report-fraud/> (Include "Mandatory Grant Disclosures" in subject line), Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line), or Email:

MandatoryGranteeDisclosures@oig.hhs.gov

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 Remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 and 2 CFR part 376).

VII. Agency Contacts

1. Questions on the programmatic issues may be directed to: Roxanne Houston, Program Officer, Indian Health Service, Office of Tribal Self-Governance, 5600 Fishers Lane, Mail Stop: 08E05, Rockville, MD 20857, Phone: (301) 443-7821, Email: Roxanne.Houston@ihs.gov.

2. Questions on grants management and fiscal matters may be directed to: Sheila A.L. Miller, Indian Health Service, Division of Grants Management, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, Phone: (240) 535-9308, Fax: (301) 594-0899, Email: Sheila.Miller@ihs.gov.

3. Questions on systems matters may be directed to: Paul Gettys, Acting Director, Indian Health Service, Division of Grants Management, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, Phone: (301) 443-2114; or the DGM main line (301) 443-5204, Fax: (301) 594-0899, email: Paul.Gettys@ihs.gov.

VIII. Other Information

The Public Health Service strongly encourages all grant, cooperative agreement, and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco

products. In addition, Public Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Chris Buchanan,

*Assistant Surgeon General, RADM, USPHS
Acting Deputy Director, Indian Health Service.*

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Tribal Self-Governance Negotiation Cooperative Agreement Program

Announcement Type: New.

Funding Announcement Number: HHS-2022-IHS-TSGN-0001.

Assistance Listing (Catalog of Federal Domestic Assistance or CFDA) Number: 93.444.

Key Dates

Application Deadline Date: February 10, 2022.

Earliest Anticipated Start Date: March 28, 2022.

I. Funding Opportunity Description

Statutory Authority

The Indian Health Service (IHS) is accepting applications for Negotiation Cooperative Agreements for the Tribal Self-Governance Program (TSGP). This program is authorized under the Snyder Act, 25 U.S.C. 13; the Transfer Act, 42 U.S.C. 2001(a); and Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. 5383(e). This program is described in the Assistance Listings located at <https://sam.gov/content/home> (formerly known as Catalog of Federal Domestic Assistance) under 93.444.

Background

The TSGP is more than an IHS program; it is an expression of the government-to-government relationship between the United States (U.S.) and Indian Tribes. Through the TSGP, Tribes negotiate with the IHS to assume Programs, Services, Functions, and Activities (PSFAs), or portions thereof, which gives Tribes the authority to manage and tailor health care programs

in a manner that best fits the needs of their communities.

Participation in the TSGP affords Tribes the most flexibility to tailor their health care needs by choosing one of three ways to obtain health care from the Federal government for their citizens. Specifically, Tribes can choose to: (1) Receive health care services directly from the IHS; (2) contract with the IHS to administer individual programs and services the IHS would otherwise provide (referred to as Title I Self-Determination Contracting); and (3) compact with the IHS to assume control over health care programs the IHS would otherwise provide (referred to as Title V Self-Governance Compacting or the TSGP). These options are not exclusive and Tribes may choose to combine options based on their individual needs and circumstances.

The TSGP is a tribally-driven initiative and strong Federal-Tribal partnerships are essential to the program's success. The IHS established the Office of Tribal Self-Governance (OTSG) to implement the Tribal Self-Governance authorities under the ISDEAA. The primary OTSG functions are to: (1) Serve as the primary liaison and advocate for Tribes participating in the TSGP; (2) develop, direct, and implement TSGP policies and procedures; (3) provide information and technical assistance to Self-Governance Tribes; and (4) advise the IHS Director on compliance with TSGP policies, regulations, and guidelines. Each IHS Area has an Agency Lead Negotiator (ALN), designated by the IHS Director to act on his or her behalf, who has authority to negotiate Self-Governance Compacts and Funding Agreements (FA). Tribes interested in participating in the TSGP should contact their respective ALN to begin the Self-Governance planning and negotiation process. Tribes currently participating in the TSGP that are interested in expanding existing or adding new PSFAs should also contact their respective ALN to discuss the best methods for expanding or adding new PSFAs.

Purpose

The purpose of this Negotiation Cooperative Agreement is to provide Tribes with resources to help defray the costs associated with preparing for and engaging in TSGP negotiations. TSGP negotiations are a dynamic, evolving, and tribally-driven process that requires careful planning, preparation, and sharing of precise, up-to-date information by both Tribal and Federal parties. Because each Tribal situation is unique, a Tribe's successful transition

into the TSGP, or expansion of their current program, requires focused discussions between the Federal and Tribal negotiation teams about the Tribe's specific health care concerns and plans. One of the hallmarks of the TSGP is the collaborative nature of the negotiations process, which is designed to: (1) Enable a Tribe to set its own priorities when assuming responsibility for IHS PSFAs; (2) observe and respect the government-to-government relationship between the U.S. and each Tribe; and (3) involve the active participation of both Tribal and IHS representatives, including the OTSG. Negotiations are a method of determining and agreeing upon the terms and provisions of a Tribe's Compact and FA, the implementation documents required for the Tribe to enter into the TSGP. The Compact sets forth the general terms of the government-to-government relationship between the Tribe and the Secretary of the U.S. Department of Health and Human Services (HHS). The FA: (1) Describes the length of the agreement (whether it will be annual or multi-year); (2) identifies the PSFAs, or portions thereof, the Tribe will assume; (3) specifies the amount of funding associated with the Tribal assumption; and (4) includes terms required by Federal statutes and other terms agreed to by the parties. Both documents are required to participate in the TSGP and they are mutually negotiated agreements that become legally binding and mutually enforceable after both parties sign the documents. Either document can be renegotiated at the request of the Tribe.

The negotiation process has four major stages, including: (1) Planning; (2) pre-negotiations; (3) negotiations; and (4) post-negotiations. Title V of the ISDEAA requires that a Tribe or Tribal Organization (T/TO) complete a planning phase to the satisfaction of the Tribe. The planning phase must include legal and budgetary research and internal Tribal government planning and organizational preparation relating to the administration of health care programs. See 25 U.S.C. 5383(d). The planning phase is critical to the negotiation process and assists Tribes with making informed decisions about which PSFAs to assume and what organizational changes or modifications are necessary to support those PSFAs. A thorough planning phase improves timeliness and efficient negotiations and ensures that the Tribe is fully prepared to assume the transfer of IHS PSFAs to the Tribal health program.

During pre-negotiations, the Tribal and Federal negotiation teams review

and discuss issues identified during the planning phase. Pre-negotiations provide an opportunity for the Tribe and the IHS to identify and discuss issues directly related to the Tribe's Compact, FA, and Tribal shares.

In advance of final negotiations, the Tribe should work with the IHS to secure the following: (1) Program titles and descriptions; (2) financial tables and information; (3) information related to the identification and justification of residuals; and (4) the basis for determining Tribal shares (distribution formula). The Tribe may also wish to discuss financial materials that show estimated funding for next year and the increases or decreases in funding it may receive in the current year, as well as the basis for those changes.

During the final negotiation, both the Federal and Tribal negotiation teams work together in good faith to determine and agree upon the terms and provisions of the Tribe's Compact and FA. Negotiations are not an allocation process; they provide an opportunity to mutually review and discuss budget and program issues to reach agreement and finalize documents.

There are various entities involved throughout the negotiation process. For example, a Tribal government selects its representative(s) for the Tribal negotiation team, which may include a Tribal leader from the governing body, a Tribal health director, technical and program staff, legal counsel, and other consultants. Regardless of the composition of the Tribal team, Tribal representatives must have decision-making authority from the Tribal governing body to successfully negotiate and agree to the provisions within the agreements. The Federal negotiation team is led by the ALN and may include area and headquarters subject matter experts, OTSG staff, the Office of Finance and Accounting, and the Office of the General Counsel. The ALN is the only member of the Federal negotiation team with delegated authority to negotiate on behalf of the IHS Director. The ALN is the designated official that provides Tribes with Self-Governance information, assists Tribes in planning, organizes meetings between the Tribe and the IHS, and coordinates the agency's response to Tribal questions during the negotiation process. The ALN role requires detailed knowledge of the IHS, awareness of current policy and practice, and understanding of the rights and authorities available to a Tribe under Title V of the ISDEAA.

In post-negotiations, the mutually agreed to and negotiated Compact and FA are signed by the authorizing Tribal official and submitted to the OTSG in

preparation for the IHS Director's signature. Once the Compact and FA have been signed by both parties, they become legally binding and enforceable agreements. A signed Compact and FA are necessary for the payment process to begin. The negotiating Tribe then becomes a "Self-Governance Tribe" and a participant in the TSGP.

Acquiring a Negotiation Cooperative Agreement is not a prerequisite to enter the TSGP. A Tribe may use other resources to develop and negotiate its Compact and FA. See 42 CFR 137.26. Tribes that receive a Negotiation Cooperative Agreement are not obligated to participate in Title V and may choose to delay or decline participation or expansion in the TSGP.

II. Award Information

Funding Instrument—Cooperative Agreement

Estimated Funds Available

The total funding identified for fiscal year (FY) 2022 is approximately \$240,000. Individual award amounts are anticipated to be \$48,000. The funding available for competing awards issued under this announcement is subject to the availability of appropriations and budgetary priorities of the Agency. The IHS is under no obligation to make awards that are selected for funding under this announcement.

Anticipated Number of Awards

Approximately five awards will be issued under this program announcement.

Period of Performance

The period of performance is for 1 year.

Cooperative Agreement

Cooperative agreements awarded by the HHS are administered under the same policies as grants. However, the funding agency, IHS, is anticipated to have substantial programmatic involvement in the project during the entire award segment. Below is a detailed description of the level of involvement required of the IHS.

Substantial Agency Involvement Description for Cooperative Agreement

A. Provide descriptions of PSFAs and associated funding at all organizational levels (Service Unit, Area, and Headquarters) including funding formulas and methodologies related to determining Tribal shares.

B. Meet with Negotiation Cooperative Agreement recipients to provide program information and discuss

methods currently used to manage and deliver health care.

C. Identify and provide statutes, regulations, and policies that provide authority for administering IHS programs.

D. Provide technical assistance on the IHS budget, Tribal shares, and other topics as needed.

III. Eligibility Information

1. Eligibility

To be eligible for this opportunity, applicant must meet the following criteria:

- Applicant must be an "Indian Tribe" as defined in 25 U.S.C. 5304(e); a "Tribal Organization" as defined in 25 U.S.C. 5304(l); or an "Inter-Tribal Consortium" as defined at 42 CFR 137.10. Please note that Tribes prohibited from contracting pursuant to the ISDEAA are not eligible. See section 424(a) of the Consolidated Appropriations Act, 2014, Public Law 113–76, as amended by section 428 of the Consolidated Appropriations Act, 2018, Public Law 115–141, and section 1201 of the Consolidated Appropriations Act, 2021, Public Law 116–260.

- Pursuant to 25 U.S.C. 5383(c)(1)(B), applicant must request participation in self-governance by resolution or other official action by the governing body of each Indian Tribe to be served.

- Pursuant to 25 U.S.C. 5383(c)(1)(C), applicant must demonstrate financial stability and financial management capability for 3 fiscal years.

Please see Section IV.2, Application and Submission Information, Content and Form Application Submission for details on required documentation.

Meeting the eligibility criteria for a Negotiation Cooperative Agreement does not mean that a T/TO is eligible for participation in the IHS TSGP under Title V of the ISDEAA. See 25 U.S.C. 5383, 42 CFR 137.15–23. For additional information on the eligibility for the IHS TSGP, please visit the "Eligibility and Funding" page on the OTSG website located at <https://www.ihs.gov/SelfGovernance>.

The program office will notify any applicants deemed ineligible.

Note: Please refer to Section IV.2 (Application and Submission Information/ Subsection 2, Content and Form of Application Submission) for additional proof of applicant status documents required, such as Tribal Resolutions, proof of nonprofit status, etc.

2. Cost Sharing or Matching

The IHS does not require matching funds or cost sharing for grants or cooperative agreements.

3. Other Requirements

Applications with budget requests that exceed the highest dollar amount outlined under Section II Award Information, Estimated Funds Available, or exceed the period of performance outlined under Section II Award Information, Period of Performance, are considered not responsive and will not be reviewed. The Division of Grants Management (DGM) will notify the applicant.

Additional Required Documentation Tribal Resolution

The DGM must receive an official, signed Tribal Resolution prior to issuing a Notice of Award (NoA) to any applicant selected for funding. An Indian T/TO that is proposing a project affecting another Indian Tribe must include resolutions from all affected Tribes to be served. However, if an official, signed Tribal Resolution cannot be submitted with the application prior to the application deadline date, a draft Tribal Resolution must be submitted with the application by the deadline date in order for the application to be considered complete and eligible for review. The draft Tribal Resolution is not in lieu of the required signed resolution but is acceptable until a signed resolution is received. If an application without a signed Tribal Resolution is selected for funding, the applicant will be contacted by the Grants Management Specialist (GMS) listed in this funding announcement and given 90 days to submit an official, signed Tribal Resolution to the GMS. If the signed Tribal Resolution is not received within 90 days, the award will be forfeited.

Tribes organized with a governing structure other than a Tribal council may submit an equivalent document commensurate with their governing organization.

IV. Application and Submission Information

1. Obtaining Application Materials

The application package and detailed instructions for this announcement are available at <https://www.Grants.gov>.

Please direct questions regarding the application process to Mr. Paul Gettys at (301) 443–2114 or (301) 443–5204.

2. Content and Form Application Submission

Mandatory documents for all applicants include:

- Abstract (one page) summarizing the project.
- Application forms:

1. SF-424, Application for Federal Assistance.

2. SF-424A, Budget Information—Non-Construction Programs.

3. SF-424B, Assurances—Non-Construction Programs.

- Project Narrative (not to exceed 10 pages). See Section IV.2.A, Project Narrative for instructions.

1. Background information on the organization.

2. Proposed scope of work, objectives, and activities that provide a description of what the applicant plans to accomplish.

- Budget Justification and Narrative (not to exceed five pages). See Section IV.2.B, Budget Narrative for instructions.

- One-page Timeframe Chart.

- Tribal Resolution(s), which must explicitly authorize participation in a Self-Governance Negotiation Cooperative Agreement.

- Letters of Support from organization's Board of Directors (Optional).

- 501(c)(3) Certificate.

- Biographical sketches for all Key Personnel.

- Contractor/Consultant resumes or qualifications and scope of work.

- Disclosure of Lobbying Activities (SF-LLL), if applicant conducts reportable lobbying.

- Certification Regarding Lobbying (GG-Lobbying Form).

- Copy of current Negotiated Indirect Cost rate (IDC) agreement (required in order to receive IDC).

- Organizational Chart (optional).

- Documentation sufficient to demonstrate financial stability and financial management capability for 3 fiscal years. The Indian Tribe must provide evidence that, for the 3 fiscal years prior to requesting participation in the TSGP, the Indian Tribe has had no uncorrected significant and material audit exceptions in the required annual audit of the Indian Tribe's Self-Determination Contracts or Self-Governance Funding Agreements with any Federal agency. See 25 U.S.C. 5383, 42 CFR 137.15–23. For Tribes or Tribal organizations (T/TO) that expended \$500,000 or more in Federal awards, the OTSG shall retrieve the audits directly from the Federal Audit Clearinghouse. For T/TO that expended less than \$500,000 in Federal awards, the T/TO must provide evidence of the program review correspondence from the IHS or Bureau of Indian Affairs officials. See 42 CFR 137.21–23.

- Documentation of current Office of Management and Budget (OMB) Financial Audit (if applicable).

Acceptable forms of documentation include:

1. Email confirmation from Federal Audit Clearinghouse (FAC) that audits were submitted; or

2. Face sheets from audit reports.

Applicants can find these on the FAC website at <https://harvester.census.gov/facdissem/Main.aspx>.

Public Policy Requirements

All Federal public policies apply to IHS grants and cooperative agreements. Pursuant to 45 CFR 80.3(d), an individual shall not be deemed subjected to discrimination by reason of their exclusion from benefits limited by Federal law to individuals eligible for benefits and services from the IHS. See <https://www.hhs.gov/grants/grants/grants-policies-regulations/index.html>.

Requirements for Project and Budget Narratives

A. *Project Narrative*: This narrative should be a separate document that is no more than 10 pages and must: (1) Have consecutively numbered pages; (2) use black font 12 points or larger; (3) be single-spaced; and (4) be formatted to fit standard letter paper (8½ x 11 inches).

Be sure to succinctly answer all questions listed under the evaluation criteria (refer to Section V.1, Evaluation Criteria) and place all responses and required information in the correct section noted below or they will not be considered or scored. If the narrative exceeds the page limit, the application will be considered not responsive and will not be reviewed. The 10-page limit for the narrative does not include the work plan, standard forms, Tribal Resolutions, budget, budget justifications, narratives, and/or other appendix items.

There are three parts to the narrative: Part 1—Program Information; Part 2—Program Planning and Evaluation; and Part 3—Program Report. See below for additional details about what must be included in the narrative.

The page limits below are for each narrative and budget submitted.

Part 1: Program Information (Limit—4 Pages)

Section 1: Introduction and Need for Assistance

Demonstrate that the Tribe has conducted previous Self-Governance planning activities by clearly stating the results of what was learned during the planning process. Explain how the Tribe has determined it has the knowledge and expertise to assume or expand PSFAs and the administrative infrastructure to support the assumption of PSFAs. Identify the need for assistance and how the Negotiation Cooperative Agreement would benefit

the health activities the Tribe is preparing to assume or expand.

Part 2: Program Planning and Evaluation (Limit—4 Pages)

Section 1: Project Objective(s), Work Plan, and Approach

State in measureable terms the objectives and appropriate activities to achieve the following Negotiation Cooperative Agreement recipient award activities:

(A) Determine the PSFAs that will be negotiated into the Tribe's Compact and FA. Prepare and discuss each PSFA in comparison to the current level of services provided so that an informed decision can be made on new or expanded program assumption.

(B) Identify Tribal shares associated with the PSFAs that will be included in the FA.

(C) Develop the terms and conditions that will be set forth in both the Compact and FA to submit to the ALN prior to negotiations.

Describe fully and clearly how the Tribe's proposal will result in an improved approach to managing the PSFAs to be assumed or expanded. Include how the Tribe plans to demonstrate improved health services to the community and incorporate the proposed timelines for negotiations.

Section 2: Organizational Capabilities, Key Personnel, and Qualifications

Describe the organizational structure of the Tribe and its ability to manage the proposed project. Include resumes or position descriptions of key staff showing requisite experience and expertise. If applicable, include resumes and scope of work for consultants that demonstrate experience and expertise relevant to the project.

Section 3: Program Evaluation

Describe fully and clearly how the goals and proposed activities will improve the health care system and identify the anticipated or expected benefits for the Tribe. Define the criteria to be used to evaluate objectives associated with the project using a model for tracking.

Part 3: Program Report (Limit—2 Pages)

Section 1: Describe your organization's significant program activities and accomplishments over the past several years associated with the goals of this announcement and leading up to the negotiation phase.

Please identify and describe significant program activities and achievements associated with the delivery of quality health services. Provide a comparison of the actual

accomplishments to the goals established for the project period or, if applicable, provide justification for the lack of progress.

B. Budget Narrative (Limit—5 Pages): Provide a budget narrative that explains the amounts requested for each line item of the budget from the SF-424A (Budget Information for Non-Construction Programs). The budget narrative should specifically describe how each item will support the achievement of proposed objectives. Be very careful about showing how each item in the “Other” category is justified. Do NOT use the budget narrative to expand the project narrative.

3. Submission Dates and Times

Applications must be submitted through *Grants.gov* by 11:59 p.m. Eastern Time on the Application Deadline Date. Any application received after the application deadline will not be accepted for review. *Grants.gov* will notify the applicant via email if the application is rejected.

If technical challenges arise and assistance is required with the application process, contact *Grants.gov* Customer Support (see contact information at <https://www.Grants.gov>). If problems persist, contact Mr. Paul Gettys (Paul.Gettys@ihs.gov), Acting Director, DGM, by telephone at (301) 443-2114 or (301) 443-5204. Please be sure to contact Mr. Gettys at least 10 days prior to the application deadline. Please do not contact the DGM until you have received a *Grants.gov* tracking number. In the event you are not able to obtain a tracking number, call the DGM as soon as possible.

The IHS will not acknowledge receipt of applications.

4. Intergovernmental Review

Executive Order 12372 requiring intergovernmental review is not applicable to this program.

5. Funding Restrictions

- Pre-award costs are not allowable.
- The available funds are inclusive of direct and indirect costs.
- Only one cooperative agreement may be awarded per applicant.

6. Electronic Submission Requirements

All applications must be submitted via *Grants.gov*. Please use the <https://www.Grants.gov> website to submit an application. Find the application by selecting the “Search Grants” link on the homepage. Follow the instructions for submitting an application under the Package tab. No other method of application submission is acceptable.

If the applicant cannot submit an application through *Grants.gov*, a waiver must be requested. Prior approval must be requested and obtained from Mr. Paul Gettys, Acting Director, DGM. A written waiver request must be sent to GrantsPolicy@ihs.gov with a copy to Paul.Gettys@ihs.gov. The waiver request must: (1) Be documented in writing (emails are acceptable) before submitting an application by some other method; and (2) include clear justification for the need to deviate from the required application submission process.

Once the waiver request has been approved, the applicant will receive a confirmation of approval email containing submission instructions. A copy of the written approval must be included with the application that is submitted to the DGM. Applications that are submitted without a copy of the signed waiver from the Acting Director of the DGM will not be reviewed. The Grants Management Officer of the DGM will notify the applicant via email of this decision. Applications submitted under waiver must be received by the DGM no later than 5:00 p.m. Eastern Time on the Application Deadline Date. Late applications will not be accepted for processing. Applicants that do not register for both the System for Award Management (SAM) and *Grants.gov* and/or fail to request timely assistance with technical issues will not be considered for a waiver to submit an application via alternative method.

Please be aware of the following:

- Please search for the application package in <https://www.Grants.gov> by entering the Assistance Listing (CFDA) number or the Funding Opportunity Number. Both numbers are located in the header of this announcement.
- If you experience technical challenges while submitting your application, please contact *Grants.gov* Customer Support (see contact information at <https://www.Grants.gov>).
- Upon contacting *Grants.gov*, obtain a tracking number as proof of contact. The tracking number is helpful if there are technical issues that cannot be resolved and a waiver from the agency must be obtained.

• Applicants are strongly encouraged not to wait until the deadline date to begin the application process through *Grants.gov* as the registration process for SAM and *Grants.gov* could take up to 20 working days.

• Please follow the instructions on *Grants.gov* to include additional documentation that may be requested by this funding announcement.

• Applicants must comply with any page limits described in this funding announcement.

• After submitting the application, the applicant will receive an automatic acknowledgment from *Grants.gov* that contains a *Grants.gov* tracking number. The IHS will not notify the applicant that the application has been received.

Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS)

Applicants and grantee organizations are required to obtain a DUNS number and maintain an active registration in the SAM database. The DUNS number is a unique 9-digit identification number provided by D&B that uniquely identifies each entity. The DUNS number is site specific; therefore, each distinct performance site may be assigned a DUNS number. Obtaining a DUNS number is easy, and there is no charge. To obtain a DUNS number, please access the request service through <https://fedgov.dnb.com/webform>, or call (866) 705-5711.

The Federal Funding Accountability and Transparency Act of 2006, as amended (“Transparency Act”), requires all HHS recipients to report information on sub-awards. Accordingly, all IHS grantees must notify potential first-tier sub-recipients that no entity may receive a first-tier sub-award unless the entity has provided its DUNS number to the prime grantee organization. This requirement ensures the use of a universal identifier to enhance the quality of information available to the public pursuant to the Transparency Act.

System for Award Management (SAM)

Organizations that are not registered with SAM must have a DUNS number first, then access the SAM online registration through the SAM home page at <https://sam.gov> (U.S. organizations will also need to provide an Employer Identification Number from the Internal Revenue Service that may take an additional 2–5 weeks to become active). Please see *SAM.gov* for details on the registration process and timeline. Registration with the SAM is free of charge but can take several weeks to process. Applicants may register online at <https://sam.gov>.

Additional information on implementing the Transparency Act, including the specific requirements for DUNS and SAM, are available on the DGM Grants Management, Policy Topics web page at <https://www.ihs.gov/dgm/policytopics/>.

V. Application Review Information

Possible points assigned to each section are noted in parentheses. The 10-page project narrative and five-page budget narrative should be written in a manner that is clear to outside reviewers unfamiliar with prior related activities of the applicant. It should be well organized, succinct, and contain all information necessary for reviewers to fully understand the project.

Attachments requested in the criteria do not count toward the page limit for the project narrative. Points will be assigned to each evaluation criteria adding up to a total of 100 possible points. Points are assigned as follows:

1. Evaluation Criteria

A. Introduction and Need for Assistance (25 Points)

Demonstrate that the Tribe has conducted previous Self-Governance planning activities by clearly stating the results of what was learned during the planning process. Explain how the Tribe has determined it has the knowledge and expertise to assume or expand PSFAs and the administrative infrastructure to support the assumption of PSFAs. Identify the need for assistance and how the Negotiation Cooperative Agreement would benefit the health activities the Tribe is preparing to assume or expand.

B. Project Objective(s), Work Plan, and Approach (25 Points)

State in measurable terms the objectives and appropriate activities to achieve the following Negotiation Cooperative Agreement recipient award activities:

(1) Determine the PSFAs that will be negotiated into the Tribe's Compact and FA. Prepare and discuss each PSFA in comparison to the level of services provided so that an informed decision can be made on new or expanded program assumption.

(2) Identify Tribal shares associated with the PSFAs that will be included in the FA.

(3) Develop the terms and conditions that will be set forth in both the Compact and FA to submit to the ALN prior to negotiations. Clearly describe how the Tribe's proposal will result in an improved approach to managing the PSFAs to be assumed or expanded. Include how the Tribe plans to demonstrate improved health care services to the community and incorporate the proposed timelines for negotiations.

C. Program Evaluation (25 Points)

Describe fully the improvements that will be made by the Tribe to manage the health care system and identify the anticipated or expected benefits for the Tribe. Define the criteria to be used to evaluate objectives associated with the project and how they will be measured.

D. Organizational Capabilities, Key Personnel, and Qualifications (15 Points)

Describe the organizational structure of the Tribe and its ability to manage the proposed project. Include resumes or position descriptions of key staff showing requisite experience and expertise. If applicable, include resumes and scope of work for consultants that demonstrate experience and expertise relevant to the project.

E. Categorical Budget and Budget Justification (10 Points)

Submit a budget with a narrative describing the budget request and matching the scope of work described in the project narrative. Justify all expenditures identifying reasonable and allowable costs necessary to accomplish the goals and objectives as outlined in the project narrative.

Additional documents can be uploaded as Other Attachments in *Grants.gov*. These can include:

- Work plan, logic model, and/or timeline for proposed objectives.
- Position descriptions for key staff.
- Resumes of key staff that reflect current duties.
- Consultant or contractor proposed scope of work and letter of commitment (if applicable).

- Current Indirect Cost Rate Agreement.

- Organizational chart.
- Map of area identifying project location(s).

- Additional documents to support narrative (*i.e.*, data tables, key news articles, etc.).

2. Review and Selection

Each application will be prescreened for eligibility and completeness as outlined in the funding announcement. Applications that meet the eligibility criteria shall be reviewed for merit by the Objective Review Committee (ORC) based on evaluation criteria. Incomplete applications and applications that are not responsive to the administrative thresholds (budget limit, project period limit) will not be referred to the ORC and will not be funded. The applicant will be notified of this determination.

Applicants must address all program requirements and provide all required documentation.

3. Notifications of Disposition

All applicants will receive an Executive Summary Statement from the IHS OTSG within 30 days of the conclusion of the ORC outlining the strengths and weaknesses of their application. The summary statement will be sent to the Authorizing Official identified on the face page (SF-424) of the application.

A. Award Notices for Funded Applications

The NoA is the authorizing document for which funds are dispersed to the approved entities and reflects the amount of Federal funds awarded, the purpose of the award, the terms and conditions of the award, the effective date of the award, and the budget/project period. Each entity approved for funding must have a user account in GrantSolutions in order to retrieve the NoA. Please see the Agency Contacts list in Section VII for the systems contact information.

B. Approved But Unfunded Applications

Approved applications not funded due to lack of available funds will be held for 1 year. If funding becomes available during the course of the year, the application may be reconsidered.

Note: Any correspondence other than the official NoA executed by an IHS grants management official announcing to the project director that an award has been made to their organization is not an authorization to implement their program on behalf of the IHS.

VI. Award Administration Information

1. Administrative Requirements

Awards issued under this announcement are subject to, and are administered in accordance with, the following regulations and policies:

A. The criteria as outlined in this program announcement.

B. Administrative Regulations for Grants:

- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards currently in effect or implemented during the period of award, other Department regulations and policies in effect at the time of award, and applicable statutory provisions. At the time of publication, this includes 45 CFR part 75, at <https://www.govinfo.gov/content/pkg/CFR-2020-title45-vol1/pdf/CFR-2020-title45-vol1-part75.pdf>.

- Please review all HHS regulatory provisions for Termination at 45 CFR 75.372, at https://www.ecfr.gov/cgi-bin/retrieveECFR?gp&SID=2970eec67399fab1413ede53d7895d99&mc=true&n=pt45.1.75&r=PART&ty=HTML&se45.1.75_1372#se45.1.75_1372.

C. Grants Policy:

- HHS Grants Policy Statement, Revised January 2007, at <https://www.hhs.gov/sites/default/files/grants/grants/policies-regulations/hhsgps107.pdf>.

D. Cost Principles:

- Uniform Administrative Requirements for HHS Awards, “Cost Principles,” at 45 CFR part 75 subpart E.

E. Audit Requirements:

- Uniform Administrative Requirements for HHS Awards, “Audit Requirements,” at 45 CFR part 75 subpart F.

F. As of August 13, 2020, 2 CFR 200 was updated to include a prohibition on certain telecommunications and video surveillance services or equipment. This prohibition is described in 2 CFR 200.216. This will also be described in the terms and conditions of every IHS grant and cooperative agreement awarded on or after August 13, 2020.

2. Indirect Costs

This section applies to all recipients that request reimbursement of indirect costs (IDC) in their application budget. In accordance with HHS Grants Policy Statement, Part II–27, the IHS requires applicants to obtain a current IDC rate agreement and submit it to the DGM prior to the DGM issuing an award. The rate agreement must be prepared in accordance with the applicable cost principles and guidance as provided by the cognizant agency or office. A current rate covers the applicable grant activities under the current award’s budget period. If the current rate agreement is not on file with the DGM at the time of award, the IDC portion of the budget will be restricted. The restrictions remain in place until the current rate agreement is provided to the DGM.

Per 45 CFR 75.414(f) Indirect (F&A) costs, “any non-Federal entity (NFE) [i.e., applicant] that has never received a negotiated indirect cost rate, . . . may elect to charge a de minimis rate of 10 percent of modified total direct costs which may be used indefinitely. As described in Section 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this

methodology once elected must be used consistently for all Federal awards until such time as the NFE chooses to negotiate for a rate, which the NFE may apply to do at any time.”

Electing to charge a de minimis rate of 10 percent only applies to applicants that have never received an approved negotiated indirect cost rate from HHS or another cognizant federal agency. Applicants awaiting approval of their indirect cost proposal may request the 10 percent de minimis rate. When the applicant chooses this method, costs included in the indirect cost pool must not be charged as direct costs to the grant.

Available funds are inclusive of direct and appropriate indirect costs. Approved indirect funds are awarded as part of the award amount, and no additional funds will be provided.

Generally, IDC rates for IHS grantees are negotiated with the Division of Cost Allocation at <https://rates.psc.gov/> or the Department of the Interior (Interior Business Center) at <https://ibc.doi.gov/ICS/tribal>. For questions regarding the indirect cost policy, please call the Grants Management Specialist listed under “Agency Contacts” or the main DGM office at (301) 443–5204.

3. Reporting Requirements

The grantee must submit required reports consistent with the applicable deadlines. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in the imposition of special award provisions and/or the non-funding or non-award of other eligible projects or activities. This requirement applies whether the delinquency is attributable to the failure of the awardee organization or the individual responsible for preparation of the reports. Per DGM policy, all reports must be submitted electronically by attaching them as a “Grant Note” in GrantSolutions. Personnel responsible for submitting reports will be required to obtain a login and password for GrantSolutions. Please see the Agency Contacts list in Section VII for the systems contact information.

The reporting requirements for this program are noted below.

A. Progress Reports

Program progress reports are required semi-annually. The progress report is due within 30 days after the reporting

period ends (specific dates will be listed in the NoA Terms and Conditions). These reports must include a brief comparison of actual accomplishments to the goals established for the period, a summary of progress to date or, if applicable, provide sound justification for the lack of progress, and other pertinent information as required. A final report must be submitted within 90 days of expiration of the period of performance.

B. Financial Reports

Federal Cash Transaction Reports are due 30 days after the close of every calendar quarter to the Payment Management Services at <https://pms.psc.gov>. Failure to submit timely reports may result in adverse award actions blocking access to funds.

Federal Financial Reports are due 30 days after the end of each budget period, and a final report is due 90 days after the end of the Period of Performance.

Grantees are responsible and accountable for reporting accurate information on all required reports: the Progress Reports, Federal Cash Transaction Reports, and Federal Financial Report.

C. Federal Sub-Award Reporting System (FSRS)

This award may be subject to the Transparency Act sub-award and executive compensation reporting requirements of 2 CFR part 170.

The Transparency Act requires the OMB to establish a single searchable database, accessible to the public, with information on financial assistance awards made by Federal agencies. The Transparency Act also includes a requirement for recipients of Federal grants to report information about first-tier sub-awards and executive compensation under Federal assistance awards.

The IHS has implemented a Term of Award into all IHS Standard Terms and Conditions, NoAs, and funding announcements regarding the FSRS reporting requirement. This IHS Term of Award is applicable to all IHS grant and cooperative agreements issued on or after October 1, 2010, with a \$25,000 sub-award obligation threshold met for any specific reporting period.

For the full IHS award term implementing this requirement and additional award applicability information, visit the DGM Grants Management website at <https://www.ihs.gov/dgm/policytopics/>.

D. Compliance With Executive Order 13166 Implementation of Services Accessibility Provisions for All Grant Application Packages and Funding Opportunity Announcements

Should you successfully compete for an award, recipients of Federal financial assistance (FFA) from HHS must administer their programs in compliance with Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age and, in some circumstances, religion, conscience, and sex (including gender identity, sexual orientation, and pregnancy). This includes ensuring programs are accessible to persons with limited English proficiency and persons with disabilities. The HHS Office for Civil Rights provides guidance on complying with civil rights laws enforced by HHS. Please see <https://www.hhs.gov/civil-rights/for-providers/provider-obligations/index.html> and <https://www.hhs.gov/civil-rights/for-individuals/nondiscrimination/index.html>.

- Recipients of FFA must ensure that their programs are accessible to persons with limited English proficiency. For guidance on meeting your legal obligation to take reasonable steps to ensure meaningful access to your programs or activities by limited English proficiency individuals, see <https://www.hhs.gov/civil-rights/for-individuals/special-topics/limited-english-proficiency/fact-sheet-guidance/index.html> and <https://www.lep.gov>.

- For information on your specific legal obligations for serving qualified individuals with disabilities, including reasonable modifications and making services accessible to them, see <https://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>.

- HHS funded health and education programs must be administered in an environment free of sexual harassment. See <https://www.hhs.gov/civil-rights/for-individuals/sex-discrimination/index.html>.

- For guidance on administering your program in compliance with applicable Federal religious nondiscrimination laws and applicable Federal conscience protection and associated anti-discrimination laws, see <https://www.hhs.gov/conscience/conscience-protections/index.html> and <https://www.hhs.gov/conscience/religious-freedom/index.html>.

E. Federal Awardee Performance and Integrity Information System (FAPIIS)

The IHS is required to review and consider any information about the

applicant that is in the FAPIIS at <https://www.fapiis.gov> before making any award in excess of the simplified acquisition threshold (currently \$250,000) over the period of performance. An applicant may review and comment on any information about itself that a Federal awarding agency previously entered. The IHS will consider any comments by the applicant, in addition to other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 45 CFR 75.205.

As required by 45 CFR part 75 Appendix XII of the Uniform Guidance, NFEs are required to disclose in FAPIIS any information about criminal, civil, and administrative proceedings, and/or affirm that there is no new information to provide. This applies to NFEs that receive Federal awards (currently active grants, cooperative agreements, and procurement contracts) greater than \$10,000,000 for any period of time during the period of performance of an award/project.

Mandatory Disclosure Requirements

As required by 2 CFR part 200 of the Uniform Guidance, and the HHS implementing regulations at 45 CFR part 75, the IHS must require an NFE or an applicant for a Federal award to disclose, in a timely manner, in writing to the IHS or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

All applicants and recipients must disclose in writing, in a timely manner, to the IHS and to the HHS Office of Inspector General of all information related to violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. 45 CFR 75.113.

Disclosures must be sent in writing to: U.S. Department of Health and Human Services, Indian Health Service, Division of Grants Management, ATTN: Paul Gettys, Acting Director, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, (Include "Mandatory Grant Disclosures" in subject line), Office: (301) 443-5204, Fax: (301) 594-0899, Email: Paul.Gettys@ihs.gov.

AND

U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330

Independence Avenue SW, Cohen Building, Room 5527, Washington, DC 20201, URL: <https://oig.hhs.gov/fraud/report-fraud/>, (Include "Mandatory Grant Disclosures" in subject line), Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or Email: MandatoryGranteeDisclosures@oig.hhs.gov.

Failure to make required disclosures can result in any of the remedies described in 45 CFR 75.371 Remedies for noncompliance, including suspension or debarment (see 2 CFR parts 180 and 2 CFR part 376).

VII. Agency Contacts

1. Questions on the programmatic issues may be directed to: Roxanne Houston, Program Officer, Indian Health Service, Office of Tribal Self-Governance, 5600 Fishers Lane, Mail Stop: 08E09B, Rockville, MD 20857, Phone: (301) 443-7821, Email: Roxanne.Houston@ihs.gov Website: <https://www.ihs.gov/SelfGovernance/>.

2. Questions on grants management and fiscal matters may be directed to: Sheila Little Miller, Grants Management Specialist, Indian Health Service, Division of Grants Management, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, Phone: (240) 535-9308, Email: Sheila.Miller@ihs.gov.

3. Questions on systems matters may be directed to: Paul Gettys, Acting Director, Indian Health Service, Division of Grants Management, 5600 Fishers Lane, Mail Stop: 09E70, Rockville, MD 20857, Phone: (301) 443-2114; or the DGM main line (301) 443-5204, E-Mail: Paul.Gettys@ihs.gov.

VIII. Other Information

The Public Health Service strongly encourages all grant, cooperative agreement, and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103-227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of the facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the HHS mission to protect and advance the physical and mental health of the American people.

Chris Buchanan,

Assistant Surgeon General, RADM, USPHS, Acting Deputy Director, Indian Health Service.

[FR Doc. 2021-24679 Filed 11-10-21; 8:45 am]

BILLING CODE 4165-16-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Meeting**

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Diabetes and Digestive and Kidney Diseases Advisory Council.

The meeting will be open to the public as indicated below. The open session will be webcast and can be accessed from the National Diabetes and Digestive and Kidney Diseases Advisory Council website: <https://nci.rev.vbrick.com/#/webcasts/niddk>.

Name of Committee: National Diabetes and Digestive and Kidney Diseases Advisory Council Special Meeting of NIDDK Advisory Council; Consideration of the NIDDK Strategic Plan.

Date: November 23, 2021.

Time: 11:30 a.m. to 12:30 p.m.

Agenda: Consideration of the NIDDK Strategic Plan.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Karl F. Malik, Ph.D., Director, Division of Extramural Activities, National Institutes of Diabetes and Digestive and Kidney Diseases, 6707 Democracy Blvd., Room 7329, MSC 5452, Bethesda, MD 20892, (301) 594-4757, malikk@niddk.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.

Information is also available on the Institute's/Center's home page: www.niddk.nih.gov/fund/divisions/DEA/Council/coundesc.htm, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: November 4, 2021.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24610 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****National Institute on Aging; Notice of Closed Meeting**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Special SEP on Clinician Training.

Date: November 29, 2021.

Time: 11:00 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20814 (Video Meeting).

Contact Person: Maurizio Grimaldi, MD, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Aging, National Institutes of Health, 7201 Wisconsin Avenue, Gateway Building, Suite 2W200, Bethesda, MD 20892, 301-496-9374, grimaldim2@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: November 4, 2021.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24614 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****Center For Scientific Review; Notice of Closed Meetings**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose

confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neuropsychiatric Clinical Trials.

Date: December 2, 2021.

Time: 2:00 p.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Julius Cinque, MS, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5186, MSC 7846, Bethesda, MD 20892, (301) 435-1252, cinquej@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Cognitive and Neuropathological Signatures of Alzheimer's Disease, Brain Injury and Aging.

Date: December 3, 2021.

Time: 9:00 a.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Samuel C Edwards, Ph.D., Chief, BDCN IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5210, MSC 7846, Bethesda, MD 20892, (301) 435-1246, edwardss@csr.nih.gov

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Initiative Research in Hematology.

Date: December 7, 2021.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Larry Pinkus, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4132, MSC 7802, Bethesda, MD 20892, (301) 435-1214, pinkusl@csr.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: November 4, 2021.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24616 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****National Institute of General Medical Sciences; Notice of Meeting**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Advisory General Medical Sciences Council.

The meeting will be open to the public as indicated below, with a short public comment period at the end. The open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (<https://www.nigms.nih.gov/about-nigms/what-we-do/advisory-council>).

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory General Medical Sciences Council.

Date: February 3, 2022.

Open: 9:30 a.m. to 1:30 p.m.

Agenda: To review and evaluate for the discussion of program policies and issues; opening remarks; report of the Director, NIGMS; and other business of the Council.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Closed: 1:30 p.m. to 4:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Erica L. Brown, Ph.D., Acting Associate Director for Extramural Activities, National Institute of General Medical Sciences, National Institutes of Health, Natcher Building, Room 2AN24F, Bethesda, MD 20892, 301-594-4499, erica.brown@nih.gov.

Information is also available on the Institute's/Center's home page: <http://www.nigms.nih.gov/About/Council>, where an agenda and any additional information for the meeting will be posted when available. (Catalogue of Federal Domestic Assistance Program Nos. 93.375, Minority Biomedical Research Support; 93.821, Cell Biology and Biophysics Research; 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.862, Genetics and Developmental Biology Research; 93.88, Minority Access to Research Careers; 93.96, Special Minority Initiatives; 93.859,

Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: November 4, 2021

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24615 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****National Human Genome Research Institute; Notice of Closed Meeting**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, National Human Genome Research Institute.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the NATIONAL HUMAN GENOME RESEARCH INSTITUTE, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Human Genome Research Institute.

Date: December 7-8, 2021.

Time: 1:00 p.m. to 4:30 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Place: National Human Genome Research Institute, National Institutes of Health, Building 50, Room 5222C, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Paul Liu, Ph.D., M.D., Deputy Scientific Director, National Human Genome Research Institute, National Institutes of Health, Building 50, Room 5222C, Bethesda, MD 20892, (301) 402-2529, pliu@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.172, Human Genome Research, National Institutes of Health, HHS)

Dated: November 4, 2021.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24613 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Syphilis Specimen Collection.

Date: December 14, 2021.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G53A, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Caitlin A. Brennan, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G53A, Rockville, MD 20852, 301-761-7792, Caitlin.brennan@niaid.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: November 8, 2021.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24769 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**National Institutes of Health****Center for Scientific Review; Notice of Closed Meetings**

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Vascular and Hematology.

Date: December 3, 2021.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Larry Pinkus, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4132, MSC 7802, Bethesda, MD 20892, (301) 435-1214, pinkusl@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Understanding Alzheimer's Disease-2.

Date: December 7, 2021.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jordan Matthew Moore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1002A1, Bethesda, MD 20892, (301) 451-0293, moorejom@mail.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Aging Systems and Geriatrics.

Date: December 9, 2021.

Time: 1:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Inese Z. Beitins, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6152, MSC 7892, Bethesda, MD 20892, 301-435-1034, beitinsi@csr.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: November 4, 2021.

Melanie J. Pantoja,
Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2021-24611 Filed 11-10-21; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4608-DR; Docket ID FEMA-2021-0001]

Montana; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Montana (FEMA-4608-DR), dated August 13, 2021, and related determinations.

DATES: This change occurred on October 14, 2021.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Alana B. Kuhn, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Jon K. Huss as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2021-24731 Filed 11-10-21; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-4618-DR; Docket ID FEMA-2021-0001]

Pennsylvania; Amendment No. 2 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 Commonwealth of Pennsylvania (FEMA-4618-DR), dated September 10, 2021, and related determinations.

DATES: This amendment was issued October 8, 2021.

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 Commonwealth of Pennsylvania is hereby amended to include Public Assistance for 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 10, 2021.

Bucks, Chester, and Montgomery Counties for Public Assistance (already designated for Individual 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.

Deanne Criswell,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2021-24738 Filed 11-10-21; 8:45 am]

BILLING CODE 9111-23-P

DEPARTMENT OF HOMELAND SECURITY**Transportation Security Administration**

[Docket No. TSA–2011–0008]

Aviation Security Advisory Committee (ASAC) Public Meeting**AGENCY:** Transportation Security Administration, DHS.**ACTION:** Committee Management; notice of Federal Advisory Committee meeting.**SUMMARY:** The Transportation Security Administration (TSA) will hold a public meeting of the Aviation Security Advisory Committee (ASAC) on December 7, 2021. The meeting agenda and information on public participation is provided below under**SUPPLEMENTARY INFORMATION.** In light of the current COVID–19 public health crisis, the meeting will be virtual.**DATES:** The Committee will meet on Tuesday, December 7, 2021, from 10:00 a.m. to 1:00 p.m. Eastern Standard Time. This meeting may end early if all business is completed. Requests to attend the meeting must be received by November 19, 2021. Requests to address the Committee must also be received by November 19, 2021.**ADDRESSES:** The meeting will be held virtually by teleconference. See the Public Participation information below for instructions on how to register to attend the meeting. Attendance information will be provided upon registration.**FOR FURTHER INFORMATION CONTACT:** Tamika McCree Elhilali, Aviation Security Advisory Committee Designated Federal Official, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6028, ASAC@tsa.dhs.gov, 571–227–2632.**SUPPLEMENTARY INFORMATION:****I. Background**

TSA is providing notice of this meeting in accordance with the Aviation Security Stakeholder Participation Act of 2014, Public Law 113–238 (128 Stat. 2842; Dec. 18, 2014), as codified at 49 U.S.C. 44946. The ASAC provides advice and industry perspective to the Administrator of TSA on aviation security matters, including the development, refinement, and implementation of policies, programs, rulemaking, and security directives pertaining to aviation security. While the ASAC is exempt from the Federal Advisory Committee Act (5 U.S.C. App.), see 49 U.S.C. 44946(f), paragraph

44946(c)(4)(B) requires that TSA hold at least one public meeting each year.

II. Meeting Agenda

The Committee will meet to discuss items listed in the agenda below:

- Legislative Update
- REAL ID Update
- Subcommittee and Work Group briefings on calendar year (CY) 2021 activities, key issues, and areas of focus for CY 2022:
 - Air Cargo
 - Airlines
 - Airports
 - General Aviation
 - Insider Threat
 - International Aviation
 - Security Technology
- Public Comments
- Discussion of the CY 2022 Committee Agenda and Meeting Dates
- Closing Comments and Adjournment

III. Public Participation

The meeting will be open to the public and attendance may be limited due to technological and telephonic meeting constraints. Members of the public, all non-ASAC members, and non-TSA staff who wish to attend must register via email by submitting their name, contact number, and affiliation to ASAC@tsa.dhs.gov by November 19, 2021. Attendees will be admitted on a first-to-register basis. Attendance information will be provided upon registration.

In addition, members of the public must make advance arrangements by November 19, 2021, to present oral or written statements. The statements must specifically address issues pertaining to the items listed in the Meeting Agenda section; requests must be submitted via email to: ASAC@tsa.dhs.gov. The public comment period will begin at approximately 12:00 p.m. and will end at 1:00 p.m. Speakers are requested to limit their comments to three minutes.

The ASAC and TSA are committed to providing equal access to this virtual meeting for all participants. If you need alternative formats or services because of a disability, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section before November 19, 2021.

Dated: November 5, 2021.

Victoria E. Newhouse,
Deputy Assistant Administrator, Policy,
Plans, and Engagement.

[FR Doc. 2021–24643 Filed 11–10–21; 8:45 am]

BILLING CODE 9110–05–P**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR–7038–N–17]

60-Day Notice of Proposed Information Collection: Comprehensive Listing of Transactional Documents for Mortgagors, Mortgagees and Contractors; OMB Control No.: 2502–0605**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.**ACTION:** Notice.**SUMMARY:** HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.**DATES:** Comments Due Date: January 11, 2022.**ADDRESSES:** Interested persons are invited to submit comments regarding this notice. Communications must refer to the above docket number and title. There are two methods for submitting public comments:

1. Submission of Comments by Mail. Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW, Room 10276, Washington, DC 20410–0500.

2. Electronic Submission of Comments. Comments may be submitted electronically through the Federal eRulemaking Portal at www.regulations.gov. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the www.regulations.gov website can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

Note: To receive consideration as public comments, comments must be submitted through one of the two methods specified.

FOR FURTHER INFORMATION CONTACT: John M. Hartung, Director, Policy, Risk Management and Lender Relations

Division, Office of Residential Care Facilities, Office of Healthcare Programs, Office of Housing, U.S. Department of Housing and Urban Development, 1222 Spruce Street, Room 3.203, St. Louis, MO 63103-2836; telephone (314) 418-5238 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the Federal Relay Service at (800) 877-8339 (this is a toll-free number). Copies of available documents submitted to OMB may be obtained from Mr. Hartung.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. All forms have been updated with revised "Public reporting burden" and "Warning" language. The following minor revisions have been made:

1. Inserted ORCF specific data field "Long Term Reserve Escrow" on HUD-2205a-ORCF, "CMS # (if applicable)" on HUD-1044D-ORCF, HUD-2537-ORCF, HUD-2747-ORCF.

2. Updated Privacy Act Statement language on the following forms: HUD-9002-ORCF, HUD-9004-ORCF, HUD-9005-ORCF, HUD-9005a-ORCF, HUD-9007-ORCF, HUD-9007a-ORCF, HUD-9009-ORCF, HUD-90010-ORCF, HUD-90011-ORCF, HUD-90012-ORCF, HUD-90013-ORCF, HUD-90014-ORCF, HUD-90015-ORCF, HUD-90016-ORCF, HUD-90017-ORCF, HUD-90018-ORCF, HUD-90021-ORCF, HUD-9112-ORCF, HUD-92417-ORCF, HUD-92266-ORCF, HUD-92266A-ORCF, HUD-92266B-ORCF, HUD-90030-ORCF.

3. Minor revisions made to clarify applicable civil rights and accessibility rules on the following forms: HUD-9001-ORCF, HUD-9002-ORCF, HUD-9004-ORCF, HUD-9005-ORCF, HUD-9005a-ORCF, HUD-9006-ORCF, HUD-9007-ORCF, HUD-9007a-ORCF, HUD-9009-ORCF, HUD-90011-ORCF, HUD-90013-ORCF, HUD-90014-ORCF, HUD-90015-ORCF, HUD-90016-ORCF, HUD-90017-ORCF, HUD-90018-ORCF, HUD-90021-ORCF.

4. Updated Certification language and added Electronic signature language on the following forms: HUD-1044-D-ORCF, HUD-2537-ORCF, HUD-2747-ORCF.

5. Burden hours corrected on the following forms: HUD-91125-ORCF, HUD-941-ORCF, HUD-90022-ORCF.

6. Updated form title on the following form: HUD-1044-D-ORCF.

A. Overview of Information Collection

Title of Information Collection:
Comprehensive Listing of Transactional Documents for Mortgagors, Mortgagees and Contractors.

OMB Approval Number: 2502-0605.
OMB Expiration Date: June 30, 2022.

Type of Request: Revision of a currently approved collection.

Form Numbers: HUD-9001-ORCF, HUD-9002-ORCF, HUD-9003-ORCF, HUD-9004-ORCF, HUD-9005-ORCF, HUD-9005a-ORCF, HUD-9006-ORCF, HUD-9007-ORCF, HUD-9007a-ORCF, HUD-9009-ORCF, HUD-90010-ORCF, HUD-90011-ORCF, HUD-9444-ORCF, HUD-90012-ORCF, HUD-90013-ORCF, HUD-90014-ORCF, HUD-90015-ORCF, HUD-90016-ORCF, HUD-90017-ORCF, HUD-90018-ORCF, HUD-90021-ORCF, HUD-9442-ORCF, HUD-90023-ORCF, HUD-91123-ORCF, HUD-91124-ORCF, HUD-91125-ORCF, HUD-91127-ORCF, HUD-91129-ORCF, HUD-92328-ORCF, HUD-92403-ORCF, HUD-92408-ORCF, HUD-92415-ORCF, HUD-92437-ORCF, HUD-92441-ORCF, HUD-92441a-ORCF, HUD-92442-ORCF, HUD-92448-ORCF, HUD-92450-ORCF, HUD-92452-ORCF, HUD-92452A-ORCF, HUD-92455-ORCF, HUD-92456-ORCF, HUD-92479-ORCF, HUD-92485-ORCF, HUD-92554-ORCF, HUD-93305-ORCF, HUD-95379-ORCF, HUD-2-ORCF, HUD-935.2D-ORCF, HUD-941-ORCF, HUD-9445-ORCF, HUD-9839-ORCF, HUD-90022-ORCF, HUD-90024-ORCF, HUD-91116-ORCF, HUD-91126-ORCF, HUD-91130-ORCF, HUD-92000-ORCF, HUD-92264a-ORCF, HUD-92434-ORCF, HUD-90020-ORCF, HUD-92322-ORCF, HUD-92211-ORCF, HUD-92331-ORCF, HUD-92333-ORCF, HUD-92334-ORCF, HUD-92335-ORCF, HUD-92336-ORCF, HUD-92337-ORCF, HUD-92339-ORCF, HUD-92340-ORCF, HUD-92341-ORCF, HUD-92342-ORCF, HUD-92343-ORCF, HUD-2205A-ORCF, HUD-91110-ORCF, HUD-91111-ORCF, HUD-91112-ORCF, HUD-91118-ORCF, HUD-91710-ORCF, HUD-92023-ORCF, HUD-92070-ORCF, HUD-92071-ORCF, HUD-92223-ORCF, HUD-92323-ORCF, HUD-92324-ORCF, HUD-92330-ORCF, HUD-92330A-ORCF, HUD-92420-ORCF, HUD-92435-ORCF, HUD-92466-ORCF, HUD-92466A-ORCF, HUD-92468-ORCF, HUD-94000-ORCF, HUD-94000-ORCF-ADD, HUD-94000B-ORCF, HUD-94001-ORCF, HUD-94001-ORCF-RI, HUD-9443-ORCF, HUD-91071-ORCF, HUD-91128-ORCF, HUD-92412-ORCF, HUD-92414-ORCF, HUD-92464-ORCF, HUD-92476-ORCF, HUD-92476B-ORCF, HUD-92476C-ORCF, HUD-91117-ORCF, HUD-91725-ORCF, HUD-91725-INST-ORCF, HUD-91725-CERT-ORCF, HUD-92325-ORCF, HUD-92327-ORCF, HUD-1044-D-ORCF, HUD-2537-ORCF, HUD-

2747-ORCF, HUD-9250-ORCF, HUD-9807-ORCF, HUD-90019-ORCF, HUD-90029-ORCF, HUD-90030-ORCF, HUD-90031-ORCF, HUD-90032-ORCF, HUD-90033-ORCF, HUD-92080-ORCF, HUD-92117-ORCF, HUD-92228-ORCF, HUD-92266-ORCF, HUD-92266A-ORCF, HUD-92266B-ORCF, HUD-92417-ORCF, HUD-93332-ORCF, HUD-93333-ORCF, HUD-93334-ORCF, HUD-93335-ORCF, HUD-93479-ORCF, HUD-93480-ORCF, HUD-93481-ORCF, HUD-93486-ORCF, HUD-91116A-ORCF, HUD-92211A-ORCF, HUD-92323A-ORCF, HUD-92324A-ORCF, HUD-92333A-ORCF, HUD-92338-ORCF, HUD-92340A-ORCF, HUD-92434A-ORCF, HUD-92441B-ORCF, HUD-92467-ORCF, HUD-92467A-ORCF, HUD-94000A-ORCF, HUD-94001A-ORCF.

Description of the need for the information and proposed use: The issuance of this notice is modeled on the public review and input process that HUD utilized in the establishment of the healthcare facility documents for Section 232 of the National Housing Act (Section 232) program. The collection includes documents comprising the application for FHA mortgage insurance of residential care facilities, and for servicing of the mortgages. The information is submitted from HUD-approved mortgagees, sponsors, mortgagors and contractors. The included documents are necessary for the application, review, commitment, initial/final endorsement, administration, servicing, technical oversight and audit of the Office of Residential Care Facilities projects pursuant to FHA Programs 232, 241, 223(f), 223(a)(7), 223(d) and 232(i) as authorized by the National Housing Act (sections 232, 241.)

Respondents: Businesses or other for profits.

Estimated Number of Respondents: 5,451.

Estimated Number of Responses: 27,163.

Frequency of Response: 730.

Average Hours per Response: 5.32.

Total Estimated Burden: 50,122.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Janet M. Golrick,

Acting, Chief of Staff for the Office of Housing Federal Housing Administration.

[FR Doc. 2021-24650 Filed 11-10-21; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R3-ES-2021-0100;
FXES11140300000-212]

Draft Environmental Assessment and Proposed Habitat Conservation Plan; Receipt of an Application for an Incidental Take Permit, Green River Wind Farm, Lee and Whiteside Counties, Illinois

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment and information.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application from Green River Wind Farm Phase 1, LLC (applicant), for an incidental take permit (ITP) under the Endangered Species Act (ESA), for its Green River Wind Farm (project). The applicant requests the ITP, which would be for a 30-year period, for the take of the federally listed endangered Indiana bat and threatened northern long-eared bat incidental to the otherwise lawful activities associated with the project. The applicant proposes a conservation program to minimize and mitigate for the unavoidable incidental take as described in their habitat conservation plan (HCP). The Service requests public comment on the application including the submission of written data, views or arguments with respect to the application, which includes the applicant's proposed HCP, and the

Service's draft environmental assessment, prepared pursuant to the National Environmental Policy Act. The Service provides this notice to seek comments from the public and Federal, Tribal, State, and local governments.

DATES: We will accept comments received or postmarked on or before December 13, 2021.

ADDRESSES: *Document availability:* Electronic copies of the documents this notice announces, along with public comments received, will be available online in Docket No. FWS-R3-ES-2021-0100 at <http://www.regulations.gov>.

Comment submission: In your comment, please specify whether your comment addresses the proposed HCP, draft EA, or any combination of the aforementioned documents, or other supporting documents. You may submit written comments by one of the following methods:

- *Online:* <http://www.regulations.gov>. Search for and submit comments on Docket No. FWS-R3-ES-2021-0100.

- *By hard copy:* Submit comments by U.S. mail to Public Comments Processing, Attn: Docket No. FWS-R3-ES-2021-0100; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS: PRB/3W; Falls Church, VA 22041-3803.

FOR FURTHER INFORMATION CONTACT:

Kraig McPeck, Field Supervisor, Illinois-Iowa Ecological Services Field Office, U.S. Fish and Wildlife Service, 1511 47th Ave, Moline, IL 61265; telephone: 309-757-5800, extension 202; or Andrew Horton, Regional HCP Coordinator, U.S. Fish and Wildlife Service—Interior Region 3, 5600 American Blvd., West, Suite 990, Bloomington, MN 55437-1458; telephone: 612-713-5337.

Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

SUPPLEMENTARY INFORMATION:

Background

Section 9 of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and its implementing regulations prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the ESA as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect "listed animal species," or to attempt to engage in such conduct" (16 U.S.C. 1538). However, under section 10(a) of the ESA, we may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of,

carrying out an otherwise lawful activity. Regulations governing incidental take permits for endangered and threatened species, respectively, are found in the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.

Applicant's Proposed Project

The applicant requests a 30-year ITP for take of the federally endangered Indiana bat (*Myotis sodalis*) and federally threatened northern long-eared bat (*Myotis septentrionalis*). The applicant determined that wind farm activities on this land are reasonably certain to result in incidental take of these federally listed species. Activity that could result in incidental take of Indiana bats and northern long-eared bats is the operation of 74 wind turbines currently being constructed in Lee and Whiteside Counties, Illinois, within a permit area consisting of approximately 12,120 acres of private land. The estimated level of take from the project is 60 Indiana bats and 120 northern long-eared bats over the 30-year project duration.

The proposed conservation strategy in the applicant's proposed HCP is designed to avoid, minimize, and mitigate the impacts of the covered activity on the covered species. The biological goals and objectives are to minimize potential take of Indiana bats and northern long-eared bats through on-site minimization measures and to provide habitat conservation and mitigation measures for Indiana bats and northern long-eared bats to offset any impacts from operations of the project. On-site minimization measures include feathering turbine blades up to 3.0 meters per second (m/s) during winter and spring (October 16–May 15), up to 5.0 m/s during fall (August 1–October 15), and up to 5.0 m/s at 24 turbines with risk and 3.0 m/s at the remaining turbines during summer (May 16–July 31). Minimization measures will be implemented nightly from a half hour before sunset to a half hour after sunrise when the temperature is above 10 °C. To offset the impacts of the taking of Indiana bats and northern long-eared bats, the applicant proposes to protect known maternity colony habitat for both covered species. The Service requests public comments on the permit application, which includes a proposed HCP, and a draft EA prepared in accordance with the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*).

The applicants' HCP describes the activities that will be undertaken to implement the project, as well as the mitigation and minimization measures

proposed to address the impacts to the covered species. Pursuant to NEPA, the EA analyzes the impacts the ITP issuance would have on the covered species and the environment.

National Environmental Policy Act

The issuance of an ITP is a Federal action that triggers the need for compliance with NEPA. We prepared a draft EA that analyzes the environmental impacts on the human environment resulting from three alternatives: A no-action alternative, the applicant's proposed action, and a more restrictive alternative consisting of feathering at a rate of wind speed that results in less impacts to bats.

Next Steps

The Service will evaluate the permit application and the comments received to determine whether the application meets the requirements of section 10(a) of the ESA. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the above findings, we will review public comments on the draft EA, complete the NEPA process, and determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue the requested ITP to the applicant.

Request for Public Comments

The Service invites comments and suggestions from all interested parties during a 30-day public comment period (see **DATES**). In particular, information and comments regarding the following topics are requested:

1. The direct, indirect, or cumulative effects that implementation of any alternative could have on the human environment;
2. Whether or not the significance of the impact on various aspects of the human environment has been adequately analyzed; and
3. Any other information pertinent to evaluating the effects of the proposed action on the human environment.

Availability of Public Comments

You may submit comments by one of the methods shown under **ADDRESSES**. We will post on <http://regulations.gov> all public comments and information received electronically or via hardcopy. All comments received, including names and addresses, will become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and the NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1500–1508 (2020); 43 CFR part 46).

Lori Nordstrom,

Assistant Regional Director, Ecological Services.

[FR Doc. 2021–24638 Filed 11–10–21; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAK940000.L1410000.BX0000.22X.LXSS001L0100]

Filing of Plats of Survey: Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), Alaska State Office, Anchorage, Alaska. The surveys, which were executed at the request of the Bureau of Indian Affairs and the BLM, are necessary for the management of these lands.

DATES: The BLM must receive protests by December 13, 2021.

ADDRESSES: You may buy a copy of the plats from the BLM Alaska Public Information Center, 222 West 7th Avenue, Mailstop 13, Anchorage, Alaska 99513. You may also view the plats at the BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska, at no cost.

FOR FURTHER INFORMATION CONTACT: Thomas B. O'Toole, Chief, Branch of Cadastral Survey, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Anchorage, Alaska 99513; telephone (907) 271–4231; email

totoole@blm.gov. People who use a telecommunications device for the deaf may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the BLM during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The lands surveyed are:

Copper River Meridian, Alaska

- U.S. Survey No. 14531, accepted October 8, 2021, situated in T. 24 N., R. 11 E.
- U.S. Survey No. 14534, accepted October 8, 2021, situated in T. 15 N., R. 12 E.
- U.S. Survey No. 14535, accepted October 8, 2021, situated in T. 25 N., R. 12 E.
- U.S. Survey No. 14537, accepted October 8, 2021, situated in T. 15 N., R. 12 E.
- U.S. Survey No. 14541, accepted October 8, 2021, situated in T. 28 N., R. 10 E.

Seward Meridian, Alaska

- U.S. Survey No. 4980, accepted October 1, 2021, situated in T. 13 S., R. 56 W.
- U.S. Survey No. 7143, accepted October 1, 2021, situated in T. 13 S., R. 56 W.

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the BLM Alaska State Director. The protest may be filed by mail addressed to “BLM State Director, Alaska State Office, Bureau of Land Management, 222 West 7th Avenue, Anchorage, Alaska 99513” or by delivering it in person to the BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 West 7th Avenue, Anchorage, Alaska. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. You must file the notice of protest by December 13, 2021. The BLM will not consider any notice of protest filed after this date. A notice of protest is considered filed on the date it is received by the BLM Alaska State Director during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the BLM Alaska State Director within 30 calendar days after the notice of protest is filed.

If a notice of protest of a plat of survey is timely, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personally identifiable information in a

notice of protest or statement of reasons, you should be aware that the documents you submit, including your personally identifiable information, may be made publicly available in their entirety at any time. While you can ask the BLM to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 U.S.C. Chap. 3)

Thomas O'Toole,

Chief Cadastral Surveyor, Alaska.

[FR Doc. 2021-24691 Filed 11-10-21; 8:45 am]

BILLING CODE 4310-JA-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLES960000.L14400000.ET0000.223;
MNES-059784]

Notice of Application for Withdrawal and Segregation of Federal Lands; Cook, Lake, and Saint Louis Counties, Minnesota

Correction

In notice document 2021-22958, appearing on pages 58299-58301 in the issue of Thursday, October 21, 2021, make the following change:

On page 58300, in the second column, lines 42 and 43 are corrected to read as follows:

“Tps. 57 to 63 N., Rs. 11 W.”

“Tp. 59 N., R. 12 W.”

[FR Doc. C1-2021-22958 Filed 11-10-21; 8:45 am]

BILLING CODE 0099-10-D

DEPARTMENT OF THE INTERIOR

National Indian Gaming Commission

Fee Rate and Fingerprint Fees

AGENCY: National Indian Gaming Commission, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given that the National Indian Gaming Commission has adopted its annual fee rates of 0.00% for tier 1 and 0.08% (.0008) for tier 2. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation, the fee rate on Class II revenues shall be 0.04% (.0004) which is one-half of the annual fee rate. The annual fee rates being adopted here are effective November 1, 2021 and will remain in effect until new rates are adopted. The National Indian Gaming Commission

has also adopted its fingerprint processing fee of \$35 per card which represents a decrease of \$10 per card from the current fee of \$45. The fingerprint processing fee being adopted here is effective November 1, 2021 and will remain in effect until the Commission adopts a new rate.

FOR FURTHER INFORMATION CONTACT:

Yvonne Lee, National Indian Gaming Commission, 1849 C Street NW, Mail Stop #1621, Washington, DC 20240; telephone (202) 632-7003; fax (202) 632-7066.

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act (IGRA) established the National Indian Gaming Commission, which is charged with regulating gaming on Indian lands.

Commission regulations (25 CFR 514) provide for a system of fee assessment and payment that is self-administered by gaming operations. Pursuant to those regulations, the Commission is required to adopt and communicate assessment rates and the gaming operations are required to apply those rates to their revenues, compute the fees to be paid, report the revenues, and remit the fees to the Commission. All gaming operations within the jurisdiction of the Commission are required to self-administer the provisions of these regulations, and report and pay any fees that are due to the Commission. Based on the Commission's fee calculation structure, FY20's gaming revenue will be the basis for the tribes to calculate their FY22 quarterly fee payment to the NIGC. As a result of the COVID-19 pandemic impact on FY20's gaming revenue, raising the fee rate to 0.08% is necessary to ensure the continuous funding of the agency's operations throughout FY22.

Pursuant to 25 CFR 514, the Commission must also review annually the costs involved in processing fingerprint cards and set a fee based on fees charged by the Federal Bureau of Investigation and costs incurred by the Commission. Commission costs include Commission personnel, supplies, equipment costs, and postage to submit the results to the requesting tribe. The fingerprint processing fee decrease this year is a result of the one-time capital investment on updating the NIGC's fingerprint system and network for which the fund has been committed in FY21 and the system is currently in its design stage. FY22 costs allocated for processing fingerprint continue to reflect the Commission's commitment on taking additional measures necessary to ensure compliance with Federal Bureau of Investigation (FBI) requirements including funding

compliance efforts by hiring new Criminal Justice Information Services (CJIS) Auditors/Officers in FY22 to meet FBI CJIS requirements and to remediate findings from an FBI CJIS audit. Taking these necessary measures are not only required but critical to ensure the NIGC and participating tribes can continue to utilize the FBI's criminal history report information (CHRI) to determine a key employee or primary management official's eligibility for a gaming license.

Dated: November 1, 2021.

E. Sequoyah Simermeyer,
Chairman.

Dated: November 1, 2021.

Jeannie Hovland,
Vice Chair.

[FR Doc. 2021-24697 Filed 11-10-21; 8:45 am]

BILLING CODE 7565-01-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NRNL-DTS#-32981;
PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting electronic comments on the significance of properties nominated before October 30, 2021, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by November 29, 2021.

ADDRESSES: Comments are encouraged to be submitted electronically to *National_Register_Submissions@nps.gov* with the subject line “Public Comment on <property or proposed district name, (County) State>.” If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT:

Sherry A. Frear, Chief, National Register of Historic Places/National Historic Landmarks Program, 1849 C Street NW, MS 7228, Washington, DC 20240, *sherry_frear@nps.gov*, 202-913-3763.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the

National Park Service before October 30, 2021. Pursuant to Section 60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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.

Nominations submitted by State or Tribal Historic Preservation Officers:

ALABAMA

Talladega County

Talladega College Historic District (Boundary Increase), 627 West Battle St., Talladega, BC100007214

MICHIGAN

Kent County

Fulton Manor, 1450 Fulton St. East, Grand Rapids, SG100007211

Macomb County

Mount Clemens Public Library, 125 Macomb Pl., Mount Clemens, SG100007210

Oakland County

Walbri Hall, 3570 Walbri Dr., Bloomfield Hills, SG100007209

Washtenaw County

Sutton, Nathan Esek and Sarah Emergene, House, 5145 Pontiac Trail, Northfield Township, SG100007208

NEW YORK

Monroe County

Lawyers Cooperative Publishing Company Complex, 52 and 28–50 Aqueduct, 40–50 East Broad, 38–46 Graves, and 11 Race Sts., Rochester, SG100007212

PENNSYLVANIA

Montgomery County

Philadelphia & Reading Railway: Lansdale Passenger Station, 80 West Main St., Lansdale, SG100007217

PUERTO RICO

Adjuntas Municipality

Foreman, Mr. & Mrs. Clark, Mountain Retreat, Bo. Portugues, Carretera 123, Km. 29.9 (Camino Foreman), Adjuntas vicinity, SG100007218

VERMONT

Windsor County

Luce Farm, (Agricultural Resources of Vermont MPS), 170 Luce Rd., Stockbridge, MP100007219

VIRGINIA

Henrico County

Sandston Historic District, Roughly bounded by Williamsburg Rd., Raines Ave., Berry St., Confederate and Jackson Aves., McClellan St., East Nine Mile Rd., and Garland Ave., Sandston, SG100007215

Additional documentation has been received for the following resource:

ALABAMA

Talladega County

Talladega College Historic District (Additional Documentation), 627 West Battle St., Talladega, AD90001316

Nominations submitted by Federal Preservation Officers:

The State Historic Preservation Officer reviewed the following nominations and responded to the Federal Preservation Officer within 45 days of receipt of the nominations and supports listing the properties in the National Register of Historic Places.

COLORADO

Larimer County

Fall River Pass Historic District, (Historic Park Landscapes in National and State Parks MPS), Fall River Pass, Rocky Mountain National Park, Estes Park vicinity, MP100007216

Fall River Pass Historic District, (Rocky Mountain National Park MPS), Fall River Pass, Rocky Mountain National Park, Estes Park vicinity, MP100007216

Fall River Pass Historic District, (National Park Service Mission 66 Era Resources MPS), Fall River Pass, Rocky Mountain National Park, Estes Park vicinity, MP100007216

DISTRICT OF COLUMBIA

District of Columbia

U.S. Capitol Gatehouses and Gateposts (Additional Documentation), Constitution Avenue NW at 7th, 15th and 17th Sts., Washington, AD73002120

Authority: Section 60.13 of 36 CFR part 60.

Dated: October 30, 2021.

Sherry A. Frear,

Chief, National Register of Historic Places/ National Historic Landmarks Program.

[FR Doc. 2021–24617 Filed 11–10–21; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–NER–ACAD–32575: PPNEACADSO, PMPSPDIZ.YM0000]

Request for Nominations for the Acadia National Park Advisory Commission

AGENCY: National Park Service, Interior.

ACTION: Request for nominations.

SUMMARY: The National Park Service (NPS), U.S. Department of the Interior, is requesting nominations for qualified persons to serve as members of the Acadia National Park Advisory Commission (Commission).

DATES: Written nominations must be postmarked by December 13, 2021.

ADDRESSES: Nominations should be sent to Kevin Langley, Acting Deputy Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, Maine 04609, telephone (207) 288–8701, or email kevin_langley@nps.gov.

FOR FURTHER INFORMATION CONTACT: Kevin Langley, via telephone at (207) 288–8701.

SUPPLEMENTARY INFORMATION: The Commission was established by section 103 of Public Law 99–420, as amended, (16 U.S.C. 341 note), and in accordance with the Federal Advisory Committee Act (5 U.S.C. Appendix 1–16). The Commission advises the Secretary of the Interior (Secretary) and the NPS on matters relating to the management and development of Acadia National Park, including but not limited to, the acquisition of lands and interests in lands (including conservation easements on islands) and the termination of rights of use and occupancy.

The Commission is composed of 16 members appointed by the Secretary, as follows: (a) Three members at large; (b) three members appointed from among individuals recommended by the Governor of Maine; (c) four members appointed from among individuals recommended by each of the four towns on the island of Mount Desert; (d) three members appointed from among individuals recommended by each of the three Hancock County mainland communities of Gouldsboro, Winter Harbor, and Trenton; and (e) three members appointed from among individuals recommended by each of the three island towns of Cranberry Isles, Swans Island, and Frenchboro.

The NPS is seeking nominees to represent the towns of Cranberry Isles, Frenchboro, Swans Island, Winter Harbor, and members at large. Nominations received by the park will be sent directly to local municipalities for their consideration.

Nominations should be typed and should include a resume providing an adequate description of the nominee's qualifications, including information that would enable the Department of the Interior to make an informed decision regarding meeting the membership requirements of the Commission and

permit the Department to contact a potential member. All documentation, including letters of recommendation, must be compiled and submitted in one complete package. All those interested in membership, including current members whose terms are expiring, must follow the same nomination process. Members may not appoint deputies or alternates.

Members of the Commission serve without compensation. However, while away from their homes or regular places of business in the performance of services for the Commission as approved by the NPS, members may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under section 5703 of title 5 of the United States Code.

Authority: 5 U.S.C. Appendix 2.

Alma Rippes,

Chief, Office of Policy.

[FR Doc. 2021–24711 Filed 11–10–21; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR03042000, 22XR0680A1, RX.18786000.1501100; OMB Control Number 1006–0014]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Lower Colorado River Well Inventory

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Reclamation, are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before December 13, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently Under 30-day Review—Open for Public Comments” or by using the search function. Please provide a copy of your comments to Jeremy Dodds, Water Accounting and Verification

Group Manager, LC–4200, Bureau of Reclamation, Lower Colorado Regional Office, P.O. Box 61470, Boulder City, NV 89006–1470 ; or by email to jdodds@usbr.gov. Please reference OMB Control Number 1006–0014 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this information collection request (ICR), contact Jeremy Dodds by email at jdodds@usbr.gov, or by telephone at (702) 293–8164. Individuals who are hearing or speech impaired may call the Federal Relay Service at (800) 877–8339 for TTY assistance. 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 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), 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 April 28, 2021 (86 FR 22453). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again soliciting comments from the public and other Federal agencies on the proposed ICR that is described below. We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency 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 response.

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: Pursuant to the Boulder Canyon Project Act (43 U.S.C. 617; Pub. L. 70–642, 45 Stat. 1057), all diversion of mainstream Colorado River water must be in accordance with the Colorado River water entitlement. The Consolidated Decree of the United States Supreme Court in *Arizona v. California*, 547 U.S. 150 (2006) requires the Secretary of the Interior to account for all diversions of mainstream Colorado River water along the lower Colorado River, including water drawn from the mainstream by underground pumping. To meet the water entitlement and accounting obligations, an inventory of wells and river pumps is required along the lower Colorado River, and the gathering of specific information concerning these wells.

Title of Collection: Lower Colorado River Well Inventory.

OMB Control Number: 1006–0014.
Form Number: Form LC–25.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Well and river-pump owners and operators along the lower Colorado River in Arizona, California, and Nevada. Each diverter (including well pumpers) must be identified and their diversion locations and water use determined.

Total Estimated Number of Annual Respondents: 50.

Total Estimated Number of Annual Responses: 50.

Estimated Completion Time per Response: An average of 20 minutes is required to interview individual well and river-pump owners or operators.

Total Estimated Number of Annual Burden Hours: 17 hours.

Respondent’s Obligation: Required to obtain or retain a benefit.

Frequency of Collection: These data are collected only once for each well or river-pump owner or operator as long as changes in water use, or other changes that would impact contractual or administrative requirements, are not made. A respondent may request that the data for its well or river pump be updated after the initial inventory.

Total Estimated Annual Nonhour Burden Cost: 0.

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.*).

Jacklynn L. Gould,

Regional Director, Interior Region 8: Lower Colorado Basin.

[FR Doc. 2021-24663 Filed 11-10-21; 8:45 am]

BILLING CODE 4332-90-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1226]

Certain Artificial Eyelash Extension Systems, Products, and Components Thereof; Notice of Request for Submissions on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that on October 28, 2021, the presiding chief administrative law judge (“ALJ”) issued an Initial Determination on Violation of Section 337. The ALJ also issued a Recommended Determination on Remedy and Bond should a violation be found in the above-captioned investigation. The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public only.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a

violation, it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically, a limited exclusion order directed to certain artificial eyelash extension systems, products, and components thereof imported, sold for importation, and/or sold after importation by respondents KISS Nail Products, Inc. of Port Washington, New York (“KISS”); Ulta Salon, Cosmetics & Fragrance, Inc. of Bolingbrook, Illinois (“Ulta”); CVS Pharmacy, Inc. of Woonsocket, Rhode Island (“CVS”); Walmart, Inc. of Bentonville, Arkansas (“Walmart”); Qingdao Hollyren Cosmetics Co., Ltd. d/b/a Hollyren of Shandong Province, China; Qingdao Xizi International Trading Co., Ltd. d/b/a Xizi Lashes of Shandong Province, China; Qingdao LashBeauty Cosmetic Co., Ltd. d/b/a Worldbeauty of Qingdao, China; and Alicia Zeng d/b/a Lilac St. and Artemis Family Beginnings, Inc. of San Francisco, California. The RD also recommends cease and desist orders directed to KISS, Ulta, CVS, and Walmart. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ’s Recommended Determination on Remedy and Bonding issued in this investigation on October 28, 2021. Comments should address whether issuance of the recommended remedial orders in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant’s licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on November 29, 2021.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission’s paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (March 19, 2020). Submissions should refer to the investigation number (“Inv. No. 337-TA-1226”) in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) & 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation 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. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of 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 8, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–24718 Filed 11–10–21; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–658–659 and 731–TA–1538–1542 (Final)]

Aluminum Foil From Armenia, Brazil, Oman, Russia, and Turkey; Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey, provided for in subheadings 7607.11.30, 7607.11.60, 7607.11.90, and 7607.19.60 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”), and to be subsidized by the governments of Oman and Turkey.

Background

The Commission instituted these investigations effective September 29, 2020, following receipt of petitions filed with the Commission and Commerce by the Aluminum Association Trade Enforcement Working Group, Arlington, Virginia and its individual members—Gränges Americas Inc., Franklin, Tennessee; JW Aluminum Company,

Daniel Island, South Carolina; and Novelis Corporation, Atlanta, Georgia. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of aluminum foil from Oman and Turkey were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and imports of aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey were sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on May 25, 2021 (86 FR 28146). In light of the restrictions on access to the Commission building due to the COVID–19 pandemic, the Commission conducted its hearing through written testimony and video conference on September 14, 2021. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on November 5, 2021. The views of the Commission are contained in USITC Publication 5235 (November 2021), entitled *Aluminum Foil from Armenia, Brazil, Oman, Russia, and Turkey: Investigation Nos. 701–TA–658–659 and 731–TA–1538–1542 (Final)*.

By order of the Commission.

Issued: November 5, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021–24628 Filed 11–10–21; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1223]

Notice of Request for Submissions on the Public Interest; Certain Shingled Solar Modules, Components Thereof, and Methods for Manufacturing the Same

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that, on October 22, 2021, the presiding

administrative law judge (“ALJ”) issued an Initial Determination on Violation of Section 337. The ALJ also issued a Recommended Determination on Remedy and Bond should a violation be found in the above-captioned investigation. The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation. This notice is soliciting comments from the public only.

FOR FURTHER INFORMATION CONTACT:

Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3179. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 provides that, if the Commission finds a violation, it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1).

The Commission is soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation, specifically: A limited exclusion order directed to certain shingled solar modules, components thereof, and methods for manufacturing the same that are imported, sold for importation, and/or sold after importation by respondents Canadian Solar Inc. of Ontario, Canada, and Canadian Solar (USA) Inc. of Walnut Creek, California, that infringe one or more of claims 1–5, 8, 9, 11, 15–17, 19, and 20 of U.S. Patent No. 10,763,388; and/or claims 1, 8, 9, and 12–17 of U.S. Patent No. 10,651,333. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

The Commission is interested in further development of the record on

¹ The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

the public interest in this investigation. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the ALJ's Recommended Determination on Remedy and Bond issued in this investigation on October 22, 2021. Comments should address whether issuance of the recommended remedial order in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended remedial order are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended order;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended order within a commercially reasonable time; and

(v) explain how the recommended order would impact consumers in the United States.

Written submissions from the public must be filed no later than by close of business on December 8, 2021.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission's paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (Mar. 19, 2020). Submissions should refer to the investigation number ("Inv. No. 337-TA-1223") in a prominent place on the cover page and/or the first page. (See *Handbook for Electronic Filing Procedures*, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the

Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation 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. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: November 8, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-24719 Filed 11-10-21; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

National Institute of Corrections

Advisory Board; Notice of Meeting

This notice announces a forthcoming virtual meeting of the National Institute of Corrections (NIC) Advisory Board. The meeting will be open to the public.

Name of Committee: NIC Advisory Board.

General Function of the Committee: To aid the National Institute of Corrections in developing long-range plans, advise on program development, and recommend guidance to assist NIC's efforts in the areas of training, technical assistance, information services, and policy/program development assistance to Federal, state, and local corrections agencies.

Date and Time: 1:00-4:00 p.m. EDT on Monday, December 6, 2021 (approximate time).

Location: Virtual Platform.

Contact Person: Scott Weygandt, Management and Program Analyst, National Institute of Corrections, 320 First Street NW,

Room 901-3, Washington, DC 20534. To contact Mr. Weygandt, please call (303) 338-6626.

Agenda: The Advisory Board will receive (1) a brief Agency Update/Report from the NIC Acting Director, (2) relevant updates from the agency's programmatic divisions (jails, prisons, community services, and/or academy divisions), and (3) review of any open items from the May 2021 meeting. Time for questions and counsel is built in to the agenda. Initial planning for subsequent FY22 Advisory Board meeting(s) will also occur.

Procedure: The meeting is open to the public. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person on or before November 22, 2021. Oral presentations from the public will be scheduled between approximately 3:45 p.m. to 4:00 p.m. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before November 22, 2021.

General Information: NIC welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Scott Weygandt at least 7 days in advance of the meeting. Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Shaina Vanek,

Acting Director, National Institute of Corrections.

[FR Doc. 2021-24635 Filed 11-10-21; 8:45 am]

BILLING CODE 4410-36-P

DEPARTMENT OF LABOR

Office of Disability Employment Policy

Agency Information Collection Activities; Comment Request; Retaining Employment and Talent After Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation

ACTION: Notice of information collections and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the DOL is soliciting public comments regarding this Office of Disability Employment Policy (ODEP) -sponsored information collection to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments pertaining to this information collection are due on or before January 11, 2022.

ADDRESSES: Electronic submission: You may submit comments and attachments electronically at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Mail submission: 200 Constitution Ave. NW, Room S-5315, Washington, DC 20210.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the DOL, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the DOL's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: David Rosenblum by telephone at 202-693-7840 (this is not a toll-free number) or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: In FY 2018, the Department of Labor and the Social Security Administration launched a collaboration to develop and test promising stay-at-work/return-to-work (SAW/RTW) early intervention strategies and evaluate outcomes for individuals who are experiencing work disability.¹ Each year, millions of American workers leave the workforce after experiencing an injury or illness, and hundreds of thousands of these workers go on to receive state or federal disability benefits. The socio-economic impacts of these injuries and illnesses on individuals, employers, and all levels of government can be significant and long-lasting. SAW/RTW programs succeed by returning injured workers to productive work as soon as medically possible by providing interim part-time or light duty work and accommodations, as necessary.

The RETAIN Demonstration Projects are modeled after promising programs currently operating in Washington State, including the Centers of Occupational Health and Education (COHE), the Early Return to Work (ERTW), and the Stay at Work programs. While these programs operate within the state's workers' compensation system and are available only to individuals experiencing work-related injuries or illnesses, the RETAIN Demonstration Projects provide opportunities to improve SAW/RTW outcomes for individuals with both occupational and non-occupational injuries and illnesses.

The primary goals of the RETAIN Demonstration Projects are:

1. To increase employment retention and labor force participation of individuals who acquire, and/or are at risk of developing, work disabilities; and
2. To reduce long-term work disability among project participants, including the need for federal disability benefits (*i.e.*, Social Security Disability Insurance [SSDI] and Supplemental Security Income [SSI]).

During FY 2018, eight states received funding through cooperative agreements to create systems changes by developing and implementing partnerships and strategies to test the effects of the provision of comprehensive, coordinated health and employment-related services and supports to injured or ill workers who have acquired, or are at risk of developing, a work disability. In Phase 1, these grantees completed start-up activities and launched a small pilot. In FY 2021, five of these grantees (Kansas, Kentucky, Minnesota, Ohio, and Vermont) were competitively awarded Phase 2 funding for a performance period of four years (2021–2024), enabling them to expand and scale up their pilot to full implementation.

The purpose of the RETAIN employee participant information collection is to understand and assess RETAIN program start-up, pilot projects, and full implementation. Two baseline forms are required to be completed for each participant enrolling in RETAIN, whether in the treatment group or in the

control group. The first form is completed by the enrollees themselves, while the second form is completed by a combination of the healthcare provider and Return-to-Work Coordinator, based on information provided by the enrollee. This information collection was approved by OMB in May 2019 with an expiration date of May 31, 2022. An extension is requested for another three years, to last through Phase 2 information collection activities.

This information collection is subject to the Paperwork Reduction Act (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 the OMB approves it 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 OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

The DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an Information Collection Review cannot be for more than three (3) years without renewal. The DOL notes that currently approved information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review.

Agency: DOL–ODEP.

Type of Review: Extension.

Title of Collection: Retaining Employment and Talent after Injury/Illness Network (RETAIN) Demonstration Projects and Evaluation.

OMB Control Number: 1230–0014.

Affected Public: Individuals or Households.

Total Estimated Annual Number of Respondents: 5,213.

Frequency: Once per respondent.

Total Estimated Annual Number of Responses: 5,213.

Total Estimated Annual Time Burden: 1,738 hours.

Total Estimated Annual Other Costs Burden: \$0.

ESTIMATED HOURS OF BURDEN DUE TO BASELINE ENROLLEE DATA COLLECTION—YEARS 1–3

Awardee	Number of respondents	Hrs/response	Hours
State 1	4,000	0.33	1,333
State 2	3,200	0.33	1,067
State 3	3,200	0.33	1,067

¹ For the purposes of RETAIN, the term “work disability” is defined as an illness, injury, or medical condition that has the potential to inhibit

or prevent continued employment or labor force participation, and “federal disability benefits” refers specifically to the Social Security Disability

Insurance (SSDI) and Supplemental Security Income (SSI) programs. See <https://www.ssa.gov/disability/> for more information on SSDI and SSI.

ESTIMATED HOURS OF BURDEN DUE TO BASELINE ENROLLEE DATA COLLECTION—YEARS 1–3—Continued

Awardee	Number of respondents	Hrs/response	Hours
State 4	3,200	0.33	1,067
State 5	2,040	0.33	680
Year 1, Total	5,213	0.33	1,738
Year 2, Total	5,213	0.33	1,738
Year 3, Total	5,213	0.33	1,738
Three-year Total	15,640	0.33	5,213

Authority: 44 U.S.C. 3506(c)(2)(A).

Dated: November 8, 2021.

Taryn Williams,

Assistant Secretary, Office of Disability
Employment Policy.

[FR Doc. 2021–24713 Filed 11–10–21; 8:45 am]

BILLING CODE 4510–FK–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (21–073)]

Applied Sciences Advisory Committee; Meeting.

AGENCY: National Aeronautics and
Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, as amended, the National Aeronautics and Space Administration (NASA) announces a meeting of the Applied Sciences Advisory Committee (ASAC). This Committee functions in an advisory capacity to the Director, Earth Science Division, in the NASA Science Mission Directorate. The meeting will be held for the purpose of soliciting, from the science community and other persons, scientific and technical information relevant to program planning. The meeting will be virtual-only.

DATES: Tuesday, December 7, 2021, 12:00 p.m.–4:00 p.m.; Wednesday, December 8, 2021, 11:00 a.m.–4:00 p.m.; and Thursday, December 9, 2021, 11:00 a.m.–4:00 p.m., Eastern Time.

SUPPLEMENTARY INFORMATION: This meeting will be available to the public by WebEx.

On Tuesday, December 7, the event address for attendees is: <https://nasaenterprise.webex.com/j.php?MTID=me61d04bf47d0feb4d00210e19c813e78>, the event number is 2760 060 0870, and event password is zJQ2qEPE\$72 and 95727373 from your phone. To join by telephone, the numbers are 1–929–251–

9612 or 1–415–527–5035. The access code is 276 006 00870.

On Wednesday, December 8, the event address for attendees is: <https://nasaenterprise.webex.com/j.php?MTID=mf6ad435c075d9b5a71d15abcb5c3aab>, the event number is 2763 891 6967, and event password is 2FMvwm2NU*5 and 23689626 from your phone. To join by telephone, the numbers are 1–929–251–9612 or 1–415–527–5035. The access code is 276 389 16967.

On Thursday, December 9, the event address for attendees is: <https://nasaenterprise.webex.com/j.php?MTID=mce43600238b0e8a7393e2e6c286d3cb0>, the event number is 2761 822 5515, and event password is 63uHM2fmmmm@and 63846236 from your phone. To join by telephone, the numbers are 1–929–251–9612 or 1–415–527–5035. The access code is 276 182 25515.

The agenda for the meeting includes the following topics:

- Earth Science and Applied Sciences Program Updates
- Applied Sciences Strategic Plan
- Private Sector Engagement Planning

The agenda will be posted on the Applied Sciences Advisory Committee web page: <https://science.nasa.gov/science-committee/subcommittees/nac-earth-science-subcommittee/advisory-groups>.

FOR FURTHER INFORMATION CONTACT: Ms. KarShelia Kinard, Science Mission Directorate, NASA Headquarters, Washington, DC 20546, (202) 358–2355, fax (202) 358–2779, or karshelia.kinard@nasa.gov.

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants.

Patricia Rausch,

Advisory Committee Management Officer,
National Aeronautics and Space
Administration.

[FR Doc. 2021–24626 Filed 11–10–21; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL CREDIT UNION ADMINISTRATION

Privacy Act of 1974; System of Records

AGENCY: National Credit Union
Administration (NCUA).

ACTION: Notice of new system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, the National Credit Union Administration (NCUA) gives notice of a new proposed Privacy Act system of records. The new proposed system is Ensuring Workplace Health and Safety in Response to a Public Health Emergency, NCUA–24. This system will maintain information collected in response to a public health emergency, such as a pandemic or epidemic, from NCUA personnel, including political appointees, employees, contractors, detailees, consultants, interns, volunteers, and applicants for Federal employment. This system will store information pertaining to individuals in the performance of the NCUA's statutory duties.

DATES: This new system of record is applicable on November 12, 2021. The routine uses in this new system of record are applicable 30 days after publication, unless the NCUA makes changes based on comments received. Written comments should be submitted on or before December 13, 2021.

ADDRESSES: You may submit comments by any of the following methods, but please send comments by one method only:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments.

- **Fax:** (703) 518–6319. Include “[Your Name]—Comments on New System of Records, NCUA–24” in the transmittal.

- **Mail:** Address to Melane Conyers-Ausbrooks, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.

- **Hand Delivery/Courier:** Same as mail address.

FOR FURTHER INFORMATION CONTACT:

Linda Dent, Senior Agency Official for Privacy via email at privacy@NCUA.gov or at 703-518-6540.

SUPPLEMENTARY INFORMATION: Pursuant to the Privacy Act, 5 U.S.C. 552a, the NCUA is establishing a new system of records, NCUA-24, Ensuring Workplace Health and Safety in Response to a Public Health Emergency. The NCUA is committed to providing all NCUA personnel with a safe and healthy work environment. When Federal, state, or local authorities declare a public health emergency, and only as necessary to protect the health and safety of its workforce and the public the NCUA may develop and institute additional safety measures to protect the workforce and those individuals entering NCUA facilities. These measures may include instituting activities such as: (1) Requiring NCUA personnel (including applicants for Federal employment) to provide information and/or submit to a medical screening before being allowed access to an NCUA facility, and (2) contact tracing. NCUA personnel may also need to provide information before being authorized for work-related travel.

In certain instances, depending on the type of record collected and maintained, for Federal employees, this information will also be maintained and covered by Office of Personnel Management/ Government-10 Employee Medical File System Records (75 FR 35099, June 21, 2010). However, any collection and use of records covered by this system of records notice (SORN) is only permitted during times of a declared public health emergency or when the circumstances require the NCUA to collect and maintain such information on the various categories of individuals described below. The NCUA will collect and maintain information in accordance with the Americans with Disabilities Act of 1990 and regulations and guidance published by the U.S. Occupational Safety and Health Administration, the U.S. Equal Employment Opportunity Commission, and the U.S. Centers for Disease Control and Prevention.

This notice satisfies the Privacy Act requirement that an agency publish a system of records notice in the **Federal Register** when there is an addition to the agency's systems of records.

NCUA-24 is published in full below. All of the NCUA's SORNs are available at www.ncua.gov.

By the National Credit Union Administration Board.

Melane Conyers-Ausbrooks,
Secretary of the Board.

SYSTEM NAME AND NUMBER:

Ensuring Workplace Health and Safety in Response to a Public Health Emergency, NCUA-24.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are maintained at NCUA facilities in Alexandria, Virginia and regional offices. Original and duplicate systems may exist, in whole or in part, at secure sites and on secure servers maintained by third-party service providers for the NCUA.

SYSTEM MANAGER(S):

Director of the Office of Continuity and Security Management, National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

12 U.S.C. 1751, *et seq.*; Americans with Disabilities Act, including 42 U.S.C. 12112(d)(3)(B), 29 CFR 1630.2(r), and 1630.14(b), (c), and (d)(4); Workforce safety Federal requirements, including the Occupational Safety and Health Act of 1970, 5 U.S.C. 7902; 29 U.S.C. Chapter 15 (*e.g.*, 29 U.S.C. 668), 29 CFR part 1904, 29 CFR 1910.1020, and 29 CFR 1960.66; Executive Order 12196; Executive Order 14043.

PURPOSE(S) OF THE SYSTEM:

The information in the system is collected to assist the NCUA with maintaining a safe and healthy workplace and respond to a public health emergency (as defined by the U.S. Department of Health and Human Services and declared by its Secretary), such as a pandemic or epidemic. These measures may include instituting activities such as: (1) Requiring NCUA personnel (including applicants for Federal employment) to provide information and/or submit to a medical screening before being allowed access to an NCUA facility, and (2) contact tracing. NCUA personnel may also need to provide information before being authorized to travel.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by this system include NCUA personnel, such as, political appointees, employees, contractors, detailees, consultants, interns, volunteers, and applicants for Federal employment

CATEGORIES OF RECORDS IN THE SYSTEM:

Information may include:

- Name
- Contact information (*e.g.*, email address, phone number)
- Employee ID number
- Recent travel history
- Whether the individual provides dependent care for an individual in a high-risk category
- Health information, including:
 - Body temperature,
 - Confirmation of pathogen or communicable disease test,
 - Test results,
 - Dates, symptoms, potential or actual exposure to a pathogen or communicable disease,
 - Immunization or vaccination information;
 - Information to support a reasonable accommodation (for example, a request for exemption from a vaccination requirement), and
 - Other medical history related to the treatment of a pathogen or communicable disease
- Contact tracing information, including:
 - Dates when the individual visited the NCUA facility or event, or worked on-site on behalf of the NCUA,
 - Locations that the individual visited within the facility (*e.g.*, office and cubicle number),
 - Duration of time spent in the facility, and
 - Whether the individual may have potentially come into contact with a contagious person while visiting the facility.

RECORD SOURCE CATEGORIES:

The information in this system is collected in part directly from the individual. Information is also collected from security systems monitoring access to NCUA facilities, such as video surveillance and turnstiles, human resources systems, emergency notification systems, and Federal, State, and local agencies assisting with the response to a public health emergency. Information may also be collected from property management companies responsible for managing office buildings that house NCUA facilities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside the NCUA as a routine use as follows:

1. To appropriate Federal, State, local and foreign authorities responsible for

investigating or prosecuting a violation of, or for enforcing or implementing a statute, rule, regulation, or order issued, when the information indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto;

2. To an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. Further, a record from any system of records may be disclosed as a routine use to the Office of Personnel Management in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management;

3. To a court, magistrate, or other administrative body in the course of presenting evidence, including disclosures to counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal proceedings, when the NCUA is a party to the proceeding or has a significant interest in the proceeding, to the extent that the information is determined to be relevant and necessary;

4. To contractors, experts, consultants, and the agents thereof, and others performing or working on a contract, service, cooperative agreement, or other assignment for the NCUA when necessary for the purpose of assisting the NCUA's response to a public health emergency;

5. To appropriate agencies, entities, and persons when (1) the NCUA suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the NCUA has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the NCUA or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the NCUA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;

6. To another Federal agency or Federal entity, when the NCUA determines that information from this

system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach;

7. To a Federal, State, or local agency to the extent necessary to comply with laws governing reporting of infectious disease; and

8. To members of Congress in response to requests made at the request of and on behalf of their constituents.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Electronic records and backups are stored on secure servers, approved by the NCUA's Office of the Chief Information Officer (OCIO), within FedRAMP-authorized commercial Cloud Service Providers' (CSP) Software-as-a-Service solutions hosting environments and accessed only by authorized personnel. No paper files are maintained.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records may be retrieved by any of the following: Name, office, or email address.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records are maintained and disposed of in accordance with the General Records Retention Schedules issued by the National Archives and Records Administration (NARA) or an NCUA records disposition schedule approved by NARA.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

The NCUA and the Cloud Service Provider have implemented the appropriate administrative, technical, and physical controls in accordance with the Federal Information Security Modernization Act of 2014, Public Law 113–283, S. 2521, and the NCUA's information security policies to protect the confidentiality, integrity, and availability of the information system and the information contained therein. Access is limited only to individuals authorized through NIST-compliant Identity, Credential, and Access Management policies and procedures. The records are maintained behind a layered defensive posture consistent with all applicable Federal laws and regulations, including Office of Management and Budget (OMB)

Circular A–130 and National Institute of Standards and Technology (NIST) Special Publications 800–37.

RECORD ACCESS PROCEDURES:

Individuals wishing access to their records should submit a written request to the Senior Agency Official for Privacy, NCUA, 1775 Duke Street, Alexandria, VA 22314, and provide the following information:

1. Full name.
2. Any available information regarding the type of record involved.
3. The address to which the record information should be sent.
4. You must sign your request.

Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf. Individuals requesting access must also comply with the NCUA's Privacy Act regulations regarding verification of identity and access to records (12 CFR 792.55).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request an amendment to their records should submit a written request to the Senior Agency Official for Privacy, NCUA, 1775 Duke Street, Alexandria, VA 22314, and provide the following information:

1. Full name.
2. Any available information regarding the type of record involved.
3. A statement specifying the changes to be made in the records and the justification therefore.
4. The address to which the response should be sent.

5. You must sign your request. Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf.

NOTIFICATION PROCEDURES:

Individuals wishing to learn whether this system of records contains information about them should submit a written request to the Senior Agency Official for Privacy, NCUA, 1775 Duke Street, Alexandria, VA 22314, and provide the following information:

1. Full name.
2. Any available information regarding the type of record involved.
3. The address to which the record information should be sent.
4. You must sign your request.

Attorneys or other persons acting on behalf of an individual must provide written authorization from that individual for the representative to act on their behalf. Individuals requesting

access must also comply with the NCUA's Privacy Act regulations regarding verification of identity and access to records (12 CFR 792.55).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

This is a new system.

[FR Doc. 2021-24704 Filed 11-10-21; 8:45 am]

BILLING CODE 7535-01-P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meeting; National Science Board

The National Science Board's External Engagement Committee's Subcommittee on Honorary Awards hereby gives notice of the scheduling of a teleconference for the transaction of National Science Board business pursuant to the National Science Foundation Act and the Government in the Sunshine Act.

TIME AND DATE: November 16, 2021, from 11:00 a.m.–12:00 p.m. EST.

PLACE: This meeting will be held by teleconference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Review and Discussion of Selection Criteria; Discussion of Candidates for the 2021 Vannevar Bush Award; Discussion of Candidates for the 2021 National Science Board Public Service Award for a Group; and Discussion of Candidates for the 2021 National Science Board Public Service Award for an Individual.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Alison Gillespie, 2415 Eisenhower Ave., Alexandria, VA 22314, algilles@nsf.gov, (703) 292-7000.

Chris Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2021-24877 Filed 11-9-21; 4:15 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93532; File No. SR-NSCC-2021-010]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Establish the Securities Financing Transaction Clearing Service and Make Other Changes

November 5, 2021.

I. Introduction

On July 22, 2021, National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission") proposed rule change SR-NSCC-2021-010 ("Proposed Rule Change") pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder.² The Proposed Rule Change was published for comment in the **Federal Register** on August 12, 2021.³ The Commission has received comment letters on the Proposed Rule Change.⁴

On September 2, 2021, pursuant to Section 19(b)(2) of the Act,⁵ the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the Proposed Rule Change.⁶ This order institutes proceedings, pursuant to Section 19(b)(2)(B) of the Act,⁷ to

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Securities Exchange Act Release No. 92570 (August 5, 2021), 86 FR 44482 (August 12, 2021) (SR-NSCC-2021-010) ("Notice"). NSCC also filed the proposal contained in the Proposed Rule Change as advance notice SR-NSCC-2021-803 ("Advance Notice") with the Commission pursuant to Section 806(e)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010 ("Clearing Supervision Act"). 12 U.S.C. 5465(e)(1); 17 CFR 240.19b-4(n)(1)(i). Notice of filing of the Advance Notice was published for comment in the **Federal Register** on August 12, 2021. Securities Exchange Act Release No. 92568 (August 5, 2021), 86 FR 44530 (August 12, 2021) (SR-NSCC-2021-803). The proposal contained in the Proposed Rule Change and the Advance Notice shall not take effect until all regulatory actions required with respect to the proposal are completed.

⁴ Comment letters are available at <https://www.sec.gov/comments/sr-nsc-2021-010/srnscc2021-010.htm>.

⁵ 15 U.S.C. 78s(b)(2).

⁶ Securities Exchange Act Release No. 92860 (September 2, 2021), 86 FR 50569 (September 9, 2021) (SR-NSCC-2021-010).

⁷ 15 U.S.C. 78s(b)(2)(B).

determine whether to approve or disapprove the Proposed Rule Change.

II. Summary of the Proposed Rule Change

As described in the Notice,⁸ NSCC proposes to (i) establish the securities financing transaction clearing service ("SFT Clearing Service") to make central clearing available at NSCC for equity securities financing transactions, which are, broadly speaking, transactions where the parties exchange equity securities against cash and simultaneously agree to exchange the same securities and cash, plus or minus a rate payment, on a future date (collectively, "SFTs"), (ii) establish new membership categories and requirements for sponsoring members and sponsored members whereby existing Members would be permitted to sponsor certain institutional firms into membership, (iii) establish a new membership category and requirements for agent clearing members whereby existing Members would be permitted to submit, on behalf of their customers, transactions to NSCC for novation, and (iv) make other amendments and clarifications to the Rules, as described in greater detail below.

(i) Key Parameters of the Proposed SFT Clearing Service

NSCC proposes central clearing for SFTs with a one business day term in eligible equity securities that are entered into by Members, Sponsored Members that are sponsored into NSCC by Sponsoring Members (as described below), or Agent Clearing Members on behalf of Customers (as described below). NSCC will maintain eligibility criteria for the securities that may underlie an SFT that NSCC will accept for novation. NSCC would, as an initial matter, provide the proposed SFT Clearing Service for only those SFTs where the underlying securities are CNS-eligible equity securities that have a per share price of \$5 or more, although NSCC may modify eligible equity at a later date.

The final settlement obligations of each SFT, other than a Sponsored Member transaction, that is novated to NSCC would settle receive-versus-payment/delivery-versus-payment at The Depository Trust Company ("DTC"). SFT deliver orders would be processed in accordance with DTC's

⁸ The description of the Proposed Rule Change is based on the statements prepared by NSCC in the Notice. See Notice, *supra* note 3. Capitalized terms used herein and not otherwise defined herein are defined in NSCC's Rules & Procedures, available at www.dtcc.com/~media/Files/Downloads/legal/rules/nsc_rules.pdf, and the Notice.

rules and procedures, including provisions relating to risk controls. DTC would accept delivery instructions for an SFT from NSCC, as agent for DTC participants that are SFT Members.⁹

A securities lender would have the right to submit a recall notice to NSCC in respect of a novated SFT for which Final Settlement obligations have not yet been satisfied. If a securities borrower does not return the lent securities by the recall date specified in such notice, the securities lender would be eligible to buy-in, in accordance with such timeframes and deadlines as established by NSCC for such purpose, such securities. Buy-in would allow a securities lender to purchase securities equivalent to the borrowed securities in the market and charge a securities borrower for the cost of this purchase. Similarly, a securities borrower would have the right to accelerate the scheduled final settlement of a novated SFT and return the borrowed securities earlier than the scheduled final settlement and settle the transaction.

SFT activity would be risk managed by NSCC in a manner consistent with Members' CNS positions but would be margined independently of the Member's CNS positions. NSCC would collect margin (referred to as the Required SFT Deposit) for all SFT activities, subject to a \$250,000 minimum deposit. NSCC would also require an additional premium for non-returned SFTs. In addition, NSCC would require that (i) a minimum of 40% of an SFT Member's margin for SFT consist of a combination of cash and certain treasury securities, and (ii) the lesser of \$5,000,000 or 10% of an SFT Member's margin for SFT (but not less than \$250,000) consist of cash. NSCC would also have the discretion to raise the minimum cash deposit required.

In a case of an SFT Member default, NSCC would be able to delay its satisfaction of final settlement obligations to non-defaulting SFT Members beyond the normal settlement cycle for the purchase or sale of securities to the extent NSCC determines that taking market action to close-out some or all of the defaulted SFT Member's novated SFT Positions would create a disorderly market in the relevant SFT Securities. In such a situation, non-defaulting SFT Members would not be able to effect a recall or

an associated buy-in or accelerate the delayed final settlement obligations. During any such delay, NSCC would continue paying to and receiving from non-defaulting SFT Members the payment for the change in market value of the securities with respect to their novated SFTs.

(ii) Sponsoring Members and Sponsored Members

NSCC would establish a sponsored membership program to allow Members to serve as the pre-novation counterparty and credit intermediary for their institutional firm clients in clearing. Under the proposal, all Members would be eligible to apply to become Sponsoring Members in NSCC, subject to specified credit criteria. A Member whose application to become a Sponsoring Member has been approved would be permitted to sponsor their institutional firm clients into membership as Sponsored Members. Such Sponsoring Members would then be able to facilitate their institutional firm clients' cleared activity, and such transactions would be eligible for novation to NSCC.

A Sponsoring Member would be responsible for (i) submitting data on its Sponsored Members' SFTs to NSCC or appointing a third-party approved SFT submitter to do so, (ii) posting to NSCC margins associated with the SFT activity of its Sponsored Members, (iii) providing an unconditional guaranty to NSCC for its Sponsored Members' final settlement and other obligations to NSCC, and (iv) covering any default loss allocable to its Sponsored Members.

(iii) Agent Clearing Members and Customers

NSCC would establish an agent clearing membership designed to allow Members to serve as agent and credit intermediary for their institutional firm clients in clearing. Under the proposal, a Member that becomes an Agent Clearing Member would be permitted to submit SFTs executed by it as agent on behalf of its institutional firm clients as Customers. All Members would be eligible to apply to become Agent Clearing Members in NSCC subject to specified credit criteria and an activity limit. An Agent Clearing Member would be responsible for posting to NSCC margins associated with the activity of its Customers and covering any default loss allocable to its Customers; however, unlike a Sponsoring Member, an Agent Clearing Member would not be required to provide an unconditional guaranty to NSCC for its Customers' obligations.

III. Proceedings To Determine Whether To Approve or Disapprove the Proposed Rule Change and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act¹⁰ to determine whether the Proposed Rule Change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the Proposed Rule Change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to comment on the Proposed Rule Change, providing the Commission with arguments to support the Commission's analysis as to whether to approve or disapprove the Proposed Rule Change.

Pursuant to Section 19(b)(2)(B) of the Act,¹¹ the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the Proposed Rule Change's consistency with Section 17A of the Act,¹² and the rules thereunder, including the following provisions:

- Section 17A(b)(3)(F) of the Act,¹³ which requires, among other things, that the rules of a clearing agency must be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible and to protect investors and the public interest; and

- Rule 17Ad-22(e)(7)(i) under the Act,¹⁴ which requires a covered clearing agency establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by the covered clearing agency, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum, maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that

⁹ On July 22, 2021, DTC submitted a proposed rule change to provide DTC participants that are also NSCC Members with settlement services in connection with NSCC's proposed SFT Clearing Service. See Securities Exchange Act Release No. 92572 (August 5, 2021), 86 FR 44077 (August 11, 2021) (SR-DTC-2021-014).

¹⁰ 15 U.S.C. 78s(b)(2)(B).

¹¹ *Id.*

¹² 15 U.S.C. 78q-1.

¹³ 15 U.S.C. 78q-1(b)(3)(F).

¹⁴ 17 CFR 240.17Ad-22(e)(7)(i).

includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.

• Rule 17Ad-22(e)(8) under the Act,¹⁵ which requires a covered clearing agency establish, implement, maintain and enforce written policies and procedures reasonably designed to define the point at which settlement is final to be no later than the end of the day on which the payment or obligation is due and, where necessary or appropriate, intraday or in real time.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the Proposed Rule Change. In particular, the Commission invites the written views of interested persons concerning whether the Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Act,¹⁶ Rule 17Ad-22(e)(7)(i) and (e)(8) under the Act,¹⁷ or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b-4(g) under the Act,¹⁸ any request for an opportunity to make an oral presentation.¹⁹

Interested persons are invited to submit written data, views, and arguments regarding whether the Proposed Rule Change should be approved or disapproved by December 3, 2021. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by December 17, 2021.

The Commission asks that commenters address the sufficiency of NSCC's statements in support of the Proposed Rule Change, which are set forth in the Notice,²⁰ in addition to any

other comments they may wish to submit about the Proposed Rule Change.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NSCC-2021-010 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-NSCC-2021-010. 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 NSCC and on DTCC's website (<http://dtcc.com/legal/sec-rule-filings.aspx>). 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-NSCC-2021-010 and should be submitted on or before December 3, 2021. Rebuttal comments should be submitted by December 17, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²¹

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2021-24619 Filed 11-10-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93533; File No. SR-DTC-2021-014]

Self-Regulatory Organizations; The Depository Trust Company; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Provide Settlement Services for Transactions Entered Into Under the Proposed Securities Financing Transaction Clearing Service of the National Securities Clearing Corporation

November 5, 2021.

I. Introduction

On July 22, 2021, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") proposed rule change SR-DTC-2021-014 ("Proposed Rule Change") pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder.² The Proposed Rule Change was published for comment in the **Federal Register** on August 11, 2021.³ The Commission has received no comment letters on the Proposed Rule Change.

On September 2, 2021, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to approve or disapprove the Proposed Rule Change.⁵ This order institutes proceedings, pursuant to Section 19(b)(2)(B) of the Act,⁶ to determine whether to approve or disapprove the Proposed Rule Change.

¹⁵ 17 CFR 240.17Ad-22(e)(8).

¹⁶ 15 U.S.C. 78q-1(b)(3)(F).

¹⁷ 17 CFR 240.17Ad-22(e)(7)(i) and (e)(8).

¹⁸ 17 CFR 240.19b-4(g).

¹⁹ Section 19(b)(2) of the Act grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. See Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

²⁰ See Notice, *supra* note 3.

²¹ 17 CFR 200.30-3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Securities Exchange Act Release No. 92572 (August 5, 2021), 86 FR 44077 (August 11, 2021) (SR-DTC-2021-014) ("Notice").

⁴ 15 U.S.C. 78s(b)(2).

⁵ Securities Exchange Act Release No. 92861 (September 2, 2021), 86 FR 50570 (September 9, 2021) (SR-DTC-2021-014).

⁶ 15 U.S.C. 78s(b)(2)(B).

II. Summary of the Proposed Rule Change

As described in the Notice,⁷ DTC proposes to amend the Rules, the Settlement Guide, and the Fee Guide in order to provide Participants that are also members of the National Securities Clearing Corporation (“NSCC”) with a proposed optional securities financing transaction clearing service of NSCC (“NSCC SFT Service”). The proposed NSCC SFT Service would provide central clearing for equity securities financing transactions, which are, broadly speaking, transactions where the parties exchange equity securities against cash and simultaneously agree to exchange the same securities and cash, plus or minus a rate payment, on a future date (each, an “SFT”).⁸ SFTs between counterparties that are members of NSCC (each, an “NSCC SFT Counterparty”) would be settled through their respective Participant accounts at DTC.

Pursuant to the proposed rule change, DTC would (i) expand the types of instructions that NSCC can submit to DTC on behalf of a Participant that are also members of NSCC in connection with the NSCC SFT Service, (ii) apply a modified look-ahead process to the new account that NSCC would maintain at DTC in connection with the NSCC SFT Service (the “NSCC SFT Account”), and (iii) establish a fee for the payments relating to SFT activities at NSCC, and (iv) make clarifying and conforming changes.

(i) NSCC Instructions to DTC

NSCC would use its new NSCC SFT Account in connection with the NSCC SFT Service. DTC would allow NSCC to submit instructions to DTC with respect to the NSCC SFT Service. NSCC would submit Delivery Versus Payment (“DVP”) instructions or payment orders relating to SFT activity (“SFT PD Payment Orders”) to DTC in accordance with the NSCC Proposed Rules. The DVP instructions or the SFT PD Payment Orders would be subject to DTC’s risk management controls and the modified look-ahead.

(ii) Modified Look-Ahead Processing

The typical look-ahead process utilized by DTC reduces transaction blockage by applying the net amount of offsetting receive and deliver transactions in the same security rather than the gross amount of the receive transaction to a Participant’s Net Debit Cap.⁹

DTC would apply a modified look-ahead processing to the NSCC SFT Accounts so that look-ahead matches on other details in addition to CUSIP. The modified look-ahead would be satisfied when (i) the pair of instructions from NSCC are consistent in terms of the number of subject shares and/or dollar amount, CUSIP, and DTCC Reference ID, and (ii) the net effect of processing the instructions would not violate the respective Net Debit Caps, Collateral Monitor¹⁰ or other risk management system controls of the Participants that are on each side of the DVP or SFT PD Payment Order.

In addition, because the modified look-ahead relies on the completion of offsetting transactions, transactions to and from the NSCC SFT Account would not be subject to either reclaims or Receiver Authorized Delivery (“RAD”). Since both reclaims and RAD effectively permit one side of the transaction to reject or reverse the transaction, allowing such activity would interfere with the ability of the modified look-ahead to rely on the completion of the offsetting transactions.

(iii) SFT PD Payment Order Fee

DTC proposes to amend the Fee Guide to establish a fee for SFT PD Payment Orders. DTC proposes a fee of \$0.005 per item delivered or received to be charged to the payor and the payee of an SFT PD Payment Order.

III. Proceedings To Determine Whether To Approve or Disapprove the Proposed Rule Change and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act¹¹ to determine whether the Proposed Rule Change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the Proposed Rule Change. Institution of proceedings

does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to comment on the Proposed Rule Change, and provide the Commission with arguments to support the Commission’s analysis as to whether to approve or disapprove the Proposed Rule Change.

Pursuant to Section 19(b)(2)(B) of the Act,¹² the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of, and input from commenters with respect to, the Proposed Rule Change’s consistency with Section 17A of the Act,¹³ and the rules thereunder, including the following provisions:

- Section 17A(b)(3)(F) of the Act,¹⁴ which requires, among other things, that the rules of a clearing agency must be designed to promote the prompt and accurate clearance and settlement of securities transactions; and
- Section 17A(b)(3)(D) of the Act¹⁵ requires that the rules of a clearing agency must provide for the equitable allocation of reasonable dues, fees, and other charges among Participants.

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the Proposed Rule Change. In particular, the Commission invites the written views of interested persons concerning whether the Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Act,¹⁶ and Section 17A(b)(3)(D) of the Act,¹⁷ or any other provision of the Act, or the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4(g) under the Act,¹⁸ any request for an opportunity to make an oral presentation.¹⁹

¹² *Id.*

¹³ 15 U.S.C. 78q–1.

¹⁴ 15 U.S.C. 78q–1(b)(3)(F).

¹⁵ 15 U.S.C. 78q–1(b)(3)(D).

¹⁶ 15 U.S.C. 78q–1(b)(3)(F).

¹⁷ 15 U.S.C. 78q–1(b)(3)(D).

¹⁸ 17 CFR 240.19b–4(g).

¹⁹ Section 19(b)(2) of the Act grants to the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for

⁷ The description of the Proposed Rule Change is based on the statements prepared by DTC in the Notice. See Notice, *supra* note 3. Capitalized terms used herein and not otherwise defined herein are defined in DTC’s Rules, By-Laws and Organization Certificate, available at https://www.dtcc.com/-/media/Files/Downloads/legal/rules/dtc_rules.pdf, and the Notice.

⁸ On July 22, 2021, NSCC filed a proposed rule change and an advance notice to establish the NSCC SFT Service (“NSCC Proposed Rules”). See Securities Exchange Act Release No. 92570 (August 5, 2021), 86 FR 44482 (August 12, 2021) (SR–NSCC–2021–010); Securities Exchange Act Release No. 92568 (August 5, 2021), 86 FR 44530 (August 12, 2021) (SR–NSCC–2021–803).

⁹ The Net Debit Cap controls the amount of the settlement obligation that any Participant or family may incur.

¹⁰ The Collateral Monitor tracks whether each Participant has available sufficient collateral value to secure a borrowing to fund the amount of the Participant’s net settlement obligation, in the event that the Participant fails to settle.

¹¹ 15 U.S.C. 78s(b)(2)(B).

Interested persons are invited to submit written data, views, and arguments regarding whether the Proposed Rule Change should be approved or disapproved by December 3, 2021. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by December 17, 2021.

The Commission asks that commenters address the sufficiency of DTC's statements in support of the Proposed Rule Change, which are set forth in the Notice,²⁰ in addition to any other comments they may wish to submit about the Proposed Rule Change.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-DTC-2021-014 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-DTC-2021-014. 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 DTC and on DTCC's website (<http://dtcc.com/legal/sec-rule->

[filings.aspx](#)). 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-DTC-2021-014 and should be submitted on or before December 3, 2021. Rebuttal comments should be submitted by December 17, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²¹

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2021-24621 Filed 11-10-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-93528; File No. SR-NYSEArca-2021-93]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Reflect a Modification to the Permitted Components of the Tracking Baskets of the Putnam Focused Large Cap Growth ETF, Putnam Focused Large Cap Value ETF, Putnam Sustainable Future ETF, and Putnam Sustainable Leaders ETF

November 5, 2021.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 ("Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on October 29, 2021, NYSE Arca, Inc. ("NYSE Arca" or the "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 reflect an amendment to the Application and Exemptive Order governing the Putnam Focused Large Cap Growth ETF, Putnam Focused Large Cap Value ETF, Putnam Sustainable Future ETF, and Putnam Sustainable Leaders ETF, which are

listed and traded on the Exchange under NYSE Arca Rule 8.601-E. The proposed rule change is available on the Exchange's website at www.nyse.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

Purpose

The Exchange adopted NYSE Arca Rule 8.601-E for the purpose of permitting the listing and trading, or trading pursuant to unlisted trading privileges ("UTP"), of Active Proxy Portfolio Shares, which are securities issued by an actively managed open-end investment management company.⁴

⁴ See Securities Exchange Act Release No. 89185 (June 29, 2020), 85 FR 40328 (July 6, 2020) (SR-NYSEArca-2019-95). Rule 8.601-E(c)(1) provides that "[t]he term 'Active Proxy Portfolio Share' means a security that (a) is issued by a investment company registered under the Investment Company Act of 1940 ('Investment Company') organized as an open-end management investment company that invests in a portfolio of securities selected by the Investment Company's investment adviser consistent with the Investment Company's investment objectives and policies; (b) is issued in a specified minimum number of shares, or multiples thereof, in return for a deposit by the purchaser of the Proxy Portfolio and/or cash with a value equal to the next determined net asset value ('NAV'); (c) when aggregated in the same specified minimum number of Active Proxy Portfolio Shares, or multiples thereof, may be redeemed at a holder's request in return for the Proxy Portfolio and/or cash to the holder by the issuer with a value equal to the next determined NAV; and (d) the portfolio holdings for which are disclosed within at least 60 days following the end of every fiscal quarter." Rule 8.601-E(c)(2) provides that "[t]he term 'Actual Portfolio' means the identities and quantities of the securities and other assets held by the Investment Company that shall form the basis for the Investment Company's calculation of NAV at the end of the business day." Rule 8.601-E(c)(3) provides that "[t]he term 'Proxy Portfolio' means a specified portfolio of securities, other financial instruments and/or cash designed to track closely the daily performance of the Actual Portfolio of a series of Active Proxy Portfolio Shares as provided

consideration of a particular proposal by a self-regulatory organization. See Securities Act Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

²⁰ See Notice, *supra* note 3.

²¹ 17 CFR 200.30-3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

Commentary .01 to Rule 8.601–E requires the Exchange to file separate proposals under Section 19(b) of the Act before listing and trading any series of Active Proxy Portfolio Shares on the Exchange. Pursuant to this provision, the Exchange submitted a proposal to list and trade shares (“Shares”) of Active Proxy Portfolio Shares of the Putnam Focused Large Cap Growth ETF, Putnam Focused Large Cap Value ETF, Putnam Sustainable Future ETF, and Putnam Sustainable Leaders ETF⁵ (each a “Fund” and, collectively, the “Funds”) on the Exchange under NYSE Arca Rule 8.601–E. The Shares are listed and traded on the Exchange pursuant to their listing rule.⁶

The Application and Exemptive Order incorporate by reference the terms and conditions of the exemptive order granted to Fidelity Beach Street Trust (“Beach Street”), Fidelity Management & Research Company (“FMR”), Fidelity Distributors Corporation (“FDC”), as such order may be amended from time to time, and the purpose of this filing is to reflect an amendment to such relief, as described below.

The Fidelity Exemptive Relief

Beach Street, FMR, and FDC filed a ninth amended application for an order under Section 6(c) of the 1940 Act for exemptions from various provisions of the 1940 Act and rules thereunder (the “Prior Fidelity Application”).⁷ On December 10, 2019, the Commission issued an order (the “Prior Fidelity Exemptive Order”) under the 1940 Act granting the exemptions requested in the Prior Fidelity Application.⁸ The Exchange previously submitted a proposal to list and trade shares of Active Proxy Portfolio Shares of the

Fidelity Women’s Leadership ETF and Fidelity Sustainability U.S. Equity ETF (the “Fidelity Funds”), which are subject to the Prior Fidelity Exemptive Order.⁹

Under the Prior Fidelity Exemptive Order, the Fidelity Funds are required to publish a basket of securities and cash that, while different from a fund’s portfolio, is designed to closely track its daily performance (the “Fidelity Proxy Portfolio”). The Prior Fidelity Application stated that the Fidelity Proxy Portfolio is comprised of (1) select recently disclosed portfolio holdings (“Strategy Components”); (2) liquid ETFs that convey information about the types of instruments in which the fund invests that are not otherwise fully represented by Strategy Components (“Representative ETFs”); and (3) cash and cash equivalents. As set forth in the Fidelity Notice, investments made by the Fidelity Funds will comply with the conditions set forth in the Prior Application and the Prior Exemptive Order.¹⁰

On October 30, 2020, and as amended on April 2, 2021, June 11, 2021 and June 30, 2021, Beach Street, FMR, FDC, and Fidelity Covington Trust sought to amend the Prior Fidelity Exemptive Order to, among other things, permit the Fidelity Funds to include select securities from the universe from which a fund’s investments are selected such as a broad-based market index in the fund’s Proxy Portfolio.¹¹ On August 5, 2021, the Commission issued an order granting the relief requested (the “Updated Fidelity Exemptive Order”).¹² The Exchange subsequently submitted a proposal with respect to the listing and trading of the Fidelity Funds to reflect the conditions set forth in the Updated Fidelity Exemptive Order.¹³

The Funds

As set forth in the Exchange’s previous rule filing to list and trade Shares of the Funds, under the

Exemptive Order, the Funds are required to publish a Tracking Basket¹⁴ of securities and cash that, while different from a Fund’s portfolio, is designed to closely track its daily performance. Like the Fidelity Funds, the Tracking Basket for each of the Funds will be comprised of Strategy Components, Representative ETFs, and cash and cash equivalents.

As set forth in the Notice, investments made by the Funds will comply with the conditions set forth in the Application and the Exemptive Order, which incorporate by reference the terms and conditions of the exemptive order granted to Beach Street, FMR, and FDC, as such order may be amended from time to time.¹⁵ Accordingly, the Exchange proposes to update the listing rule for the Shares to reflect the amendment of the Prior Fidelity Exemptive Order and the updated conditions set forth in the Updated Fidelity Exemptive Order as they relate to the Funds. Specifically, the Exchange proposes to reflect the condition in the Updated Fidelity Exemptive Order that permits the Funds to include select securities from the universe from which a Fund’s investments are selected such as a broad-based market index in the Fund’s Tracking Basket.

Except for the change noted above, all other representations made in the Exchange’s previous rule filing to list and trade Shares of the Funds remain unchanged and will continue to constitute continuing listing requirements for the Funds. The Funds will also continue to comply with the requirements of Rule 8.601–E.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁶ in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁷ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.¹⁸

The proposed rule change is designed to perfect the mechanism of a free and

in the exemptive relief pursuant to the Investment Company Act of 1940 applicable to such series.”

⁵ On May 13, 2021, the Commission published the notice of filing and immediate effectiveness relating to the listing and trading of shares of the Putnam Focused Large Cap Growth ETF, Putnam Focused Large Cap Value ETF, Putnam Sustainable Future ETF, and Putnam Sustainable Leaders ETF. See Securities Exchange Act Release No. 91895 (May 13, 2021), 86 FR 27126 (May 19, 2021) (SR–NYSEArca–2021–39) (the “Notice”).

⁶ See *id.* The Putnam ETF Trust filed an application for an order under Section 6(c) of the 1940 Act for exemptions from various provisions of the 1940 Act and rules thereunder (File No. 812–15203), dated February 19, 2021 (the “Application”). On May 10, 2021, the Commission issued an order (the “Exemptive Order”) under the 1940 Act granting the exemptions requested in the Application (Investment Company Act Release No. 34266, May 10, 2021). Investments made by the Funds will comply with the conditions set forth in the Application and the Exemptive Order. See Notice, 86 FR at 27127–28 n. 9.

⁷ See File No. 812–14364, dated November 8, 2019.

⁸ See Investment Company Act Release No. 33712, December 10, 2019.

⁹ On April 14, 2021, the Commission published the notice of filing and immediate effectiveness relating to the listing and trading of shares of the Fidelity Funds. See Securities Exchange Act Release No. 91514 (April 8, 2021), 86 FR 19657 (April 14, 2021) (SR–NYSEArca–2021–23) (the “Fidelity Notice”).

¹⁰ See Fidelity Notice, 86 FR at 19658, n. 8.

¹¹ See File No. 812–15175.

¹² See Investment Company Act Release No. 34350, August 5, 2021. Although the Updated Fidelity Exemptive Order permits the use of Creation Baskets that include instruments that are not included, or are included with different weightings, in a fund’s Proxy Portfolio, that aspect of the Updated Fidelity Exemptive Order is not part of this proposed rule change.

¹³ See Securities Exchange Act Release No. 93108 (September 23, 2021), 86 FR 53993 (September 29, 2021), (SR–NYSEArca–2021–81).

¹⁴ The Funds use the term “Tracking Basket” to mean the Proxy Portfolio for purposes of Rule 8.601–E(c)(3). See Notice, 86 FR at 27128 n. 12.

¹⁵ See Notice, 86 FR at 27127–28 n. 9; Application at 2 n. 1; Exemptive Order at 1 n. 1.

¹⁶ 15 U.S.C. 78f(b).

¹⁷ 15 U.S.C. 78f(b)(5).

¹⁸ The Exchange represents that, for initial and continued listing, the Funds will be in compliance with Rule 10A–3 under the Act, as provided by NYSE Arca Rule 5.3–E.

open market and, in general, to protect investors and the public interest. The proposed revision is intended to allow the Funds to comply with the Updated Fidelity Exemptive Order, which is incorporated by reference in the Application and Exemptive Order. Specifically, the proposed rule change would permit the Funds to include select securities from the universe from which a Fund's investments are selected such as a broad-based market index in such Fund's Tracking Basket. The Exchange also believes that the proposed change is designed to perfect the mechanism of a free and open market and, in general, to protect investors and the public interest because it would permit each Fund to make certain adjustments to the components of its Tracking Basket, thereby continuing to promote competition among various ETF products. Except for the changes noted above, all other representations made in the respective rule filings remain unchanged and, as noted, will continue to constitute continuing listing requirements for the Funds.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purpose of the Act. As noted, the purpose of the filing is to reflect an amendment to the Prior Fidelity Exemptive Order, the terms and conditions of which are incorporated by reference in the Application and Exemptive Order governing the listing and trading of the Funds. To the extent that the proposed rule change would continue to permit listing and trading of other types of actively-managed ETF that have characteristics different from existing actively-managed and index ETFs, the Exchange believes that the proposal would benefit investors by continuing to promote competition among various ETF products.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the 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 Act¹⁹ and Rule 19b-4(f)(6) thereunder.²⁰

A proposed rule change filed under Rule 19b-4(f)(6)²¹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²² the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may take effect upon filing. The Exchange states that the proposed rule change raises no novel regulatory issues because the proposed rule change would reflect an aspect of exemptive relief that the Commission has already granted. The Exchange also notes that similar proposals to amend the listing rules of other shares that NYSE Arca also lists and trades pursuant to Rule 8.601-E currently are in effect.²³ For these reasons, 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 waives the 30-day operative delay and designates the proposal operative upon filing.²⁴

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.

¹⁹ 15 U.S.C. 78s(b)(3)(A).

²⁰ 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 satisfied this requirement.

²¹ 17 CFR 240.19b-4(f)(6).

²² 17 CFR 240.19b-4(f)(6)(iii).

²³ See Securities Exchange Act Release No. 92449 (July 20, 2021), 86 FR 40102 (July 26, 2021) (SR-NYSEArca-2021-61) and No. 93108 (September 23, 2021) (SR-NYSEArca-2021-81).

²⁴ For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include File Number SR-NYSEArca-2021-93 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2021-93. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2021-93 and should be submitted on or before December 3, 2021.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁵

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 2021-24620 Filed 11-10-21; 8:45 am]

BILLING CODE 8011-01-P

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-0620]

Rand Capital SBIC, Inc.; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 02/02-0620 issued to Rand Capital SBIC, Inc., said license is hereby declared null and void.

United States Small Business Administration.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2021-24684 Filed 11-10-21; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 06/06-0334]

Surrender of License Of Small Business Investment Company; Independent Bankers Capital Fund II, L.P.

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 06/06-0334 issued to Independent Bankers Capital Fund II, L.P., said license is hereby declared null and void.

United States Small Business Administration

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2021-24688 Filed 11-10-21; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 05/05-0287]

GMB Mezzanine Capital, L.P.; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 05/05-0287 issued to GMB Mezzanine Capital, L.P., said license is hereby declared null and void.

United States Small Business Administration.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2021-24683 Filed 11-10-21; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 05/05-0319]

NCT Ventures Fund II, L.P.; Surrender of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 05/05-0319 issued to NCT Ventures Fund II, L.P. said license is hereby declared null and void.

United States Small Business Administration.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2021-24678 Filed 11-10-21; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[License No. 04/04-0300]

Surrender of License of Small Business Investment Company; Salem Halifax Capital Partners, L.P.

Pursuant to the authority granted to the United States Small Business Administration under the Small Business Investment Act of 1958, as amended, under Section 309 of the Act and Section 107.1900 of the Small Business Administration Rules and Regulations (13 CFR 107.1900) to function as a small business investment company under the Small Business Investment Company License No. 04/04-0300 issued to Salem Halifax Capital Partners, L.P., said license is hereby declared null and void.

United States Small Business Administration.

Bailey DeVries,

Associate Administrator, Office of Investment and Innovation.

[FR Doc. 2021-24687 Filed 11-10-21; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17223 and #17224; New York Disaster Number NY-00210]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of New York

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of New York (FEMA-4625-DR), dated 10/08/2021.

Incident: Remnants of Tropical Storm Fred.

Incident Period: 08/18/2021 through 08/19/2021.

DATES: Issued on 11/05/2021.

Physical Loan Application Deadline Date: 12/07/2021.

Economic Injury (EIDL) Loan Application Deadline Date: 07/08/2022.

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.

²⁵ 17 CFR 200.30-3(a)(12).

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of NEW YORK, dated 10/08/2021, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Onondaga

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

James Rivera,

Associate Administrator for Disaster Assistance.

[FR Doc. 2021-24689 Filed 11-10-21; 8:45 am]

BILLING CODE 8026-03-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17262 and #17263; GEORGIA Disaster Number GA-00132]

Administrative Declaration of a Disaster for the State of Georgia

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Georgia dated 11/05/2021.

Incident: Severe Flooding.

Incident Period: 09/07/2021 through 09/08/2021.

DATES: Issued on 11/05/2021.

Physical Loan Application Deadline Date: 01/04/2022.

Economic Injury (EIDL) Loan Application Deadline Date: 08/05/2022.

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: Cobb.

Contiguous Counties:

Georgia: Bartow, Cherokee, Douglas, Fulton, Paulding.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners With Credit Available Elsewhere	3.125
Homeowners Without Credit Available Elsewhere	1.563
Businesses With Credit Available Elsewhere	5.710
Businesses Without Credit Available Elsewhere	2.855
Non-Profit Organizations With Credit Available Elsewhere ...	2.000
Non-Profit Organizations Without Credit Available Elsewhere	2.000
<i>For Economic Injury:</i>	
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere	2.855
Non-Profit Organizations Without Credit Available Elsewhere	2.000

The number assigned to this disaster for physical damage is 17262 6 and for economic injury is 17263 0.

The State which received an EIDL Declaration # is Georgia.

(Catalog of Federal Domestic Assistance Number 59008)

Isabella Guzman,
Administrator.

[FR Doc. 2021-24682 Filed 11-10-21; 8:45 am]

BILLING CODE 8026-03-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17265 and #17266; California Disaster Number CA-00351]

Administrative Declaration of a Disaster for the State of California

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of California dated 11/08/2021.

Incident: Fawn Fire.

Incident Period: 09/22/2021 through 10/02/2021.

DATES: Issued on 11/08/2021.

Physical Loan Application Deadline Date: 01/07/2022.

Economic Injury (EIDL) Loan Application Deadline Date: 08/08/2022.

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: Shasta.

Contiguous Counties:

California: Lassen, Modoc, Plumas, Siskiyou, Tehama, Trinity.

The Interest Rates are:

	Percent
<i>For Physical Damage:</i>	
Homeowners with Credit Available Elsewhere	3.125
Homeowners without Credit Available Elsewhere	1.563
Businesses with Credit Available Elsewhere	5.710
Businesses without Credit Available Elsewhere	2.855
Non-Profit Organizations with Credit Available Elsewhere ...	2.000
Non-Profit Organizations without Credit Available Elsewhere	2.000
<i>For Economic Injury:</i>	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere	2.855
Non-Profit Organizations without Credit Available Elsewhere	2.000

The number assigned to this disaster for physical damage is 17265 5 and for economic injury is 17266 0.

The States which received an EIDL Declaration # is California.

(Catalog of Federal Domestic Assistance Number 59008)

Isabella Guzman,
Administrator.

[FR Doc. 2021-24693 Filed 11-10-21; 8:45 am]

BILLING CODE 8026-03-P

DEPARTMENT OF STATE

[Public Notice: 11577]

Notice of Renewal of the Charter of the Department of State's Advisory Committee on Private International Law

The Department of State has renewed the Charter of the Advisory Committee on Private International Law for two more years. Through the Committee, the Department of State obtains the views of the public with respect to significant private international law issues that

arise in international organizations of which the United States is a Member State, in international bodies in whose work the United States has an interest, or in the foreign relations of the United States.

The Committee is comprised of representatives from other government agencies, representatives of national organizations, and experts and professionals active in the field of international law.

Comments should be sent to the Office of the Assistant Legal Adviser for Private International Law at PII@state.gov. Copies of the Charter may be obtained by contacting Tricia Smeltzer at smeltzertk@state.gov or found online at <https://www.facadatabase.gov/FACA/FACAPublicPage>.

Kevin E. Bryant,

Deputy Director, Office of Directives Management, Department of State.

[FR Doc. 2021-24641 Filed 11-10-21; 8:45 am]

BILLING CODE 4710-08-P

DEPARTMENT OF STATE

[Public Notice: 11580]

Notice of Public Meeting in Preparation for International Cybercrime Treaty Negotiations

The Department of State will conduct a public meeting at 10:00 a.m. on November 17 by way of teleconference. Members of the public may participate up to the capacity of the video conferencing platform, which will handle 3,000 participants. RSVPs to Ms. Madeline Murphy Hall, by email at MurphyHallM@state.gov, are encouraged but not required.

To access the meeting, participants should follow this link: <https://statedept.webex.com/j.php?MTID=m7d251d4ffeda06ee34d78ad17c3c7f0b>.

The primary purpose of this initial public meeting is to prepare for the first session of the Open-Ended Ad Hoc Intergovernmental Committee of Experts (AHC) to elaborate a comprehensive international convention on countering the use of information and communications technologies for criminal purposes, established by UN General Assembly Resolution 74/247, to be held in New York from Monday, January 17, 2022 to Friday, January 28, 2022.

The agenda items to be considered at the public meeting relate to the overall process of the AHC and considerations around the substance of the new international convention, with particular attention to the focus areas

planned for the first session of the AHC. As of the publication of this notice, the agenda for the first session of the AHC has not been finalized.

- Modalities and schedule of the AHC negotiations
- Scope, objectives, and structure of the convention
- Participation of other stakeholders in the AHC
- Other business

Please note: Should there be any changes in the agenda, it will be reported to those who RSVP and those in attendance at the meeting.

Those who plan to participate may contact the meeting coordinator, Ms. Madeline Murphy Hall, by email at MurphyHallM@state.gov or by phone at (202) 286-3142. Members of the public needing reasonable accommodation should advise Ms. Murphy-Hall not later than November 12. Requests made after that date will be considered, but might not be possible to fulfill.

Additional information regarding this and other AHC session may be found at: https://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home.

Authority: 5 U.S.C. 551 *et seq.* and 22 U.S.C. 2656.

Theadora S. Bouffard,

Branch Chief for Multilateral Affairs, Office of Global Programs and Policy, Department of State.

[FR Doc. 2021-24817 Filed 11-9-21; 11:15 am]

BILLING CODE 4710-17-P

DEPARTMENT OF STATE

[Public Notice: 11581]

Advisory Committee on Historical Diplomatic Documentation—Notice of Virtual Open Meeting

The Advisory Committee on Historical Diplomatic Documentation will meet on December 6, 2021 in a virtual open session to discuss the status of the production of the *Foreign Relations* series and any other matters of concern to the Committee.

The Committee will meet in open session from 10:00 a.m. until noon through a virtual platform. Members of the public planning to attend the virtual meeting should RSVP to Julie Fort at FortJL@state.gov. RSVP and requests for reasonable accommodation should be sent not later than November 27, 2021. The platform type and instructions on how to join the virtual meeting will be provided upon receipt of RSVP. Note that requests for reasonable accommodation received after November 27 will be considered but might not be possible to fulfill.

Closed Session. The Committee's sessions in the afternoon of Monday, December 6, 2021 and in the morning of Tuesday, December 7, 2021, will be in person and will be closed in accordance with Section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463). The agenda calls for review of classified documentation concerning the Foreign Relations series and other declassification issues. These are matters properly classified and not subject to public disclosure under 5 U.S.C. 552b(c)(1) and the public interest requires that such activities be withheld from disclosure.

Questions concerning the meeting should be directed to Adam M. Howard, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, Washington, DC 20372, history@state.gov.

Adam M. Howard,

Executive Secretary, Advisory Committee on Historical, Diplomatic Documentation.

[FR Doc. 2021-24640 Filed 11-10-21; 8:45 am]

BILLING CODE 4710-34-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36557]

Union Pacific Railroad Company—Trackage Rights Exemption—BNSF Railway Company

Union Pacific Railroad Company (UP), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for renewal of trackage rights over a rail line owned by BNSF Railway Company (BNSF), between milepost 1120.7 near Stockton, Cal., and milepost 1164.5 near Port Chicago, Cal., a total distance of approximately 45 miles (the Line).

UP states it has operated over the Line pursuant to a trackage rights agreement since 1992. See Union Pac. R.R.—Trackage Rts. Exemption—Atchison, Topeka & Santa Fe Ry., FD 32153 (ICC served Oct. 1, 1992). According to the verified notice, UP and BNSF have executed an amendment to their existing agreement, and operations will continue as they have since 1992 without material change.¹

The transaction may be consummated on or after November 28, 2021, the effective date of the exemption (30 days after the verified notice was filed).

¹ A redacted version of the trackage rights renewal between UP and BNSF was filed with the verified notice. An unredacted version of the agreement was submitted to the Board under seal concurrently with a motion for protective order, which was granted on November 5, 2021.

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railway—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980).

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by November 19, 2021.

All pleadings, referring to Docket No. FD 36557, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on UP's representative, Jeremy Berman, 1400 Douglas Street, Union Pacific Railroad Company, STOP 1580, Omaha, NE 68179.

According to UP, this action is categorically excluded from environmental review under 49 CFR 1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at www.stb.gov.

Decided: November 8, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Raina White,
Clearance Clerk.

[FR Doc. 2021-24694 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36556]

Union Pacific Railroad Company— Trackage Rights Exemption—BNSF Railway Company

Union Pacific Railway Company (UP), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for renewal of trackage rights on a rail line owned by BNSF Railway Company (BNSF) between milepost 9 plus 1487.0 feet and milepost 10 plus 3570.0 feet, a total distance of approximately 1.39 miles, in or near Riverside, Cal. (the Line).

According to the verified notice, UP originally acquired trackage rights pursuant to an agreement dated July 10, 1984.¹ UP and BNSF have agreed to a

written amendment dated June 25, 2021, extending the term of the 1984 agreement.² UP states that operations will continue as they have since 1984 without material change.

The transaction may be consummated on or after November 28, 2021, the effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railway—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980).

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than November 19, 2021.

All pleadings, referring to Docket No. FD 36556, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on UP's representative, Jeremy Berman, 1400 Douglas St., Union Pacific Railroad Company, STOP 1580, Omaha, NE 68179.

According to UP, this action is categorically excluded from environmental review under 49 CFR 1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at www.stb.gov.

Decided: November 8, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,
Clearance Clerk.

[FR Doc. 2021-24703 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36552]

Port Manatee Railroad LLC—Operation Exemption—Manatee County Port Authority

Port Manatee Railroad LLC (PMR), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to operate on behalf of the Manatee

County Port Authority (the Port) approximately seven miles of rail line¹ within the Port of Manatee, in Manatee County, Fla. (the Line).

This transaction is related to a concurrently filed verified notice of exemption in 3i RR Holdings GP LLC—Continuance in Control Exemption—Port Manatee Railroad, Docket No. FD 36553, in which 3i RR Holdings GP LLC, 3i Holdings Partnership L.P., 3i RR Intermediate Holdings LLC, 3i RR LLC, Regional Rail Holdings, LLC, and Regional Rail, LLC² seek to continue in control of PMR upon PMR's becoming a Class III rail carrier.

According to the verified notice, the Port currently owns and operates the property as a Class III railroad. PMR states that it has entered into an agreement with the Port to replace the Port as the operator of the Line on December 1, 2021.

PMR certifies that its projected annual revenue will not exceed \$5 million and that the proposed transaction will not result in PMR's becoming a Class I or II rail carrier. PMR states that the proposed transaction does not involve an interchange commitment.

The earliest this transaction may be consummated is November 28, 2021, the effective date of the exemption (30 days after the verified notice was filed).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than November 19, 2021.

All pleadings, referring to Docket No. FD 36552, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on PMR's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

According to PMR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: November 5, 2021.

¹ PMR states that there are no mileposts on the Line and that the Line begins where it meets the CSXT Transportation, Inc., line and includes all rail lines within the Port of Manatee.

² The verified notice states that PMR is a newly created railroad subsidiary of Regional Rail, LLC.

¹ See *Union Pac. R.R. & Los Angeles & Salt Lake R.R.—Aban. & Acquis. of Trackage Rts. over ATSF Ry.*, FD 30015 (ICC served Sept. 10, 1982).

² An unredacted copy of the amendment is attached to the verified notice.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,
Clearance Clerk.

[FR Doc. 2021-24695 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36553]

3i RR Holdings GP LLC, 3i Holdings Partnership L.P., 3i RR Intermediate Holdings LLC, 3i RR LLC, Regional Rail Holdings, LLC, and Regional Rail, LLC—Continuance in Control Exemption—Port Manatee Railroad LLC

3i RR Holdings GP LLC, 3i Holdings Partnership L.P., 3i RR Intermediate Holdings LLC, and Regional Rail Holdings, LLC, (collectively 3i RR) and Regional Rail, LLC (Regional Rail), all noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Port Manatee Railroad, LLC (PMR), a noncarrier controlled by Regional Rail, upon PMR's becoming a Class III rail carrier.¹ According to the verified notice, the proposed transaction will allow Regional Rail to acquire direct control, and 3i RR to acquire indirect control, of PMR.

This transaction is related to a verified notice of exemption filed concurrently in *Port Manatee Railroad—Operation Exemption—Manatee County Port Authority*, Docket No. FD 36552, in which PMR seeks to operate approximately seven miles of rail line within the Port of Manatee, in Manatee County, Fla.

According to the verified notice, 3i RR Holdings GP LLC controls 3i Holdings Partnership L.P., which in turn controls 3i RR Intermediate Holdings LLC, which in turn controls 3i RR LLC, which in turn controls Regional Rail Holdings, LLC, which controls Regional Rail. The verified notice states that Regional Rail is a non-carrier holding company that directly controls the following seven Class III railroads: (1) East Penn Railroad, LLC, which operates in Delaware and Pennsylvania; (2) Middletown & New Jersey Railroad, LLC, which operates in New York; (3) Tyburn Railroad LLC, which operates in Pennsylvania; (4) the Florida Central Railroad Company, Inc., which operates in Florida; (5) Florida Midland Railroad Company, Inc., which operates in

Florida; (6) Florida Northern Railroad Company, Inc., which operates in Florida; and (7) Carolina Coastal Railway, Inc., which operates in North Carolina and South Carolina (collectively, the Subsidiary Railroads).² 3i RR and Regional Rail certify that the proposed transaction will not create a provision or agreement that may limit future interchange with a third-party connecting carrier.

3i RR and Regional Rail represent that: (1) The rail line to be operated by PMR does not connect with the Subsidiary Railroads; (2) the acquisition of control of PMR is not intended to connect with any railroads in the corporate family of 3i RR or Regional Rail; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

This transaction may be consummated on or after November 28, 2021, the effective date of the exemption (30 days after the verified notice was filed).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than November 19, 2021 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36553, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, one copy of each pleading must be served on 3i RR and Regional Rail's representative, Louis E. Gitomer,

Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

According to 3i RR and Regional Rail, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

Decided: November 5, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Raina White,
Clearance Clerk.

[FR Doc. 2021-24699 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36500]

Canadian Pacific Railway Limited; Canadian Pacific Railway Company; Soo Line Railroad Company; Central Maine & Quebec Railway US Inc.; Dakota, Minnesota & Eastern Railroad Corporation; and Delaware & Hudson Railway Company, Inc.—Control—Kansas City Southern; The Kansas City Southern Railway Company; Gateway Eastern Railway Company; and The Texas Mexican Railway Company

AGENCY: Surface Transportation Board.

ACTION: On October 29, 2021, the Canadian Pacific Railway Limited, Canadian Pacific Railway Company, and their US rail carrier subsidiaries Soo Line Railroad Company; Central Maine & Quebec Railway U.S. Inc.; Dakota, Minnesota & Eastern Railroad Corporation; and Delaware & Hudson Railway Company, Inc. (collectively, CP) and Kansas City Southern, The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company (collectively, KCS) filed an application with the Surface Transportation Board (Board) seeking the Board's approval of the acquisition of control by CP of KCS. The proposed acquisition has the potential to result in significant environmental impacts; therefore, the Board's Office of Environmental Analysis (OEA) has determined that the preparation of an Environmental Impact Statement (EIS) is appropriate pursuant to the National Environmental Policy Act (NEPA). The purpose of this Notice is to inform stakeholders—including members of the public; tribes; federal, state, and local agencies; and environmental groups—interested in or potentially affected by

¹ On November 3, 2021, 3i RR and Regional Rail filed a motion for protective order under 49 CFR 1104.14(b), which will be addressed in a separate decision.

² See *Reg'l Rail Holdings, LLC—Acquis. of Control Exemption—Reg'l Rail, LLC*, FD 35945 (STB served Aug. 7, 2015); *3i RR Holdings GP LLC—Control Exemption—Reg'l Rail Holdings, LLC*, FD 36289 (STB served Apr. 19, 2019); *3i RR Holdings GP LLC—Control Exemption—Fla. Cent. R.R.*, FD 36365 (STB served Nov. 22, 2019); *3i RR Holdings GP LLC—Control Exemption—Carolina Coastal Ry.*, FD 36383 (STB served Feb. 14, 2020).

potential environmental impacts related to the proposed acquisition. OEA will hold online public scoping meetings as part of the NEPA process. Oral and written comments submitted during scoping will assist OEA in defining the range of alternatives and potential impacts to be considered in the EIS. Public scoping meeting dates are provided below.

DATES: Comments on the scope of the EIS are due by December 17, 2021. OEA will hold six online public scoping meetings on the following dates (times in Central Standard Time).

- Tuesday, November 30, 2021, 6–8 p.m.
- Wednesday, December 1, 2021, 2–4 p.m.
- Thursday, December 2, 2021, 6–8 p.m.
- Tuesday, December 7, 6–8 p.m.
- Wednesday, December 8, 2021, 2–4 p.m.
- Thursday, December 9, 2021, 6–8 p.m.

Information on how to attend and participate in an online public scoping meeting, including how to register in advance, is available on the Board-sponsored project website at www.CP-KCSMergerEIS.com.

ADDRESSES: Interested parties are encouraged to file their scoping comments electronically through the Board-sponsored project website at www.CP-KCSMergerEIS.com or through the Board's website at www.stb.gov by clicking on the "File an Environmental Comment" link. Please refer to Docket No. FD 36500 in all correspondence, including E-filings, addressed to the Board. Scoping comments submitted by mail should be addressed to: Joshua Wayland, Surface Transportation Board, c/o VHB, Attention: Environmental Filing, Docket No. FD 36500, 940 Main Campus Dr., Suite 500, Raleigh, NC 27606.

FOR FURTHER INFORMATION CONTACT: Joshua Wayland, Office of Environmental Analysis, Surface Transportation Board, c/o VHB, 940 Main Campus Dr., Suite 500, Raleigh, NC 27606, or call OEA's toll-free number for the project at 1-888-319-2337. Assistance for the hearing impaired is available through the Federal Information Relay Service at 1-800-877-8339. The website for the Board is <https://www.stb.gov>. For further information about the Board's environmental review process and the EIS, you may also visit the Board-sponsored project website at www.CP-KCSMergerEIS.com.

SUPPLEMENTARY INFORMATION:

Background

On October 29, 2021, CP and KCS (collectively, the Applicants) filed an application with the Board under 49 U.S.C. 11323–25 seeking its approval of the acquisition of control of KCS by CP. CP and KCS are two of the seven Class I railroads in the United States, which are the largest railroads defined as having annual revenue greater than \$250 million. CP is one of Canada's two major railroads, extending across the country and connecting east and west coast ports. In the U.S., CP connects to Buffalo and Albany, New York and Searsport, Maine. CP also runs south into the U.S. Midwest and connects with KCS in Kansas City, Missouri. KCS is a Class I railroad that extends from Kansas City, Missouri to the Gulf Coast and into Mexico, operating across 10 states in the Midwest and Southeast. CP and KCS provide rail service for a variety of industries, including agriculture, minerals, military, automotive, chemical and petroleum, energy, industrial, and consumer products. CP and KCS are the two smallest Class I railroads, and the combined railroad would be the smallest Class I railroad by revenue. At the request of OEA, the Applicants have submitted information needed by OEA to initiate an environmental review of the proposed acquisition. Based on the information provided by the Applicants, OEA has determined that the proposed acquisition has the potential to result in significant environmental impacts and that the preparation of an EIS is appropriate.

Summary of the Board's Review Processes for This Proceeding

The Board will review the proposed transaction through two parallel but distinct processes: (1) The transportation-related process that examines the competitive, transportation, and economic implications of the proposed acquisition on the national rail system, and (2) the environmental process conducted by OEA that assesses the potential environmental effects of the proposed acquisition on the human and natural environment through preparation of an EIS. Interested persons and entities may participate in either process or both. If interested persons or entities are primarily interested in potential environmental impacts on communities, such as noise, vibration, air emissions, grade crossing safety and delay, emergency vehicle access, and other similar environmental issues, the appropriate forum is OEA's environmental review process. The

statute setting forth the procedures for Board review of acquisitions at 49 U.S.C. 11325 and the Board's implementing regulations at 49 CFR 1180.4 (2000) require that the Board complete its review within approximately 15 months after the application is accepted for a "major" transaction such as this, and OEA must complete the environmental process before the Board issues a final decision.

Environmental Review Process

The NEPA process is intended to assist the Board and the public in identifying and assessing the potential environmental consequences of a proposed action before a decision on that proposal is made. OEA is responsible for ensuring that the Board complies with NEPA (42 U.S.C. 4321–4370m–12) and related environmental statutes, including Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and Section 7 of the Endangered Species Act (16 U.S.C. 1536).

Purpose and Need

The proposed transaction involves an application for Board authority under 49 U.S.C. 11323–25 for CP to acquire KCS. The proposed transaction is not a federal government-proposed or sponsored project. Thus, the project's purpose and need should be informed by both the private applicant's goals and the Board's enabling statute—the Interstate Commerce Act as amended by the ICC Termination Act, Public Law 104–188, 109 Stat. 803 (1996). See *Alaska Survival v. STB*, 705 F.3d 1073, 1084–85 (9th Cir. 2013).

According to the Applicants, the purpose of the proposed acquisition is to combine America's two smallest but fastest-growing Class I railroads to build a more efficient and more competitive rail network. The Applicants state that the proposed acquisition would further the need for expanded and more capable and efficient transportation infrastructure while simultaneously advancing the interests of current and future customers in more reliable and economical rail transportation options serving important North-South trade flows. The Applicants also state that the proposed acquisition would generate environmental benefits by reducing truck transportation on highways in North America by more than 60,000 trucks annually, resulting in less congestion, less maintenance, and improved safety on those roads, as well as less noise pollution in the places where those trucks would have driven, and lowered air emissions, including greenhouse gas emissions. Under the

Interstate Commerce Act, as amended, the Board “shall approve and authorize a transaction” such as this when, after considering several factors, “it finds the transaction is consistent with the public interest.” 49 U.S.C. 11324 (b) & (c).

Proposed Action and Alternatives

The Proposed Action in this proceeding is the Applicants’ proposed acquisition of KCS by CP. The combination of these two railroads would be an ‘end-to-end’ merger because the CP and KCS railroad networks do not overlap. The proposed acquisition would result in changes in rail traffic on portions of the combined rail network. Rail traffic would increase on certain rail line segments and would decrease on others. The largest change would occur on the CP mainline between Sabula, Iowa and Kansas City, Missouri, which would experience an increase in rail traffic of approximately 14.4 additional trains per day, on average. Increases in activities at rail yards and intermodal facilities would also occur. In addition, the Applicants propose to make certain capital improvements within the existing rail right-of-way, including adding approximately four miles of double track on the KCS Pittsburg Subdivision, adding approximately five miles of facility working track adjacent to the International Freight Gateway intermodal terminal near Kansas City, and adding or extending 24 passing sidings along the combined network. The Applicants do not propose to construct any new rail lines subject to Board licensing or to abandon any rail lines as part of the proposed acquisition.

The alternative to the Proposed Action is the No-Action Alternative, which would occur if the Board were to deny the proposed acquisition. Under the No-Action Alternative, CP would not acquire KCS.

Scoping

The first stage of the environmental review process is scoping. Scoping is an open process for determining the range of issues that should be examined and assessed in the EIS. In addition to announcing that the Board will prepare an EIS for this proceeding, this Notice also requests comments on the scope of the EIS and presents the schedule of public scoping meetings. With this notice, OEA is soliciting written comments on the scope, alternatives, and issues to be analyzed in the EIS. After the close of the comment period on the scope of the EIS on December 17, 2021, OEA will review all comments received and issue a final scope of study

for the EIS. OEA anticipates issuing the final scope of study in early 2022.

Draft EIS

Following the issuance of the final scope, OEA will prepare a Draft EIS for the proposed acquisition. The Draft EIS will identify and analyze alternatives, including the Proposed Action and the No-Action Alternative, and will address potential impacts on the environment as well as issues and concerns identified during the scoping process. The Draft EIS will focus on (1) potential impacts from changes in rail operations along rail line segments and at rail yards that would experience increases in rail traffic as a result of the proposed acquisition that would exceed OEA’s thresholds for environmental review at 49 CFR 1105.7(e), (2) potential impacts related to changes in vehicular traffic on roadways and at facilities as a result of the proposed acquisition that would exceed OEA’s thresholds for analysis, and (3) potential impacts that could result from making capital improvements within the rail right-of-way as part of the proposed acquisition.

The scope of the issues that will be analyzed in the Draft EIS may include potential impacts related to:

- Freight rail capacity and safety;
- Passenger rail capacity and safety;
- Grade crossing safety and delay;
- Motor vehicle traffic and roadway systems;
- Land use;
- Air quality;
- Noise;
- Biological resources;
- Water resources;
- Hazardous waste sites;
- Cultural resources;
- Environmental justice; and
- Cumulative impacts.

The thresholds for assessing environmental impacts from increased rail traffic on rail lines in railroad acquisition proceedings are an increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains per day. For air quality impacts, rail lines located in areas classified as being in nonattainment under the Clean Air Act (42 U.S.C. 7401–7671q) are also assessed if they would experience an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains per day. Based on the information provided by the Applicants to date, OEA has identified rail lines in Illinois, Iowa, Missouri, Kansas, Oklahoma, Arkansas, Louisiana, and Texas that would experience increases in rail traffic that would exceed the analysis thresholds as a result of the proposed acquisition.

In addition to assessing the environmental impacts of the proposed acquisition, the Draft EIS will also set forth OEA’s preliminary recommendations for environmental mitigation measures. OEA anticipates issuing the Draft EIS in the spring of 2022.

Final EIS

Upon its completion, the Draft EIS will be made available for public and agency review and comment for 45 days. OEA will then prepare and issue a Final EIS that will address the comments on the Draft EIS from the public; and federal, state and local agencies; and other interested parties and will set forth OEA’s final recommended environmental mitigation. Then, in reaching its decision in this case, the Board will consider the Draft EIS, the Final EIS, public comments, and any final environmental mitigation proposed by OEA. OEA anticipates issuing the Final EIS in the fall of 2022.

Public Scoping Meetings

As noted above, scoping is the first stage of the environmental review process. OEA will hold online public scoping meetings at the dates and times listed below. All times are listed in Central Standard Time. There is no need to attend more than one online meeting, but all are welcome to attend as many meetings as desired.

- Tuesday, November 30, 2021, 6–8 p.m.
- Wednesday, December 1, 2021, 2–4 p.m.
- Thursday, December 2, 2021, 6–8 p.m.
- Tuesday, December 7, 6–8 p.m.
- Wednesday, December 8, 2021, 2–4 p.m.
- Thursday, December 9, 2021, 6–8 p.m.

The online public scoping meetings will include a brief presentation by OEA, followed by an opportunity for interested individuals to make oral comments. Participants who have registered in advance will be called upon first to deliver their oral comments and will be given three minutes in which to do so. If time permits, participants who did not register in advance will be given the opportunity to make oral comments. A court reporter will record the oral comments, and OEA staff will be available to listen and make notes of comments.

For information on how to attend an online public scoping meeting, including how to register in advance, please visit the Public Involvement page on the Board-sponsored project website

(www.CP-KCSMergerEIS.com). Although individuals who would like to make oral comments are encouraged to register in advance, registration is not required to attend the public scoping meetings. OEA will consider all comments equally no matter how comments are received, and it is not necessary to attend an online public scoping meeting to provide scoping comments, as OEA will also be accepting written comments during the comment period, which ends on December 17, 2021.

Submitting Written Comments on the Scope of the EIS

Interested parties are encouraged to file their scoping comments electronically through the Board-sponsored project website at www.CP-KCSMergerEIS.com. Written comments can also be submitted electronically on the Board's website, www.stb.gov, by clicking on the "E-FILING" link. Please refer to Docket No. FD 36500 in all correspondence, including E-filings, addressed to the Board. Scoping comments submitted by mail should be addressed to Joshua Wayland, Surface Transportation Board, c/o VHB, 940 Main Campus Dr., Suite 500, Raleigh, NC 27606, Attention: Environmental Filing, Docket No. FD 36500. Following these directions will help ensure that your comments are considered in the environmental review process for this proposed acquisition.

All comments submitted during scoping will be made available to the public on the Board-sponsored project website and the Board's website. OEA will add commenters' names to its email distribution list to announce the availability of the final scope of the EIS, the Draft EIS, and the Final EIS, which will be posted on the Board's website and the Board-sponsored project website. Commenters without email addresses will receive notifications by U.S. mail if accurate mailing addresses are provided, as needed.

All Board decisions, orders, and notices in this proceeding will also be available on the Board's website at www.stb.gov under "E-Library," and "Decisions & Notices" or "Filings." For further information about the Board's environmental review process and the EIS, you may also visit the Board-sponsored project website at www.CP-KCSMergerEIS.com.

By the Board, Danielle Gosselin,
Acting Director, Office of Environmental
Analysis.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2021-24670 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36554]

Union Pacific Railroad Company— Trackage Rights Exemption—BNSF Railway Company

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for the acquisition of trackage rights over an approximately 7.8-mile rail line owned by BNSF Railway Company (BNSF) between milepost 436.5, near Eton, Mo., and milepost 444.3, near Congo, Mo. (the Line).

UP states that it originally acquired these trackage rights 1902.¹ The verified notice states that UP and BNSF have executed a new agreement that provides UP with substantially similar trackage rights and will allow operations to continue without material change.²

The transaction may be consummated on or after November 28, 2021, the effective date of the exemption (30 days after the verified notice of exemption was filed).

As a condition to this exemption, any employees affected by the acquisition of trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by November 19, 2021 (at least seven days before the exemption becomes effective).

¹ UP states that, because the 1902 trackage rights agreement predates passage of the Transportation Act of 1920, Public Law 66-152, 41 Stat. 456, it was not required to be submitted to the agency for authorization.

² A redacted version of the agreement was filed with UP's verified notice of exemption. UP simultaneously filed a motion for a protective order to protect the confidential and commercially sensitive information in the unredacted version of the agreement, which UP submitted under seal. That motion will be addressed in a separate decision.

All pleadings, referring to Docket No. FD 36554, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on UP's representative, Jeremy M. Berman, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

According to UP, this action is categorically excluded from environmental review under 49 CFR 1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at www.stb.gov.

Decided: November 5, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Eden Besera,
Clearance Clerk.

[FR Doc. 2021-24612 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36555]

Union Pacific Railroad Company— Trackage Rights Exemption—BNSF Railway Company

Union Pacific Railroad Company (UP), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for trackage rights over approximately 98.8 miles of rail line owned by BNSF Railway Company (BNSF) between milepost 9 plus 1487.0 feet near Riverside, Cal., and milepost 737 plus 2126.7 feet near Daggett, Cal. (the Line).

Pursuant to a written trackage rights agreement,¹ BNSF has agreed to grant trackage rights to UP over the Line. According to the verified notice, UP originally acquired the trackage rights pursuant to an agreement dated February 1, 1916.² According to UP, a new agreement has now been executed that allows for the trackage rights operations to continue as they have since 1916 without material change. The purpose of this transaction is to allow UP to continue its operations over the Line.

The transaction may be consummated on or after November 28, 2021, the

¹ An executed, redacted version of the trackage rights agreement was filed with the verified notice. An executed, unredacted version of the agreement was submitted to the Board under seal concurrently with a motion for protective order, which was granted on November 8, 2021.

² UP states that because the 1916 agreement predated the passage of the Transportation Act of 1920, Public Law 66-152, 41 Stat. 456, it was not required to be submitted to the agency for authorization.

effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railway—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by November 19, 2021.

All pleadings, referring to Docket No. FD 36555, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on UP's representative, Jeremy Berman, 1400 Douglas Street, Union Pacific Railroad Company, STOP 1580, Omaha, NE 68179.

According to UP, this action is categorically excluded from environmental review under 49 CFR 1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at www.stb.gov.

Decided: November 8, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Brendetta Jones,
Clearance Clerk.

[FR Doc. 2021-24692 Filed 11-10-21; 8:45 am]

BILLING CODE 4915-01-P

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: October 1–31, 2021.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717)

238-2436; email: joyler@srbc.net.

Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR 806.22 (e) and 18 CFR 806.22 (f) for the time period specified above:

Water Source Approval—Issued Under 18 CFR 806.22(e)

1. Pennsylvania Department of Corrections—State Correctional Institution at Smithfield; ABR-202110002, Smithfield Township, Huntingdon County, Pa.; Consumptive Use of up to 0.150 mgd; Approval Date: October 14, 2021.

Water Source Approval—Issued Under 18 CFR 806.22(f)

1. Cabot Oil & Gas Corporation; Pad ID: Westholme Energy LLC P1; ABR-202110001; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 4, 2021.

2. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 011); ABR-201106029.R2; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 17, 2021.

3. Chief Oil & Gas, LLC; Pad ID: Brule; ABR-201110005.R2; Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 17, 2021.

4. SWN Production Company, LLC; Pad ID: Zeffer Pad; ABR-201108029.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 17, 2021.

5. SWN Production Company, LLC; Pad ID: Scott Pad; ABR-201108030.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 17, 2021.

6. EQT ARO LLC; Pad ID: Michael R Fulkerson Pad A; ABR-201008116.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 17, 2021.

7. Chief Oil & Gas, LLC; Pad ID: Squier B Drilling Pad #1; ABR-201110007.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.0000 mgd; Approval Date: October 20, 2021.

8. Seneca Resources Company, LLC; Pad ID: GHC Pad A; ABR-201009012.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2021.

9. SWN Production Company, LLC; Pad ID: Roman Pad; ABR-201108021.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 20, 2021.

10. EQT ARO LLC; Pad ID: Mac Pad A; ABR-201508001.R1; Cascade Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 20, 2021.

11. SWN Production Company, LLC; Pad ID: Robinson Well Pad; ABR-201109009.R2;

Liberty Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 20, 2021.

12. SWN Production Company, LLC; Pad ID: Carty-Wiseman Well Pad; ABR-201109006.R2; Liberty Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 20, 2021.

13. Seneca Resources Company, LLC; Pad ID: PHC 2H; ABR-201509002.R1; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 22, 2021.

14. SWN Production Company, LLC; Pad ID: Grizzanti Pad; ABR-201108023.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 22, 2021.

15. SWN Production Company, LLC; Pad ID: Kass North Well Pad; ABR-201109007.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: October 22, 2021.

16. EQT ARO LLC; Pad ID: COP Tract 731 Pad D; ABR-201109017.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 22, 2021.

17. EQT ARO LLC; Pad ID: COP Tract 685 Pad B; ABR-201109022.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 22, 2021.

18. EXCO Resources (PA), LLC; Pad ID: Poor Shot East Unit Drilling Pad #1; ABR-20091002.R2; Anthony Township, Lycoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 22, 2021.

19. Cabot Oil & Gas Corporation; Pad ID: GuitonP P1; ABR-202110003; Middletown Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 25, 2021.

20. Pennsylvania General Energy Company, L.L.C.; Pad ID: COP Tract 293 Pad G; ABR-201109005.R2; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 3.5000 mgd; Approval Date: October 25, 2021.

21. Chesapeake Appalachia L.L.C.; Pad ID: Donovan; ABR-201110016.R2; Ulster Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 25, 2021.

22. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 594 (02 203); ABR-201008042.R2; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 25, 2021.

23. Seneca Resources Company, LLC; Pad ID: COP Pad P; ABR-201009038.R2; Lawrence Township, Clearfield County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 25, 2021.

24. EQT ARO LLC; Pad ID: COP Tr 289 Pad E; ABR-20109048.R2; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 25, 2021.

25. EQT ARO LLC; Pad ID: Lycoming H&FC Pad A; ABR-201109023.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 25, 2021.

26. EQT ARO LLC; Pad ID: COP Tr 290 Pad A; ABR-201009043.R2; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 25, 2021.

27. Seneca Resources Company, LLC; Pad ID: Soderberg 501; ABR-20091004.R2; Sullivan Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 26, 2021.

28. EQT ARO LLC; Pad ID: Lycoming H&FC Pad C; ABR-201109003.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 26, 2021.

29. EQT ARO LLC; Pad ID: COP 731 Pad E; ABR-201109021.R2; Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 26, 2021.

30. EQT ARO LLC; Pad ID: Lycoming H&FC Pad B; ABR-201009099.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 26, 2021.

31. JKLM Energy, LLC; Pad ID: Headwaters 143; ABR-201604002.R1; Ulysses Township, Potter County, Pa.; Consumptive Use of Up to 7.0000 mgd; Approval Date: October 28, 2021.

32. Chesapeake Appalachia, L.L.C.; Pad ID: Gardner; ABR-201110020.R2; Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 28, 2021.

33. Seneca Resources Company, LLC; Pad ID: Howe 257; ABR-20091008.R2; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 28, 2021.

34. Cabot Oil & Gas Corporation; Pad ID: FrystakC P1; ABR-201109027.R2; Bridgewater Township, Susquehanna County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 28, 2021.

35. BKV Operating, LLC; Pad ID: McConnell 1; ABR-201110003.R2; Tunkhannock Township, Wyoming County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: October 28, 2021.

36. Blackhill Energy LLC; Pad ID: FAY 1H ABR-201107019.R2; Ridgebury Township, Bradford County, Pa.; Consumptive Use of Up to 4.9900 mgd; Approval Date: October 28, 2021.

37. Seneca Resources Company, LLC; Pad ID: Bryan 406; ABR-20091011.R2; Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 28, 2021.

38. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 010); ABR-201108002.R2; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: October 29, 2021.

39. JKLM Energy, LLC; Pad ID: Headwaters 145; ABR-201608001.R1; Ulysses Township, Potter County, Pa.; Consumptive Use of Up to 3.1250 mgd; Approval Date: October 29, 2021.

40. ARD Operating, LLC; Pad ID: Lycoming H&FC Pad D; ABR-201109024.R2; Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: October 29, 2021.

41. Chesapeake Appalachia, L.L.C.; Pad ID: Nicholson; ABR-201110022.R2; Nicholson Township, Wyoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: October 29, 2021.

Dated: November 8, 2021.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2021-24709 Filed 11-10-21; 8:45 am]

BILLING CODE 7040-01-P

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering (GF) Registration Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: October 1–31, 2021.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT:

Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; email: joyler@srbc.net. Regular mail inquiries May be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR 806, Subpart E for the time period specified above:

Grandfathering Registration Under 18 CFR Part 806, Subpart E:

1. Alexandria Borough Water Authority—Public Water Supply System, GF Certificate No. GF-202110188, Alexandria Borough, Huntingdon County, Pa.; Robinson Run and Well 2; Issue Date: October 22, 2021.

2. Aqua Pennsylvania, Inc.—Roaring Creek Division, GF Certificate No. GF-202110189, Conyngham Township, Columbia County, Pa.; Brush Valley Well 1 and Brush Valley Well 2; Issue Date: October 22, 2021.

3. City of Lebanon Authority—Public Water Supply System, GF Certificate No. GF-202110190, Union Township, Lebanon County, and Pine Grove Township, Schuylkill County, Pa.; Siegrist Dam and Swatara Creek; Issue Date: October 26, 2021.

4. Borough of Oxford—Public Water Supply System, GF Certificate No. GF-202110191, Oxford Borough, Chester County, Pa.; consumptive use; Issue Date: October 26, 2021.

Dated: November 8, 2021.

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2021-24708 Filed 11-10-21; 8:45 am]

BILLING CODE 7040-01-P

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will conduct its regular business meeting on December 17, 2021, from Harrisburg, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. Also the Commission published a document in the **Federal Register** on November 10, 2021, concerning its public hearing on December 2, 2021, in Harrisburg, Pennsylvania.

DATES: The meeting will be held on Friday, December 17, 2021, at 9 a.m.

ADDRESSES: The meeting will be conducted in person and digitally from the Susquehanna River Basin Commission, 4423 N Front Street, Harrisburg, PA 17110.

FOR FURTHER INFORMATION CONTACT:

Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: 717-238-0423; fax: 717-238-2436.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) Adoption of a policy, Fee Incentives for the Withdrawal and Consumptive Use of AMD Impacted Waters & Treated Wastewater (formerly the draft of Use of Lesser Quality Waters Policy); (2) adoption of the 2022 Regulatory Program Fee Schedule; (3) ratification of the Letter of Understanding regarding program coordination between the Susquehanna River Basin Commission and the Pennsylvania Department of Environmental Protection; (4) ratification of contracts/grants; and (5) Regulatory Program projects including one Commission-initiated project approval modification and one out-of-basin diversion.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the

Commission does take final action, notice of these actions will be published in the **Federal Register** after the meeting. Any actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in person at the Commission's headquarters and digitally. The public is invited to attend the Commission's business meeting. You can access the Business Meeting through a computer (Audio and Video) by following the link: <https://srbc.webex.com/srbc/j.php?MTID=mf5dfaebf7a543cc6f92dcafd1007d8a> then enter meeting number 177 499 9312 and password Dec17CommMtg. You may also participate telephonically by dialing 1-877-668-4493 and entering the meeting number 177 499 9312 followed by the # sign.

Written comments pertaining to items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically through www.srbc.net/about/meetings-events/business-meeting.html. Such comments are due to the Commission on or before December 13, 2021.

Comments will not be accepted at the business meeting noticed herein.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: November 8, 2021

Jason E. Oyler,

General Counsel and Secretary to the Commission.

[FR Doc. 2021-24702 Filed 11-10-21; 8:45 am]

BILLING CODE 7040-01-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on the Blue Hill Falls Bridge Project

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of limitation on claims for judicial review of actions by FHWA.

SUMMARY: This notice announces actions taken by the FHWA that are final. The actions relate to a proposed Blue Hill Falls Bridge project on Route 172 located in Blue Hill, Hancock County, State of Maine. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A

claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before April 11, 2022. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Eva Birk, Environmental Specialist, U.S. Department of Transportation, Federal Highway Administration, Maine, 40 Western Avenue, Room 614, Augusta, ME 04330; telephone: 207-512-4921; email: eva.birk@dot.gov. For MAINE DOT: Kristen Chamberlain, NEPA Manager, Maine Department of Transportation, 24 Child Street, Augusta, ME 04330; telephone: 207-557-5089; email: kristen.chamberlain@maine.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following highway project in the State of Maine: Replacement of the existing 1926 concrete tied arch Blue Hill Fall Bridge (#5038) with a 110' long and 30' wide enhanced girder bridge. Federal Project Number: STP-1771(200)X.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in Categorical Exclusion (CE) approved on June 29, 2021, and in other documents in the FHWA project records. The Categorical Exclusion and other project records are available by contacting FHWA at the address provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109 and 23 U.S.C. 128]. Council on Environmental Quality Regulations [40 CFR 1500 *et seq.*, 23 CFR 771].

2. *Air:* Clean Air Act [42 U.S.C. 7401-7671q].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303; 23 U.S.C. 138].

4. *Wildlife:* Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536]; Marine Mammal Protection Act [16 U.S.C. 1361-1423h]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667d]; Migratory Bird Treaty Act [16 U.S.C. 703-712].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470f]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470aa-470mm];

Archeological and Historic Preservation Act [16 U.S.C. 469-469c]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].

6. *Social and Economic:* American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].

7. *Wetlands and Water Resources:* Clean Water Act (Section 404, Section 401, Section 319) [33 U.S.C. 1251-1387]; Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f-300j-26]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act, [16 U.S.C. 3901, 3921]; Wetlands Mitigation [23 U.S.C. 119(g) and 133(b)(14)]; Flood Disaster Protection Act, 42 U.S.C. 4012a, 4106].

8. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Exec. Order No. 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 139(l)(1).

Todd D. Jorgensen,

Division Administrator, Augusta, Maine.

[FR Doc. 2021-24499 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2021-0159]

Qualification of Drivers; Exemption Applications; Implantable Cardioverter Defibrillators (ICDs)

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

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from five individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against operation of a commercial motor vehicle (CMV) by persons with a current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency,

thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope (transient loss of consciousness), dyspnea (shortness of breath), collapse, or congestive heart failure. If granted, the exemptions would enable these individuals with ICDs to operate CMVs in interstate commerce.

DATES: Comments must be received on or before December 13, 2021.

ADDRESSES: You may submit comments identified by the Federal Docket Management System (FDMS) Docket ID FMCSA–2021–0159 using any of the following methods:

- *Federal eRulemaking Portal:* Go to www.regulations.gov/, insert the docket number, FMCSA–2021–0159, in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click on the “Comment” button. Follow the online instructions for submitting comments.

- *Mail:* Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal Holidays.

- *Fax:* (202) 493–2251.

To avoid duplication, please use only one of these four methods. See the “Public Participation” portion of the **SUPPLEMENTARY INFORMATION** section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366–4001, fmcsamedical@dot.gov, FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64–224, Washington, DC 20590–0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA–2021–0159), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and

material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to www.regulations.gov, insert the docket number FMCSA–2021–0159 in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, click the “Comment” button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope.

FMCSA will consider all comments and material received during the comment period.

B. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number, FMCSA–2021–0159, in the keyword box, and click “Search.” Next, sort the results by “Posted (Newer-Older),” choose the first notice listed, and click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

C. Privacy Act

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov, as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at www.transportation.gov/privacy.

II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an

exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statute also allows the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver’s medical certification.

The five individuals listed in this notice have requested an exemption from 49 CFR 391.41(b)(4). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard found in § 391.41(b)(4) states that a person is physically qualified to drive a CMV if that person has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.

In addition to the regulations, FMCSA has published advisory criteria¹ to assist medical examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce. The advisory criteria states that ICDs are disqualifying due to risk of syncope.

III. Qualifications of Applicants

Rosie A. Byrd

Ms. Byrd is a CMV driver with a CDL in Kansas seeking to transfer her CDL to Texas. An August 26, 2021, letter from Ms. Byrd’s cardiologist reports that she has never been symptomatic from her underlying heart condition. Ms. Byrd’s cardiologist’s letter states that her ICD was implanted in October of 2019, has not discharged since implantation, and that she is stable with no clinical events related to the heart condition.

Thomas Jacobs

Mr. Jacobs is a CMV driver in New York. An August 31, 2021 letter from Mr. Jacob’s cardiologist reports that his ICD was implanted in October of 2018. Mr. Jacobs’ cardiologist’s letter states that there have been no displays of

¹ These criteria may be found in 49 CFR part 391, Appendix A to Part 391—Medical Advisory Criteria, Section D. Cardiovascular: § 391.41(b)(4), paragraph 4, which is available on the internet at <https://www.gpo.gov/jdsys/pkg/CFR-2015-title49-vol5/pdf/CFR-2015-title49-vol5-part391-appA.pdf>.

tachycardia pacing or shocks in the 3 years since implantation, and that the status of his underlying heart condition is stable, his echocardiogram is unchanged, and he has a left ventricular ejection function of 35 percent.

Lee Latin

Mr. Latin is a CMV driver in North Carolina. An October 12, 2021 letter from his cardiologist's office reports that his biventricular device was implanted in 2012. His last ejection fraction in 2018 was "mildly reduced" at 45 to 55 percent. He has experienced one inappropriate shock for sinus tachycardia in 2017. He had a generator replacement in 2019, is stable, and has not experienced any ICD therapies since September of 2021.

Wayne Pimpare

Mr. Pimpare is a CMV driver in Maine. A May 6, 2021 letter from Mr. Pimpare's cardiologist reports that his ICD was initially implanted in 2012 and was replaced in 2020. Mr. Pimpare's letter from his cardiologist states that his ICD has never discharged, that he has no symptoms related to his ICD, and that his underlying cardiac condition is stable.

Bradley Plunket

Mr. Plunket is a CMV driver in Illinois. A July 27, 2021 letter from Mr. Plunket's cardiologist reports that his ICD was implanted in January of 2017. Mr. Plunket's cardiologist's letter states that as of April 2021 Mr. Plunket reports no complaints and no ICD shocks, and that he is scheduled for routine follow-ups every 3 months.

IV. Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315(b), FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated under the **DATES** section of the notice.

Larry W. Minor,

Associate Administrator for Policy.

[FR Doc. 2021-24625 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

FY 2021 Competitive Funding Opportunity: Enhancing Mobility Innovation

AGENCY: Federal Transit Administration (FTA), Department of Transportation (DOT).

ACTION: Notice of Funding Opportunity (NOFO).

SUMMARY: The Federal Transit Administration (FTA) announces the opportunity to apply for a total of \$2,000,000 in competitive cooperative agreement awards in fiscal year (FY) 2021 funds for projects that enhance mobility innovations for transit. Funds will be awarded competitively for projects that advance emerging technologies, strategies and innovations in passenger-centric mobility in two distinct areas. Of the total available funds, \$1,000,000 is available to accelerate innovative mobility and is for projects to improve mobility and enhance the rider experience with a focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions; and \$1,000,000 is available for projects to support the development of software solutions that facilitate the provision of integrated demand-response public transportation service that dispatches public transportation fleet vehicles through riders mobile devices or other means. Projects will be competitively selected based on criteria outlined in this notice. FTA may award additional funding that is made available to the program prior to the announcement of project selections.

DATES: Complete proposals must be submitted electronically through the *GRANTS.GOV* "APPLY" function by 11:59 p.m. Eastern time on January 11, 2022.

Prospective applicants should initiate the process by registering on the *GRANTS.GOV* website promptly to ensure completion of the application process before the submission deadline. Instructions for applying can be found on FTA's website at <http://www.transit.dot.gov/howtoapply> and in the "FIND" module of *GRANTS.GOV*. The funding opportunity ID is FTA-2021-010-TRI-EMI. Mail and fax submissions will not be accepted.

FOR FURTHER INFORMATION CONTACT:

Christina Gikakis, FTA Office of Research, Demonstration and Innovation, 202-366-2637, christina.gikakis@dot.gov.

SUPPLEMENTARY INFORMATION:

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A. Program Description

Under FTA's Public Transportation Innovation Program (49 U.S.C. 5312), FTA may make grants, or enter into contracts or cooperative agreements, for research, development, demonstration, and deployment projects of national significance to public transportation agencies that the Secretary determines will improve public transportation service. This NOFO (Federal Assistance Listing: 20.530) has been developed under this authority. As directed by the Consolidated Appropriations Act, 2021 (Pub. L. 116-260), FTA will competitively fund up to \$1,000,000 in cooperative agreements to accelerate innovations that improve mobility and enhance the rider experience, and will competitively fund up to \$1,000,000 in cooperative agreements for the development of software solutions to facilitate demand-response public transportation.

This NOFO implements the provisions of the Consolidated Appropriations Act, 2021, by seeking targeted projects that advance emerging technologies, strategies and innovations in passenger-centric mobility, in these two distinct areas: (a) To develop novel operational concepts and/or demonstrate innovations that improve mobility and enhance the rider experience, with a focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions; and (b) to support the development of software solutions that facilitate the provision of demand-response public transportation service that dispatches public transportation fleet vehicles, through riders mobility devices or other advanced means.

This effort also supports the President's promotion of increased access to transit for environmental justice populations and adoption of equity-focused policies. This NOFO will advance the goals of Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.

These research efforts will build upon significant FTA and private sector investments in mobility innovation through efforts such as the Mobility on

Demand (MOD) Sandbox, the Integrated Mobility Innovation (IMI) Program and the Accelerating Innovative Mobility (AIM) Challenge Grant Initiative, as well as others. These research efforts will advance a vision for mobility that leverages innovative technologies, practices, and novel partnerships to provide safe, reliable, equitable, accessible, carefree and seamless mobility for all travelers. To that end, this notice seeks projects that can advance innovative technologies, practices, approaches or service models that produce climate smart and equitable mobility outcomes, knowledge of national significance; and/or robust, interoperable software-based solutions for innovative mobility services.

FTA will competitively award cooperative agreements to eligible applicants for projects to either advance mobility innovations or to develop software solutions for public transportation services, as described in this notice.

B. Federal Award Information

This notice makes available a total of \$2 million for cooperative agreements as authorized under the Public Transportation Innovation Program, 49 U.S.C. 5312(b), to support the research, development, demonstration, and deployment and evaluation of research and technology of national significance to transit, that the Secretary determines will improve transit. The Consolidated Appropriations Act, 2021, Public Law 116–260, appropriated up to \$1,000,000 for competitive awards to develop novel operational concepts and/or demonstrate innovations that improve mobility and enhance the rider experience, with a focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions; and up to \$1,000,000 for the development of software to facilitate the provision of demand-response public transportation service that dispatches public transportation fleet vehicles, through riders mobile devices or other advanced means. Additional funds made available prior to project selection may be allocated to eligible projects.

To ensure the most impactful projects for each project area, FTA is seeking projects that require a minimum award amount of \$250,000 with maximum award of \$1,000,000. Due to funding limitations, applicants that are selected for funding may receive less than the amount originally requested. Only proposals from eligible recipients for eligible activities will be considered for funding.

Pre-award authority is subject to FTA approval and is only available for costs incurred after the announcement of project selections on FTA's website.

Projects under this competition are for research and development efforts and, as such, FTA Research Circular 6100.1E (available at <https://www.fta.dot.gov/regulations-and-guidance/fta-circulars/research-technical-assistance-and-training-program>) guidance will apply in administering the program.

An applicant whose proposal is selected for funding will receive a cooperative agreement award with FTA to be administered according to Circular 6100.1E, and as set forth in 31 U.S.C. 6305. FTA will have substantial involvement in the administration of the cooperative agreement. FTA's role includes the right to participate in decisions to redirect and reprioritize project activities, goals, and deliverables.

C. Eligibility Information

1. Eligible Applicants

Eligible applicants under this notice include the following:

- Providers of public transportation, including public transportation agencies, state or local government DOTs, and federally recognized Indian tribes;
- Private for-profit and not-for-profit organizations, including shared-use mobility providers, private operators of transportation services, technology system suppliers and integrators, bus or vehicle manufacturers or suppliers, software and technology developers, financial institutions, consultants, research consortia, and industry organizations;
- State, city or local government entities, including multi-jurisdictional partnerships, and organizations such as Metropolitan Planning Organizations; or
- Institutions of higher education including large research universities, particularly those with Minority Serving Institution status.

On the application form, eligible applicants are encouraged to identify one or more project partners with a substantial interest and involvement in the project to participate in the implementation of the project.

If an application that involves such a partnership is selected for funding, the competitive selection process will be deemed to satisfy the requirement for a competitive procurement under 49 U.S.C. 5325(a) for the named entities. Applicants are advised that any changes to the proposed partnership will require FTA written approval, must be consistent with the scope of the

approved project, and may necessitate a competitive procurement.

The applicant must be able to carry out the proposed agreement and procurements, if needed, with project partners in compliance with all applicable Federal, state, and local laws. To be considered eligible, applicants must be able to demonstrate the requisite legal, financial, and technical capabilities to receive and administer Federal funds under this program.

2. Cost Sharing or Matching

The maximum Federal share of project costs under this program is limited to 80 percent. Applicants may seek a lower Federal contribution. The applicant must provide the non-Federal share of the net project cost in cash, or in-kind, and must document in its application the source of the non-Federal match. Eligible sources of non-Federal match are detailed in FTA Circular 6100.1E.

3. Eligible Projects

This notice solicits applications in two topical areas: (a) Projects that develop novel operational concepts and/or demonstrate innovations that improve mobility and enhance the rider experience, with focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions, or other innovative solutions; and (b) projects that develop software to facilitate the provision of demand-response public transportation service that dispatches public transportation fleet vehicles, through riders' mobile devices or other advanced means.

Applicants must clearly indicate on the supplemental form the topical area for which the application is seeking funding.

This effort seeks to harness Federal, local, and private sector investments in transportation and mobility innovations. As such, FTA seeks applications for projects that enhance the current state of mobility innovation research or build on existing successful projects and partnership efforts.

For illustrative purposes, some examples of project research areas include: Novel data approaches for improved service delivery; data-driven tools to predict and influence traveler behavior; data-driven strategies that balance mobility options to travelers with climate smart choices; next generation replicable seamless payments systems and solutions that can enhance integrated mobility management and operations across a variety of modes; new, smarter business models for providing more effective

transportation and mobility options in underserved communities; use of Artificial Intelligence (AI) tools to personalize mobility options to travelers; mobility payment integration with dynamic pricing strategies; and public private partnerships with non-traditional transportation providers.

For topical area (a), concepts development and/or demonstration projects, eligible activities may include all activities leading to uncovering the next iteration of promising technologies, practices and strategies to accelerate innovations in mobility for transit, including, but not limited to, planning, acquiring essential equipment or services, project implementation, and evaluating project results. The purchase of a vehicle that will be used for revenue service with research funds is prohibited unless the project makes significant technological advancements in the vehicle.

For projects that develop novel operational concepts without demonstration, eligible project activities may include data collection, technology scanning and feasibility analysis, stakeholder engagement and outreach, benefits and costs analysis, and modeling forecast of climate and equity impacts of proposed novel concepts.

For topical area (b) software development projects, eligible activities may include establishing user needs; defining system requirements; development, validation and verification of the software; modeling and simulation; and/or pilot implementation, with a software solution that can be demonstrated to FTA. Software products developed will be subject to the provisions of FTA's Master Agreement (version 28, February 9, 2021) available at <https://www.transit.dot.gov/sites/fta.dot.gov/files/2021-02/FTA-Master-Agreement-v28-2021-02-09.pdf> and may be disseminated to public transit agencies for their use. Software developed under this program should be interoperable, adaptable, secure, and able to be seamlessly integrated into other transportation and transit management systems. Further the project team should consider how the development effort could support the development or use of open standards, specifications or protocols. FTA will evaluate the potential for software developed under this NOFO to be shared for use by public transportation agencies.

It is FTA's intent to advance innovations that are of national significance and can provide benefit to transit agencies, cities and communities across the United States. As such, project teams should consider how to

structure development efforts to ensure the resulting research outputs are broadly relevant and can lead to adoption or use by other transit agencies or transportation providers.

D. Application and Submission Information

1. Address To Request Application

Applications must be submitted electronically through *GRANTS.GOV*. General information for submitting applications through *GRANTS.GOV* can be found at www.transit.dot.gov/howtoapply. A complete proposal submission consists of two forms: The SF-424 Application for Federal Assistance (available at *GRANTS.GOV*) and the supplemental form for the FY 2021 Mobility Innovation NOFO (downloaded from *GRANTS.GOV* or the FTA website at <https://www.transit.dot.gov/funding/grants/EMI>). Failure to submit the information as requested can delay review or disqualify the application.

2. Content and Form of Application Submission

a. Proposal Submission

A complete proposal submission consists of two forms: (1) The SF-424 Application for Federal Assistance; and (2) the supplemental form for the FY 2021 Enhancing Mobility Innovation NOFO. The supplemental form and any supporting documents must be attached to the "Attachments" section of the SF-424. The application must include responses to all sections of the SF-424 Application for Federal Assistance and the supplemental form, unless indicated as optional. The information on the supplemental form will be used to determine applicant and project eligibility for the program, and to evaluate the proposal against the selection criteria described in Section E of this notice. If an applicant chooses to apply for both topical areas ((a) concepts development and/or demonstration, and (b) software development), the applicant must submit separate proposals for individual consideration by FTA, with a separate SF-424 and supplemental form for each project area.

FTA will accept only one supplemental form per SF-424 submission. Applicants may attach additional supporting information to the SF-424 submission, including but not limited to letters of support, project budgets, visual aids, excerpts from relevant planning documents, or project narratives. Any supporting documentation must be described and referenced by file name in the appropriate response section of the

supplemental form, or it may not be reviewed.

Information such as applicant name, Federal amount requested, local match amount, and description of areas served may be requested in varying degrees of detail on both the SF-424 and supplemental form. Applicants must fill in all fields unless stated otherwise on the forms. If information is copied into the supplemental form from another source, applicants should verify that pasted text is fully captured on the supplemental form and has not been truncated by the character limits built into the form. Applicants should use both the "Check Package for Errors" and the "Validate Form" validation buttons on both forms to check all required fields on the forms and ensure that the Federal and local amounts specified are consistent.

b. Application Content

The SF-424 Application for Federal Assistance and the supplemental form will prompt applicants for the required information, including:

1. Applicant name.
2. Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number.
3. Key contact information (including name, address, email address, and phone).
4. Congressional district(s) where the project will take place.
5. Project information (including title, an executive summary, and type).
6. Information on areas served by the project including current state of public transportation and state of mobility in the area served.
7. A detailed description of the project and how it will either (a) advance innovative mobility technologies that focus on innovative service delivery models, creative financing, novel partnerships, and integrated payment solutions, or other innovative solutions; or (b) develop interoperable software solutions to facilitate the provision of demand-response public transportation service.
8. A description of each innovative technology, practice or strategy proposed as part of the project scope.
9. A description of the national significance of the project to advance innovative, carefree mobility solutions.
10. A description of how the project may advance climate smart solutions and equity.
11. Information on any project partners, their role, and anticipated contributions.
12. A description of the project implementation strategy.
13. A description of the approach to data, data access and project evaluation,

including how the project will support the Department of Transportation's public data access requirements.

14. A description of the technical, legal, and financial capacity of the applicant and partners.

15. A detailed project budget, specifying Federal and local share.

16. A description of the scalability of the project.

17. A detailed project timeline.

3. Unique Entity Identifier and System for Award Management (SAM)

Each applicant is required to: (1) Be registered in SAM before submitting an application; (2) provide a valid unique entity identifier in its application; and (3) continue to maintain an active SAM registration with current information at all times during which the applicant has an active Federal award or an application or plan under consideration by FTA. FTA may not make an award until the applicant has complied with all applicable unique entity identifier and SAM requirements. If an applicant has not fully complied with the requirements by the time FTA is ready to make an award, FTA may determine that the applicant is not qualified to receive an award and use that determination as a basis for making a Federal award to another applicant. These requirements do not apply if the applicant has an exception approved by FTA or the U.S. Office of Management and Budget under 2 CFR 25.110(c) or (d). Non-Federal entities that have received a Federal award are required to report certain civil, criminal, or administrative proceedings to SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) to ensure registration information is current and comply with Federal requirements. Applicants should reference 2 CFR 200.113, for more information. SAM registration takes approximately 3–5 business days, but FTA recommends allowing ample time, up to several weeks, for completion of all steps. For additional information on obtaining a unique entity identifier, please visit <https://www.sam.gov>.

4. Submission Dates and Times

Project proposals must be submitted electronically through *GRANTS.GOV* by 11:59 p.m. Eastern Time on January 11, 2022. *GRANTS.GOV* attaches a time stamp to each application at the time of submission. Proposals submitted after the deadline will only be considered under extraordinary circumstances not under the applicant's control. Mail and fax submissions will not be accepted.

FTA urges applicants to submit applications at least 72 hours prior to the due date to allow time to receive the validation messages and to correct any problems that may have caused a rejection notification. *GRANTS.GOV* scheduled maintenance and outage times are announced on the *GRANTS.GOV* website. Deadlines will not be extended due to scheduled website maintenance.

Within 48 hours after submitting an electronic application, the applicant should receive an email message from *GRANTS.GOV* with confirmation of successful transmission to *GRANTS.GOV*. If a notice of failed validation or incomplete materials is received, the applicant must address the reason for the failed validation, as described in the email notice, and resubmit before the submission deadline. If making a resubmission for any reason, include all original attachments regardless of which attachments were updated and check the box on the supplemental form indicating this is a resubmission.

Applicants are encouraged to begin the process of registration on the *GRANTS.GOV* site well in advance of the submission deadline. Registration is a multi-step process, which may take several weeks to complete before an application can be submitted. Registered applicants may still be required to take steps to keep their registration up to date before submissions can be made successfully: (1) Registration in SAM must be renewed annually, and (2) persons making submissions on behalf of the Authorized Organization Representative (AOR) must be authorized in *GRANTS.GOV* by the AOR to make submission.

5. Funding Restrictions

Funds available under this NOFO cannot be used to reimburse applicants for otherwise eligible expenses incurred prior to FTA issuing pre-award authority for selected projects.

Refer to Section C.3., Eligible Projects, for information on activities that are allowable. Allowable direct and indirect expenses must be consistent with the Governmentwide Uniform Administrative Requirements and Cost Principles (2 CFR part 200) and FTA Circular 5010.1E.

6. Other Submission Requirements

Applicants are encouraged to identify scaled funding options in case insufficient funding is available to fund a project at the full requested amount. If an applicant indicates that a project is scalable, the applicant must provide an appropriate minimum funding

amount that will fund an eligible project that achieves the objectives of the program and meets all relevant program requirements. The applicant must provide a clear explanation of how the project budget would be affected by a reduced award. FTA may award a lesser amount regardless of whether a scalable option is provided.

All applications must be submitted via the *GRANTS.GOV* website. FTA does not accept applications on paper, by fax machine, email, or other means. For information on application submission requirements, please see Section D.1., Address to Request Application. If the applicant encounters system problems or technical difficulties using the *Grants.gov* website, the applicant should address those technical issues to *Grants.gov*.

E. Application Review Information

1. Criteria

Projects will be evaluated primarily on the responses provided in the supplemental form. Additional information may be provided to support the responses; however, any additional documentation must be directly referenced on the supplemental form, including the file name where the additional information can be found. FTA will evaluate proposals based on the criteria described in this notice.

If an applicant is proposing to deploy autonomous vehicles or other innovative motor vehicle technology, the application should demonstrate that all vehicles will comply with applicable safety requirements, including those administered by the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier Safety Administration (FMCSA). Specifically, the application should show that vehicles acquired for the proposed project will comply with applicable Federal Motor Vehicle Safety Standards (FMVSS) and Federal Motor Carrier Safety Regulations (FMCSR). If the vehicles do not comply, the application should either (1) show that the vehicles and their proposed operations are within the scope of an exemption or waiver that has already been granted by NHTSA, FMCSA, or both agencies, or (2) directly address whether the project will require exemptions or waivers from the FMVSS, FMCSR, or any other regulation and, if the project will require exemptions or waivers, present a plan for obtaining them.

a. Demonstration of Innovation

FTA is seeking projects focused on the next iteration of the most promising technologies, practices, and strategies to

accelerate innovations in mobility for transit. Projects will be evaluated on the extent to which they develop and deploy novel, innovative, or transformative mobility technologies and solutions, and advance the state of the practice. A proposal should clearly identify a specific innovative premise which serves a need, the proposed project approach to addressing the need, and how the proposed project will provide outcomes or new insights that expand the public transportation industry's understanding of mobility innovation. FTA will assess the extent to which the applicant uses innovative strategies, including (i) innovative technologies, (ii) innovative financing, or (iii) innovative operations to address specific needs in the area of mobility innovation that can produce climate smart and equitable mobility outcomes and knowledge.

b. Demonstration of Benefits

The application should demonstrate the utility of the proposed project to accelerate the transit industry's ability to implement new technologies, operational innovations, approaches or service models that support safe, equitable, and climate-smart mobility options for all travelers. FTA will evaluate proposals based on their capacity to accelerate the development and adoption of innovative technologies, practices, and service models to improve mobility and enhance the rider experience, better position transit agencies to adapt to unprecedented operational challenges, and to meet evolving traveler expectations.

FTA will consider the extent to which each proposal explores innovative technologies, practices, approaches or service models that produce outcomes and knowledge of national significance and advance the state of the practice for public transportation in the United States; advances technologies, innovations, practices or partnership models that resonate with all transit agencies; leverages private sector innovation; advances robust, replicable business models, and sustainable public private partnerships; and advances tools or approaches that can enable transportation system carbon reductions and promote equity.

FTA welcomes integrated mobility projects that embrace a holistic view of multimodal mobility, with public transportation as the backbone, and includes equitable movements of people and goods into consideration. FTA also encourages applicants to consider integrated mobility from the perspectives of system owners,

operators, as well as users. FTA seeks projects to produce novel, bold and yet realistic concepts to accelerate the transformation of integrated mobility, including public transportation, influencing traveler behavior, and producing meaningful and lasting impacts on climate and equity goals. Please see Section E.2, Review and Selection Process for more information about the Executive Orders.

For software development projects, FTA will consider the extent to which the development results in robust, interoperable, and adaptable software-based solutions for demand-response transit service dispatched through riders' mobile device or other advanced means. Additionally, software development projects will be assessed on the extent to which the development effort will support strategies for use of open standards, specifications, or protocols and would permit the software to be shared for use by public transportation agencies.

c. Planning and Partnerships

Applicants must identify all project partners and their specific roles. FTA will evaluate the extent to which the project contains strong, cohesive partnerships and the collaboration necessary to successfully implement the proposed project. Applications should describe how project partners plan to work collaboratively and should show evidence of strong commitment and cooperation among project partners through letters of support or agreements among the partners. Applications should describe how partners will participate in each aspect of project planning, implementation and evaluation. FTA will also evaluate the experience, capacity, and demonstrated partnership commitment of the named project partners as pertains to successful implementation of the proposed project. Applicants are advised to submit information on the partners' qualifications and experience as a part of the application.

Entities who will be involved in the project but not named in the application will be required to be selected through a competitive procurement.

d. Local Financial Commitment

Applicants must identify the source of the non-Federal cost share and describe whether such funds are currently available for the project or will need to be secured if the project is selected for funding. FTA will consider the availability of the non-Federal cost share as evidence of the applicant's financial commitment to the project. Additional consideration may be given

to those projects with a higher non-Federal share of costs and for which non-Federal funds have already been made available or reserved. Applicants should submit evidence of the availability of funds for the project, for example, by including a board resolution, letter of support from the State, a budget document highlighting the line item or section committing funds to the proposed project, or other documentation of the source of non-Federal funds.

e. Project Implementation Strategy

Projects will be evaluated based on the extent to which the applicant's proposed implementation plans are reasonable and complete. In assessing whether the proposed implementation plans are reasonable and complete, FTA will review the proposed project implementation plan, including all necessary project milestones and the overall project timeline. FTA will consider if the project's implementation strategy addresses how the project will support FTA's independent project evaluation efforts, data access and sharing of project results and project evaluation against mobility-specific metrics. For projects that will require formal coordination, approvals or permits from government agencies or project partners, the applicant must demonstrate coordination with these organizations and their support for the project, such as through letters of support. FTA will also consider the risks to project implementation, and the extent to which the project implementation strategy addresses these risks.

f. Technical, Legal, and Financial Capacity

FTA will evaluate proposals on the capacity of the project applicant and any partners to successfully execute the project. Demonstrated experience by the project applicant or project partners in successfully implementing a mobility innovation development and demonstration project will be considered.

FTA may review relevant oversight assessments and records to determine whether there are any outstanding legal, technical or financial issues with the applicant that would affect the outcome of the proposed project. Applicants with outstanding legal, technical or financial compliance issues from an FTA compliance review or Federal Transit grant-related Single Audit finding must explain how corrective actions will mitigate negative impacts on the proposed project.

For applications that include named project partners, FTA will also consider the technical, legal and financial capacity of the partner to successfully implement the proposed project. Applicants are advised to submit information on the partners' qualifications and experience as a part of the application.

2. Review and Selection Process

A technical evaluation committee will evaluate proposals based on the published evaluation criteria. Members of the technical evaluation committee may request additional information from applicants, if necessary. Based on the findings of the technical evaluation committee, FTA will determine the final selection of projects for funding.

After applying the above criteria, in support of the President's January 20, 2021, Executive Order 13900, *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*, FTA will consider the extent to which applications may provide air quality benefits as part of the application review. Applicants should identify any nonattainment or maintenance areas under the Clean Air Act in the proposed service area. Nonattainment or maintenance areas should be limited to the following applicable National Ambient Air Quality Standards criteria pollutants: carbon monoxide, ozone, and particulate matter 2.5 and 10. The U.S. Environmental Protection Agency's Green Book (available at <https://www.epa.gov/green-book>) is a publicly-available resource for nonattainment and maintenance area data. This consideration will further the goals of the Executive Order, including the goal to prioritize environmental justice (EJ).

In addition, FTA will consider benefits to EJ communities when reviewing applications received under this program. Applicants should identify any EJ populations located within the proposed service area and describe anticipated benefits to EJ populations should the applicant receive an award under this NOFO. A formal EJ analysis that is typically included in transportation planning or environmental reviews is not requested.

In support of Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, FTA will also consider the extent to which applications promote racial equity and the removal of barriers to opportunity through such activities as equity-focused community outreach and public engagement of underserved communities, and adoption of an equity

and inclusion program or plan or equity-focused policies related to the proposed project.

In determining the allocation of program funds, FTA may consider geographic diversity, diversity in the size of the grant recipients receiving funding, or the applicant's receipt of other competitive awards, among other factors. FTA may also consider capping the amount a single applicant may receive.

Prior to making an award, FTA is required to review and consider any information about the applicant that is in the FAPIIS accessible through SAM. An applicant may review and comment on any information about itself that a Federal awarding agency previously entered. FTA will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in the Office of Management and Budget's Uniform Requirements for Federal Awards (2 CFR 200.205).

F. Federal Award Administration Information

1. Federal Award Notices

FTA will announce the final project selections on the FTA website. Due to funding limitations, applicants that are selected for funding may receive less than the amount originally requested. In those cases, applicants must be able to demonstrate that the proposed projects are still viable and can be completed with the amount awarded.

2. Administrative and National Policy Requirements

a. Pre-Award Authority

At the time the project selections are announced, FTA may extend pre-award authority for the selected projects. There is no blanket pre-award authority for these projects before announcement. FTA will issue specific guidance to recipients regarding pre-award authority at the time of selection. FTA does not consider requests for pre-award authority for competitive funds until after projects are selected, and additional Federal requirements must be met before costs are incurred. For more information about FTA's policy on pre-award authority, please see the most recent Apportionments, Allocations and Program Information Notice at <https://www.transit.dot.gov>.

b. Cooperative Agreement Requirements

If selected, awardees will apply for a cooperative agreement through FTA's Transit Award Management System (TrAMS). Successful applicants must be prepared to submit a complete statement of work and application in TrAMS within 90 days of notification of award. All recipients must follow the requirements of FTA Circular 6100.1E. Technical assistance regarding these requirements is available from FTA.

c. Buy America

FTA requires that all capital procurements meet FTA's Buy America requirements (49 U.S.C. 5323(j) and 49 CFR part 661), which require that all iron, steel, or manufactured goods be produced in the United States, and set minimum domestic content and final assembly requirements for rolling stock.

d. Disadvantaged Business Enterprise

FTA requires that its recipients receiving planning, capital, or operating assistance that will award prime contracts exceeding \$250,000 in FTA funds in a Federal fiscal year comply with the U.S. Department of Transportation's Disadvantaged Business Enterprise (DBE) program regulations (49 CFR part 26). If an applicant also receives FTA planning, capital, or operating assistance, it should expect to include any funds awarded, excluding those to be used for vehicle procurements, in setting its overall DBE goal. Note, however, that projects, including vehicle procurements, remain subject to the DBE program regulations.

e. Standard Assurances

If an applicant receives an award, the applicant must assure that it will comply with all applicable Federal statutes, regulations, executive orders, directives, FTA circulars, and other Federal administrative requirements in carrying out any project supported by the FTA award. The applicant acknowledges that it will be under a continuing obligation to comply with the terms and conditions of the agreement issued for its project with FTA. The applicant understands that Federal laws, regulations, policies, and administrative practices might be modified from time to time and may affect the implementation of the project. The most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise. The applicant must submit the most recent FTA Certifications and Assurances before receiving an award if it does not have current certifications on file.

f. Data Access and Data Sharing

FTA seeks to improve public transportation for America's communities by sharing digital data or source code collected or developed through its research with the public. This allows research organizations, transit agencies, and other stakeholders to learn from and expand upon the insights developed from FTA-funded research.

An award made pursuant to this NOFO will be subject to the latest version of FTA's Master Agreement (available at <https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>), including Section 17 Patent Rights and Section 18 Rights in Data and Copyrights.

All work funded under this NOFO must follow the Department's data collection and sharing policies outlined in the DOT Public Access Plan at: <https://www.transportation.gov/mission/open/official-dot-public-access-plan-v11>. Recipients are required to include these obligations in any sub-awards or other related funding agreements.

Public Data Access requirements include developing a Data Management Plan (DMP) and submitting the DMP for FTA review. A DMP is a document that describes how recipients plan to handle digital datasets, software, or code generated over the course of a research project pursuant to federal and Departmental requirements. A DMP must be provided as a condition of receiving FTA funds under the Section 5312 Research Program and should adequately identify: (1) The data to be collected, (2) how the data will further the goals of this effort, (3) how the data will be made accessible, and (4) how the data will be stored. DMPs can be updated over time if the scope of the project or the type of data that will be collected changes.

FTA staff is available to assist recipients with complying with public data access requirements.

g. External Communications

Recipients must communicate with their FTA Project Manager prior to engaging in any external communications regarding their project. This includes any work developing news or magazine stories with media organizations, including print, video, online, or otherwise. Additionally, the FTA project manager must be notified if project information, including results and metrics, will be shared during a webinar or other presentation open to the public produced either by the

recipient itself or another organization. Recipients should consult with their FTA Project Manager at the beginning of their agreement to discuss and plan any external communications about their project.

h. Independent Evaluation

Projects funded under this announcement will be subject to evaluation by an independent evaluator selected by FTA. Recipients will be required to coordinate with the independent evaluator to assist in developing an evaluation plan and collecting, storing and managing data required to fulfill that evaluation plan.

i. Mobility Metrics

Projects funded under this notice will be required to support the efforts of FTA or its designee to evaluate the project and its outcomes against mobility-specific metrics. FTA will work with the project team to implement evaluation plans that are consistent with FTA's mobility-specific metrics as detailed in the FTA report, Mobility Performance Metrics (MPM) For Integrated Mobility and Beyond (February 2020), available at <https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/147791/mobility-performance-metrics-integrated-mobility-and-beyond-fta-report-no-0152.pdf>.

j. Software Provisions

Any software developed as a part of this solicitation will be subject to provisions of FTA's Master Agreement (version 28, February 9, 2021) and evaluated for the potential to be shared for use by public transportation agencies.

3. Reporting

Post-award reporting requirements include the electronic submission of Federal Financial Reports and Milestone Progress Reports in FTA's electronic grants management system.

Applicants should include any goals, targets, and indicators referenced in their application in the Executive Summary of the TrAMS application.

As part of completing the annual certifications and assurances required of FTA grant recipients, a successful applicant must report on the suspension or debarment status of itself and its principals. If the award recipient's active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceed \$10,000,000 for any period of time during the period of performance of an award made pursuant to this Notice, the recipient must comply with the

Recipient Integrity and Performance Matters reporting requirements described in Appendix XII to 2 CFR part 200.

G. Federal Awarding Agency Contacts

For further information concerning this notice, please contact Christina Gikakis, in the FTA Office of Mobility Innovation, by phone at 202-366-2637, or by email at christina.gikakis@dot.gov. A TDD is available for individuals who are deaf or hard of hearing at 800-877-8339. In addition, FTA will post answers to questions and requests for clarifications on FTA's website at <https://www.transit.dot.gov/funding/grants/EMI>. To ensure applicants receive accurate information about eligibility or the program, applicants are encouraged to contact FTA directly, rather than through intermediaries or third parties, with questions. FTA staff may also conduct briefings on the FY 2021 competitive grants selection and award process upon request.

For issues with *GRANTS.GOV*, please contact *GRANTS.GOV* by phone at 1-800-518-4726 or by email at support@grants.gov.

H. Other Information

This program is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

Nuria I. Fernandez,
Administrator.

[FR Doc. 2021-24671 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-57-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2019-0113]

Agency Information Collection Activities; Notice and Request for Comment; Vehicle Information for the General Public

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Notice and request for comments on a reinstatement of a previously approved collection of information.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Information Collection Request (ICR) summarized below will be submitted to the Office of Management and Budget (OMB) for review and approval. The ICR describes the nature of the information collection,

Vehicle Information for the General Public, and its expected burden. A **Federal Register** Notice with a 60-day comment period soliciting comments on the information collection was published on July 7, 2020. One comment was received in general support of this collection request.

DATES: Comments must be submitted on or before December 13, 2021.

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing the burden, should be submitted to the Office of Management and Budget at www.reginfo.gov/public/do/PRAMain. To find this particular information collection, select “Currently under Review—Open for Public Comment” or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Ms. Johanna Lowrie, U.S. Department of Transportation, NHTSA, Room W43–410, 1200 New Jersey Ave. SE, Washington, DC 20590. Ms. Lowrie’s telephone number is (202) 366–5269. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with these requirements, this notice announces that the following information collection request will be submitted OMB.

Title: Vehicle Information for the General Public.

OMB Control Number: 2127–0629.

Form Numbers: N/A.

Type of Request: Reinstatement of a previously approved collection.

Type of Review Requested: Regular.

Length of Approval Requested: Three years.

Summary of the Collection of Information: NHTSA’s mission is to save lives, prevent injury, and reduce motor vehicle crashes. Consumer information programs are an important tool for improving vehicle safety through market forces. Pursuant to 49 U.S.C. 32302, the Secretary of Transportation (NHTSA by delegation) is directed to provide to the public the following information about passenger motor vehicles: Damage susceptibility; crashworthiness, crash avoidance, and any other areas the Secretary determines will improve safety of passenger motor vehicles; and the degree of difficulty of diagnosis and repair of damage to, or failure of, mechanical and electrical systems. For more than 40 years, under its New Car Assessment Program, NHTSA has been providing consumers with vehicle safety information such as frontal and side crash test results, advanced crash avoidance technology system performance test results, rollover propensity, and the availability of a wide array of safety features provided on new model year vehicles. The information collection includes new model year vehicle information such as vehicle make, model, body style, certification style, projected sales volume, crashworthiness features, advanced crash avoidance technologies, crash avoidance technologies test data, vehicle setup information, and side air bag information.

Description of the Need for the Information and Proposed Use of the Information: The consumer information collected will be used to disseminate vehicle safety information via the agency’s www.nhtsa.gov website, in the “Purchasing with Safety in Mind: What to look for when buying a new vehicle” brochure, and in other consumer publications. Additionally, the Agency uses this information collection to respond to consumer inquiries, analyze rulemaking petitions, and provide technical assistance to Congress.

60-Day Notice: A **Federal Register** notice with a 60-day comment period

soliciting public comments on the following information collection was published on July 7, 2020 (85 FR 40733). NHTSA received one public comment stating general support of the collection request.

Affected Public: Manufacturers that sell passenger cars and light truck vehicles (including sport utility vehicles, pickup trucks, and vans) that have a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or less in the United States.

Estimated Number of Respondents: 21.

Frequency: Annually.

Number of Responses: 1.

There are approximately 21 vehicle manufacturers that sell passenger cars and light truck vehicles (including sport utility vehicles, pickup trucks, and vans) in the United States with a Gross Vehicle Weight Rating of 10,000 pounds or less, that NHTSA requests annually to respond to this information request.

Estimated Total Annual Burden Hours: 1,995 hours.

NHTSA estimates that these 21 vehicle manufacturers produce an aggregate of approximately 400 vehicle models each year, for an average of 19 models per manufacturer. NHTSA estimates the burden associated with this collection based on an expected 5 hours to prepare a response for each vehicle model. Therefore, NHTSA estimates the annual burden to be 95 hours per manufacturer (19 vehicle models × 5 hours) and estimates that the total burden will be approximately 1,995 hours per year (95 hours per manufacturer × 21 manufacturers). This is a slight recalculation from the 60-day notice in which NHTSA estimated the total burden to be 400 hours. However, as NHTSA needs to estimate the burden on a per response basis, NHTSA needed to change its calculation to estimate the total burden associated with each response (*i.e.*, the average burden a manufacturer would spend providing responses for their vehicle models). Table 1 provides a summary of the estimated burden hours.

TABLE 1—BURDEN HOUR ESTIMATES

Number of respondents	Annual responses	Estimated burden per response (hours)	Total burden hours
21	19	5	1,995

To calculate the labor cost associated with submitting the vehicle questionnaires, NHTSA looked at wage

estimates for the type of personnel involved with compiling and submitting the documents. NHTSA estimates that

the five hours for each vehicle model will involve 2.5 hours of data entry (50% of the total), 2 hours for technical

information validation (40% of the total), and 0.5 hour for technical content approval (10% of the total). Therefore, NHTSA estimates that each submission will require 47.5 data entry hours, 38 technical information validation hours, and 9.5 technical content approval hours, for an annual total of 997.5 data entry hours, 798 technical information

validation hours, and 199.5 technical content approval hours.

NHTSA estimates the total labor costs associated with the data entry burden hours by looking at estimates from the Bureau of Labor Statistics (BLS) for the average hourly wage for Business Operations Specialists (BLS Occupation code 13-1000) in the Motor Vehicle Manufacturing Industry. BLS estimates

the average hourly wage is \$39.46.¹ The Bureau of Labor Statistics estimates that private industry workers' wages represent 70.4% of total labor compensation costs.² Therefore, NHTSA estimates the hourly labor costs to be \$56.05 for data entry. Table 2 provides a summary of the labor costs associated with the burden hours.

TABLE 2—LABOR COSTS ASSOCIATED WITH BURDEN HOURS

Job function	Average hourly labor cost	Total burden hours	Total labor cost
Data Entry	\$56.05	997.5	\$55,909.88
Technical Information Validation	87.53	798	69,848.94
Technical Content Approval	94.22	199.5	18,796.89
Estimated Annual Labor Cost Associated with Burden Hours			144,555.71 (\$144,556)

Estimated Total Annual Burden Cost: There are no costs associated with this collection other than the labor costs associated with the burden hours.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Authority: The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35; and delegation of authority at 49 CFR 1.95 and DOT Order 1351.29.

Raymond R. Posten,

Associate Administrator for Rulemaking.

[FR Doc. 2021-24634 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; American Honda Motor Co., Inc.

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the American Honda Motor Co., Inc.'s (Honda) petition for exemption from the Federal Motor Vehicle Theft Prevention Standard (theft prevention standard) for its Acura Integra vehicle line beginning in model year (MY) 2023. The petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard.

DATES: The exemption granted by this notice is effective beginning with the 2023 model year.

FOR FURTHER INFORMATION CONTACT: Carlita Ballard, Office of International Policy, Fuel Economy, and Consumer Programs, NHTSA, West Building, W43-439, NRM-310, 1200 New Jersey Avenue SE, Washington, DC 20590. Ms. Ballard's phone number is (202) 366-5222. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: Under 49 U.S.C. Chapter 331, the Secretary of Transportation (and the National Highway Traffic Safety Administration (NHTSA) by delegation) is required to promulgate a theft prevention standard to provide for the identification of certain motor vehicles and their major replacement parts to impede motor vehicle theft. NHTSA promulgated regulations at 49 CFR part 541 (theft prevention standard) to require parts-marking for specified passenger motor vehicles and light trucks. Pursuant to 49 U.S.C. 33106, manufacturers that are subject to the parts-marking requirements may petition the Secretary of Transportation for an exemption for a line of passenger motor vehicles equipped with an antitheft device as standard equipment that the Secretary decides is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements. In accordance with this statute, NHTSA promulgated 49 CFR part 543, which establishes the process through which manufacturers may seek an exemption from the theft prevention standard.

49 CFR 543.5 provides general submission requirements for petitions and states that each manufacturer may petition NHTSA for an exemption of one vehicle line per model year. Among other requirements, manufacturers must identify whether the exemption is sought under section 543.6 or section 543.7. Under section 543.6, a manufacturer may request an exemption

¹ See May 2020 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 336100—Motor Vehicle Manufacturing, available at <https://www.bls.gov/oes/current/>

[naics4_336100.htm#15-0000](https://www.bls.gov/naics4_336100.htm#15-0000) (accessed May 4, 2020).

² See Table 1, Employer Costs for Employee Compensation by ownership (Mar. 2021), available

at <https://www.bls.gov/news.release/ecec.t01.htm> (accessed August 2, 2021).

by providing specific information about the antitheft device, its capabilities, and the reasons the petitioner believes the device to be as effective at reducing and deterring theft as compliance with the parts-marking requirements. Section 543.7 permits a manufacturer to request an exemption under a more streamlined process if the vehicle line is equipped with an antitheft device (an “immobilizer”) as standard equipment that complies with one of the standards specified in that section.¹

Section 543.8 establishes requirements for processing petitions for exemption from the theft prevention standard. As stated in section 543.8(a), NHTSA processes any complete exemption petition. If NHTSA receives an incomplete petition, NHTSA will notify the petitioner of the deficiencies. Once NHTSA receives a complete petition the agency will process it and, in accordance with section 543.8(b), will grant the petition if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of part 541.

Section 543.8(c) requires NHTSA to issue its decision either to grant or to deny an exemption petition not later than 120 days after the date on which a complete petition is filed. If NHTSA does not make a decision within the 120-day period, the petition shall be deemed to be approved and the manufacturer shall be exempt from the standard for the line covered by the petition for the subsequent model year.² Exemptions granted under part 543 apply only to the vehicle line or lines that are subject to the grant and that are equipped with the antitheft device on which the line’s exemption was based, and are effective for the model year beginning after the model year in which

NHTSA issues the notice of exemption, unless the notice of exemption specifies a later year.

Sections 543.8(f) and (g) apply to the manner in which NHTSA’s decisions on petitions are to be made known. Under section 543.8(f), if the petition is sought under section 543.6, NHTSA publishes a notice of its decision to grant or deny the exemption petition in the **Federal Register** and notifies the petitioner in writing. Under section 543.8(g), if the petition is sought under section 543.7, NHTSA notifies the petitioner in writing of the agency’s decision to grant or deny the exemption petition.

This grant of petition for exemption considers American Honda Motor Co., Inc.’s (Honda) petition for its Acura Integra vehicle line beginning in MY 2023.

I. Specific Petition Content Requirements Under 49 CFR 543.6

Pursuant to 49 CFR part 543, *Exemption from Vehicle Theft Prevention*, Honda petitioned for an exemption for its specified vehicle line from the parts-marking requirements of the theft prevention standard, beginning in MY 2023. Honda petitioned under 49 CFR 543.6, *Petition: Specific content requirements*, which, as described above, requires manufacturers to provide specific information about the antitheft device installed as standard equipment on all vehicles in the line for which an exemption is sought, the antitheft device’s capabilities, and the reasons the petitioner believes the device to be as effective at reducing and deterring theft as compliance with the parts-marking requirements.

More specifically, section 543.6(a)(1) requires petitions to include a statement that an antitheft device will be installed as standard equipment on all vehicles in the line for which the exemption is sought. Under section 543.6(a)(2), each petition must list each component in the antitheft system, and include a diagram showing the location of each of those components within the vehicle. As required by section 543.6(a)(3), each petition must include an explanation of the means and process by which the device is activated and functions, including any aspect of the device designed to: (1) Facilitate or encourage its activation by motorists; (2) attract attention to the efforts of an unauthorized person to enter or move a vehicle by means other than a key; (3) prevent defeating or circumventing the device by an unauthorized person attempting to enter a vehicle by means other than a key; (4) prevent the operation of a vehicle which an unauthorized person has entered using

means other than a key; and (5) ensure the reliability and durability of the device.³

In addition to providing information about the antitheft device and its functionality, petitioners must also submit the reasons for their belief that the antitheft device will be effective in reducing and deterring motor vehicle theft, including any theft data and other data that are available to the petitioner and form a basis for that belief,⁴ and the reasons for their belief that the agency should determine that the antitheft device is likely to be as effective as compliance with the parts-marking requirements of part 541 in reducing and deterring motor vehicle theft. In support of this belief, the petitioners should include any statistical data that are available to the petitioner and form the basis for the petitioner’s belief that a line of passenger motor vehicles equipped with the antitheft device is likely to have a theft rate equal to or less than that of passenger motor vehicles of the same, or a similar line which have parts marked in compliance with part 541.⁵

The following sections describe Honda’s petition information provided pursuant to 49 CFR part 543, *Exemption from Vehicle Theft Prevention*. To the extent that specific information in Honda’s petition is subject to a properly filed confidentiality request, that information was not disclosed as part of this notice.⁶

II. Honda’s Petition for Exemption

In a petition dated July 22, 2021, Honda requested an exemption from the parts-marking requirements of the theft prevention standard for the Acura Integra vehicle line beginning with MY 2023.

In its petition, Honda provided a detailed description and diagram of the identity, design, and location of the components of the antitheft device for the Acura Integra vehicle line. Honda stated that its MY 2023 Acura Integra vehicle line will be installed with an engine immobilizer device as standard equipment, as required by 543.6(a)(1). Honda stated that it will offer a “smart entry remote” (keyless key) system on its vehicle line. Honda also stated that the Acura Integra vehicle line will offer two types of remotes, one with remote engine start and one without remote start. Key components of the antitheft system will include a passive immobilizer, “smart entry” remote,

³ 49 CFR 543.6(a)(3).

⁴ 49 CFR 543.6(a)(4).

⁵ 49 CFR 543.6(a)(5).

⁶ 49 CFR 512.20(a).

¹ 49 CFR 543.7 specifies that the manufacturer must include a statement that their entire vehicle line is equipped with an immobilizer that meets one of the following standards:

(1) The performance criteria (subsections 8 through 21) of C.R.C. c. 1038.114, Theft Protection and Rollaway Prevention (in effect March 30, 2011), as excerpted in appendix A of [part 543];

(2) National Standard of Canada CAN/ULC-S338-98, Automobile Theft Deterrent Equipment and Systems: Electronic Immobilization (May 1998);

(3) United Nations Economic Commission for Europe (UN/ECE) Regulation No. 97 (ECE R97), Uniform Provisions Concerning Approval of Vehicle Alarm System (VAS) and Motor Vehicles with Regard to Their Alarm System (AS) in effect August 8, 2007; or

(4) UN/ECE Regulation No. 116 (ECE R116), Uniform Technical Prescriptions Concerning the Protection of Motor Vehicles Against Unauthorized Use in effect on February 10, 2009.

² 49 U.S.C. 33106(d).

powertrain control module (PCM), and body control module (BCM). Honda further stated that its vehicle line will be installed with a vehicle security alarm system as standard equipment which will activate a visible and audible alarm whenever unauthorized access is attempted.

Pursuant to Section 543.6(a)(3), Honda explained that its “smart entry and start” system is part of the normal operation of the ignition key and activates automatically when the ignition switch is in the “OFF” position. Honda further explained that if a smart entry remote without a matching code is within operating range and the engine start/stop button is pressed, the PCM will prevent fueling of the engine and the engine will be inoperable. Honda also stated that the immobilizer system is deactivated when a valid smart entry remote and matching codes are verified, allowing the engine to continue normal operations. Honda further stated that the security indicator flashes continuously when the immobilizer is activated, and turns off when it is deactivated.

Honda stated that the audible and visible vehicle security alarm system installed on its Acura Integra vehicles will monitor any attempts of unauthorized entry and attract attention to an unauthorized person attempting to enter its vehicles without the use of a “smart entry” remote or its built-in mechanical door key. Specifically, Honda stated that whenever an attempt is made to open one of its vehicle doors, hood or trunk without using the “smart entry” remote or turning a key in the key cylinder to disarm the vehicle, the vehicle’s horn will sound and its lights will flash. Honda stated that its vehicle security system is activated when all of the doors are locked and the hood and trunk are closed and locked. Honda further stated that its vehicle security system is deactivated by using the key fob buttons to unlock the vehicle doors or having the “smart entry” remote within operating range when the operator grabs either of the vehicle’s front door handles.

Honda also stated that in addition to the standard security system on all 2023 MY Acura Integra models, additional security features include counterfeit resistant vehicle identification number (VIN) plates, secondary VINs, a hood release located inside the vehicle, and its smart entry remote will utilize rolling codes for the lock and unlock functions of its vehicles.

As required in section 543.6(a)(3)(v), Honda provided information on the reliability and durability of its proposed device. To ensure reliability and durability of the device, Honda

provided a list of requirements for the characteristics and durability testing along with its results. Honda stated that its device does not require the presence of a “smart entry” remote battery to function nor does it have any moving parts (*i.e.*, the PCM, BCM, “smart entry” remote and the corresponding electrical components found within its own housing units), which it believes reduces the chance for deterioration and wear from normal use.

Honda believes that installation of the antitheft immobilizer device as standard equipment reduces the vehicle theft rate by making conventional methods of theft obsolete, *i.e.*, punching out the steering column or hot-wiring the ignition. Additionally, Honda stated that although its Acura Integra vehicle line was previously discontinued, its proposed immobilizer system is generationally different in design and function from the immobilizer system that was installed on the MY 2000 Acura Integra. Honda referenced the Highway Loss Data Institute’s (HLDI) information for certain applicable years for the Acura TLX’s theft rate data, as theft rate data for the MY 2023 Acura Integra is not available at this time. In accordance with 49 CFR 543.6(a)(5), Honda stated that the Acura TLX and Acura Integra are similar in such that they both occupy the entry level luxury passenger vehicle market and are equipped in comparable configurations. In addition, Honda stated that the immobilizer system in the MY 2023 Acura Integra is similar in design and function to the immobilizer system installed in the Acura TLX. Honda further stated that data for the Acura TLX shows a low theft rate and has been consistent over various years. Honda stated that the immobilizer on its proposed vehicle will be no less effective than similar designed immobilizer systems applied to the MY 2014 Honda Civic, MY 2015 Honda Accord or the MY 2020 Acura TLX, all of which have been granted exemptions by the agency.

III. Decision To Grant the Petition

Pursuant to 49 U.S.C. 33106 and 49 CFR 543.8(b), the agency grants a petition for exemption from the parts-marking requirements of part 541, either in whole or in part, if it determines that, based upon substantial evidence, the standard equipment antitheft device is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of part 541. The agency finds that Honda has provided adequate reasons for its belief that the antitheft device for its vehicle line is likely to be

as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard. This conclusion is based on the information Honda provided about its antitheft device. NHTSA believes, based on Honda’s supporting evidence, the antitheft device described for its vehicle line is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard.

The agency concludes that Honda’s antitheft device will provide the five types of performance features listed in section 543.6(a)(3): Promoting activation; attracting attention to the efforts of unauthorized persons to enter or operate a vehicle by means other than a key; preventing defeat or circumvention of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device.

The agency notes that 49 CFR part 541, Appendix A–1, identifies those lines that are exempted from the theft prevention standard for a given model year. 49 CFR 543.8(f) contains publication requirements incident to the disposition of all part 543 petitions. Advanced listing, including the release of future product nameplates, the beginning model year for which the petition is granted and a general description of the antitheft device is necessary in order to notify law enforcement agencies of new vehicle lines exempted from the parts-marking requirements of the theft prevention standard.

If Honda decides not to use the exemption for its requested vehicle line, the manufacturer must formally notify the agency. If such a decision is made, the line must be fully marked as required by 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if Honda wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.8(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line’s exemption is based. Further, section 543.10(c)(2) provides for the submission of petitions “to modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in the exemption.”

The agency wishes to minimize the administrative burden that section 543.10(c)(2) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change to the components or design of an antitheft device. The significance of many such changes could be de minimis. Therefore, NHTSA suggests that if Honda contemplates making any changes, the effects of which might be characterized as de minimis, it should consult the agency before preparing and submitting a petition to modify.

For the foregoing reasons, the agency hereby grants in full Honda's petition for exemption for the Acura Integra vehicle line from the parts-marking requirements of 49 CFR part 541, beginning with its MY 2023 vehicles.

Issued under authority delegated in 49 CFR 1.95 and 501.8.

Raymond R. Posten,

Associate Administrator for Rulemaking.

[FR Doc. 2021-24633 Filed 11-10-21; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Action

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. Additionally, OFAC is publishing updates to the identifying information of one or more persons currently included on the SDN List. All property and interests in property subject to U.S. jurisdiction of these persons remain blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for effective date(s).

FOR FURTHER INFORMATION CONTACT:

OFAC: Bradley T. Smith, Acting Director, tel.: 202-622-2490; Associate Director for Global Targeting, tel.: 202-622-2420; Assistant Director for Licensing, tel.: 202-622-2480; Assistant Director for Regulatory Affairs, tel.: 202-622-4855; or the Assistant Director for Sanctions Compliance & Evaluation, tel.: 202-622-2490.

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 (<https://www.treasury.gov/ofac>).

Notice of OFAC Action(s)

A. On November 8, 2021, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

BILLING CODE 4810-AL-P

1. VASINSKYI, Yaroslav (Cyrillic: ВАСИНСКИЙ, Ярослав), Ukraine; DOB 20 Oct 1999; POB Ukraine; citizen Ukraine; Gender Male; Digital Currency Address - XBT 35QpLWYkvD3ALhjbge5bK2kd7HfHYcDMu3; alt. Digital Currency Address - XBT 3NQ1aa9ceirMJ1JvRq3eXefvXj1L639fzX; alt. Digital Currency Address - XBT 3BsyZ7qRFSi3NsaoV1Ff724qAgrEpjVUHm; alt. Digital Currency Address - XBT 372Wk9NLrMkJzKgqJdatWJy4bYRfxFjgat (Individual) [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of Executive Order 13694 of April 1, 2015, "Blocking the Property of Certain Persons Engaging in Significant Malicious Cyber-Enabled Activities", 80 FR 18077, 3 CFR, 2015 Comp., p. 297, as amended by Executive Order 13757 of December 28, 2016, "Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities", 82 FR 1, 3 CFR, 2016 Comp., p. 659 (E.O. 13694, as amended), for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, an activity described in section 1(a)(ii) of E.O. 13694, as amended.

2. POLYANIN, Yevgeniy Igorevich (Cyrillic: ПОЛЯНИН, Евгений Игоревич) (a.k.a. POLIANIN, Evgenii Igorevich; a.k.a. POLYANIN, Evgenii Igorevich; a.k.a. POLYANIN, Evgeniy; a.k.a. POLYANIN, Evgeniy Igorevich), Baltiiskaya 63-16, Barnaul 656058, Russia; DOB 04 Mar 1993; POB Russia; Nationality Russia; Gender Male; Digital Currency Address - XBT 158treVZBGMBThoaympxcccPdZPtqUfYrT9; alt. Digital Currency Address - XBT 389Sft4nJFkPGHbagk9FN4jXncA9piYTUu; alt. Digital Currency Address - XBT 39Te8MbphSgs7npDJPj2hbNzhke61NTcnB; alt. Digital Currency Address - XBT 31p6woV4e55HUfC2aGynFhzQnGoJFW26cD; alt. Digital Currency Address - XBT 3DNsaQnaUz7wkQny1ZDSmtz6QfbEShxoDD; alt. Digital Currency Address - XBT 3AjyprBY5yhijiCjUC5NUJutGbwhd3AQdE; Digital Currency Address - USDT 0xfec8a60023265364d066a1212fde3930f6ae8da7; Passport 0118665722 (Russia); Driver's License No. 2202811729 (Russia) (Individual) [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, an activity described in section 1(a)(ii) of E.O. 13694, as amended.

Entities

1. CHATEX, Estonia; Latvia; Saint Vincent and the Grenadines; Website chatex.com; Digital Currency Address - XBT 3E7YbpXuhh3CWFks1jmvWoV8y5DvsfzE6n; alt. Digital Currency Address - XBT 3NRJ8aXdUiZdHaiFX9ePX3DhGHzcEi14Fq; alt. Digital Currency Address - XBT 3K7PMJyMNVnxqsfpM9r9nJDtzDw9wNwNV; alt. Digital Currency Address - XBT 3H3rh85qPaGLy2w6618yZNaH7i8asHv46B; alt. Digital Currency Address - XBT 3MTrJTFhYK9v1C6pjHtuweZSopfZa4b1wb; alt. Digital Currency Address - XBT 347QFbejDBdMZFTxpmn6evvvqyXiqZTCd7; alt. Digital Currency Address - XBT 33xWfziVZesgo83U5izdNCBVTnrtBpSwK7; alt. Digital Currency Address - XBT 32wdqwX3zCEX3DhAVEcKwXCEGdzgBnx1R9; alt. Digital Currency Address - XBT 3N9YcPBDky9UsMx1RTk33tL4jDkZfSnsPk; alt. Digital Currency Address - XBT bc1q90zrdysy4flyacw7hsury3ajs9yzwtwp6guqpypx94w0d3p58hysvz6pde; alt. Digital Currency Address - XBT bc1qw7vfgv3r5vnehaf10y95sclg3uqsj87wxs9ad628yjjcq33cwessr6ndyw; alt. Digital Currency Address - XBT bc1q86tl9255vg5wldamfymaaz36uqxzm30gs7fhkljvzdl9t38s3lqgdwdfq; alt. Digital Currency Address - XBT 3M7CGBPUJwXXSroWuZ6H5jiprdKCyf7V5M; alt. Digital Currency Address - XBT 34kWCKF2wCbe6uinit2uL4ND6d8yxsuxKM; alt. Digital Currency Address - XBT bc1qe951438kzjcvnsm3kn8n5augf9gpctdlhsq7f7hpnkyvlr7rc7cqupaf7; alt. Digital Currency Address - XBT 32VgTk8kGvBsqqHhkvNooGdtqZm46jTVo; alt. Digital Currency Address - XBT 3NPognMSbzyA2JYW2fpkVKWyBMi2XTq2Zt; alt. Digital Currency Address - XBT 3MzLtBQ4Lz9J6w4Qu55TktgxFKZwxYWRP6; alt. Digital Currency Address - XBT 36YGN5dGzqrXmomTHdkT6cYVMnWBw8S7hD; alt. Digital Currency Address - XBT bc1q4rzdlt0uslyw86cp29sct16ct29g9a95cuup7pn5md9ddj7xgmqpp5m73; alt. Digital Currency Address - XBT 39KQvziHwUe2vddbpfC5WkQEV72qbQhxuh; alt. Digital Currency Address - XBT 3Qw9Fn19gCnga9LfHfpM99aGzuqxBNjR2i; alt. Digital Currency Address - ETH 0x67d40EE1A85bf4a4Bb7Ffae16De985e8427B6b45; alt. Digital Currency Address - ETH 0x6f1ca141a28907f78ebaa64fb83a9088b02a8352; alt. Digital Currency Address - ETH 0x6acdffa02d390b97ac2b2d42a63e85293bcc160e; alt. Digital Currency Address - ETH 0x48549a34ae37b12f6a30566245176994e17c6b4a; alt. Digital Currency Address - ETH 0x5512d943ed1f7c8a43f3435c85f7ab68b30121b0; alt. Digital Currency Address - ETH 0xc455f7fd3e0e12afd51fba5c106909934d8a0e4a; Organization Established Date 2018; Digital Currency Address - USDT 3LtcaPbCj87CwJHnRX3vh7c2y9RZQqeSy8; Digital Currency Address - XRP rnXyVQzgxZe7TR1EPzTkGj2jxH4LMJYh66 [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, a person whose property and interests in property are blocked pursuant to E.O. 13694, as amended.

Also designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, an activity described in section 1(a)(ii) of E.O. 13694, as amended.

2. CHATEXTECH SIA, Ganību dambis 26A, 1005, Riga, Latvia; Website chatextech.com; V.A.T. Number LV40203285832 (Latvia); Registration Number 40203285832 (Latvia) [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, a person whose property and interests in property are blocked pursuant to E.O. 13694, as amended.

3. HIGHTRADE FINANCE LTD, Suite 305, Griffith Corporate Centre, Kingstown, Saint Vincent and the Grenadines; Registration Number 23905 IBC 2017 (Saint Vincent and the Grenadines) [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, a person whose property and interests in property are blocked pursuant to E.O. 13694, as amended.

4. IZIBITS OU (Latin: IZIBITS OÜ), Harju maakond, Kesklinna linnaosa, Roseni tn 13, Tallinn, Estonia; Registration Number 14407679 (Estonia) [CYBER2].

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, a person whose property and interests in property are blocked pursuant to E.O. 13694, as amended.

5. POLYANIN EVGENII IGOREVICH IP (Cyrillic: ИП ПОЛЯНИН ЕВГЕНИЙ ИГОРЕВИЧ), Barnaul, Russia; Organization Established Date 12 May 2019; Tax ID No. 222262509862 (Russia); Business Registration Number 319222500100953 (Russia) [CYBER2].

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for being owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, a person whose property and interests in property are blocked pursuant to E.O. 13694, as amended.

B. On November 8, 2021, OFAC updated the entries on the SDN List for the following individual, whose

property and interests in property subject to U.S. jurisdiction continues to

be blocked under E.O. 13694, as amended, and E.O. 13848.

Individual

LIFSHITS, Artem Mikhaylovich (Cyrillic: ЛИФШИЦ, Артем Михайлович), Primorsky Prospect 159, Saint Petersburg 197374, Russia; DOB 26 Dec 1992; nationality Russia; Email Address mycryptodeals@yandex.ru; alt. Email Address artemlv@hotmail.com; Gender Male; Digital Currency Address - XBT 12udabs2TkX7NXCSj6KpqXfakjE52ZPLhz; alt. Digital Currency Address - XBT 1DT3tenf14cxz9WFNxmYrXFbB6TFiVWA9U; Digital Currency Address - ETH 0x901bb9583b24d97e995513c6778dc6888ab6870e; alt. Digital Currency Address - ETH 0xa7e5d5a720f06526557c513402f2e6b5fa20b00; Phone Number 79110354982; Digital Currency Address - LTC Leo3j36nn1JcsUQruytQhFUdCdCH5YHMR3; Digital Currency Address - DASH Xs3vzQmNvAxRa3Xo8XzQqUb3BMgb9EogF4; Passport 719032284 (individual) [CYBER2] [ELECTION-EO13848].

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LIFSHITS, Artem Mikhaylovich (Cyrillic: ЛИФШИЦ, Артем Михайлович), Primorsky Prospect 159, Saint Petersburg 197374, Russia; DOB 26 Dec 1992; nationality Russia; Email Address mycryptodeals@yandex.ru; alt. Email Address artemlv@hotmail.com; Gender Male; Digital Currency Address - XBT 12udabs2TkX7NXCSj6KpqXfakjE52ZPLhz; alt. Digital Currency Address - XBT 1DT3tenf14cxz9WFNxmYrXFbB6TFiVWA9U; Digital Currency Address - ETH 0x901bb9583b24d97e995513c6778dc6888ab6870e; alt. Digital Currency Address - ETH 0xa7e5d5a720f06526557c513402f2e6b5fa20b008; Phone Number 79110354982; Digital Currency Address - LTC Leo3j36nn1JcsUQruytQhFUdCdCH5YHMR3; Digital Currency Address - DASH Xs3vzQmNvAxRa3Xo8XzQqUb3BMgb9EogF4; Passport 719032284 (individual) [CYBER2] [ELECTION-EO13848].

C. On November 8, 2021, OFAC updated the entry on the SDN List for the following entity, whose property

and interests in property subject to U.S. jurisdiction continues to be blocked

under E.O. 13694, as amended, E.O. 13848, and E.O. 13382.

Entity

SOUTHFRONT (a.k.a. SOUTH FRONT; a.k.a. SOUTHFRONT: ANALYSIS & INTELLIGENCE), Russia; Website southfront.org; Digital Currency Address - XBT 3Gbs4rjcVUtQd8p3CiFUCxPLZwRqurezRZ; Digital Currency Address - ETH 0x9f4cda013e354b8fc285bf4b9a60460cee7f7ea9; Organization Type: News agency activities; Digital Currency Address - BCH qpf2cphc5dkuclqur7lhj2yuqq9pk3hmukle77vhq [NPWMD] [CYBER2] [ELECTION-EO13848] (Linked To: FEDERAL SECURITY SERVICE).

-to-

SOUTHFRONT (a.k.a. SOUTH FRONT; a.k.a. SOUTHFRONT: ANALYSIS & INTELLIGENCE), Russia; Website southfront.org; alt. Website maps.southfront.org; Digital Currency Address - XBT 3Gbs4rjcVUtQd8p3CiFUCxPLZwRqurezRZ; alt. Digital Currency Address - XBT bc1qv7k70u2zynvem59u88ctdlaw7hc735d8xep9rq; alt. Digital Currency Address - XBT bc1qw4cxpe6sxa5dg6sdwxjph959cw6yztrzl4r54s; Digital Currency Address - ETH 0x9f4cda013e354b8fc285bf4b9a60460cee7f7ea9; alt. Digital Currency Address - ETH 0x3cbded43efdaf0fc77b9c55f6fc9988fcc9b757d; Digital Currency Address - XMR 884Bz8UH63aYsjVdkfWfScRYWZGGNbjFL7pztqvWNSrtYT4reFSwyvkCj9KEGUtheHhhMUj87ciTBfyzoesrMJ4L1FvSoxL; alt. Digital Currency Address - XMR 49HqitRzdnhYjgTEAhgGpCfsjdTeMbUTU6cyR4JV1R7k2Eej9rGT8JpFiYDa4tZM6RZ iFrHmMzgSrhHEqpDYKBe5B2ufNsL; Organization Type: News agency activities; Digital Currency Address - BCH qpf2cphc5dkuclqur7lhj2yuqq9pk3hmukle77vhq; alt. Digital Currency Address - BCH qzjv8hrdvz6edu4gkzpnd4w6jc7zf296g5e9kkq4lx; alt. Digital Currency Address - BCH qq3vlashthktqpeppuv7trmw070e3mydggq63zq348v [NPWMD] [CYBER2] [ELECTION-EO13848] (Linked To: FEDERAL SECURITY SERVICE).

Dated: November 8, 2021.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2021-24701 Filed 11-10-21; 8:45 am]

BILLING CODE 4810-AL-C

UNIFIED CARRIER REGISTRATION PLAN

Sunshine Act; Meeting

TIME AND DATE: November 10, 2021, 12:00 p.m. to 2:00 p.m., Eastern time.

PLACE: This meeting will be accessible via conference call and via Zoom Meeting and Screenshare. Any interested person may call (i) 1-929-205-6099 (U.S. Toll) or 1-669-900-6833 (U.S. Toll) or (ii) 1-877-853-5247 (U.S. Toll Free) or 1-888-788-0099 (U.S. Toll Free), Meeting ID: 993 7383 0700, to listen and participate in this

meeting. The website to participate via Zoom Meeting and Screenshare is <https://kellen.zoom.us/j/99373830700>.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED: The Unified Carrier Registration Plan Finance Subcommittee (the "Subcommittee") will continue its work in developing and implementing the Unified Carrier Registration Plan and Agreement. The subject matter of this meeting will include:

Proposed Agenda

I. Call to Order—Subcommittee Chair

The Subcommittee Chair will welcome attendees, call the meeting to order, call roll for the Subcommittee, confirm whether a quorum is present, and facilitate self-introductions.

II. Verification of Publication of Meeting Notice—UCR Executive Director

The UCR Executive Director will verify the publication of the meeting notice on the UCR website and distribution to the UCR contact list via email followed by the subsequent publication of the notice in the **Federal Register**.

III. Review and Approval of Subcommittee Agenda and Setting of Ground Rules—Subcommittee Chair

For Discussion and Possible Subcommittee Action

The Agenda will be reviewed, and the Subcommittee will consider adoption.

Ground Rules

> Subcommittee action only to be taken in designated areas on agenda.

IV. Review and Approval of Subcommittee Minutes From the July 15, 2021 Meeting—Subcommittee Chair

For Discussion and Possible Subcommittee Action

Draft minutes from the July 15, 2021 Subcommittee meeting via teleconference will be reviewed. The Subcommittee will consider action to approve.

V. Review of 2022 Administrative Budget—UCR Depository Manager

For Discussion and Possible Subcommittee Action

The UCR Depository Manager will lead a discussion regarding the continued preparation of the 2022 UCR administrative budget. The Subcommittee may take action to recommend to the Board adoption of the 2022 budget.

VI. Investing Excess Fees for the 2021 Registration Year in Certificates of Deposit (CDs)—Subcommittee Chair and UCR Depository Manager

For Discussion and Possible Subcommittee Action

The Subcommittee Chair and UCR Depository Manager will lead a discussion regarding an opportunity to invest 2021 excess fees into one or more CDs. CDs will earn a somewhat better return than the current savings accounts at the Bank of North Dakota where these funds are deposited. The 2021 excess fees will not be utilized until January 2023 at the earliest, so earning a higher rate of return will increase the excess fees, providing for additional funding in 2023. The Subcommittee may take action to recommend a plan to the Board.

VII. Development of an Investment Strategy—Subcommittee Chair and UCR Depository Manager

For Discussion and Possible Subcommittee Action

The Subcommittee Chair and UCR Depository Manager will lead a discussion regarding the development of an investment strategy and policy for increasing the rate of return on administrative reserve funds that are currently invested in CDs, which are earning historically low rates of interest. Maintaining safety of administrative reserves capital will be a priority in the strategy. The Subcommittee may take action to recommend a plan to the Board for investing administrative reserve funds.

VIII. Review of 2021 Administrative Expenses—UCR Depository Manager

The UCR Depository Manager will review the expenditures of the UCR Plan for the first ten months ended October 31, 2021 with the Subcommittee. A forecast for the final two months in the year will also be presented.

IX. Other Business—Subcommittee Chair

The Subcommittee Chair will call for any other items Subcommittee members would like to discuss.

X. Adjournment—Subcommittee Chair

The Subcommittee Chair will adjourn the meeting.

The agenda will be available no later than 5:00 p.m. Eastern time, November 3, 2021 at: <https://plan.ucr.gov>.

CONTACT PERSON FOR MORE INFORMATION: Elizabeth Leaman, Chair, Unified Carrier Registration Plan Board of Directors, (617) 305-3783, eleaman@board.ucr.gov.

Alex B. Leath,
Chief Legal Officer, Unified Carrier
Registration Plan.

[FR Doc. 2021-24904 Filed 11-9-21; 4:15 pm]

BILLING CODE 4910-YL-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0353]

Agency Information Collection Activity: Certification of Lessons Completed

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before January 11, 2022.

ADDRESSES: Submit written comments on the collection of information through

Federal Docket Management System (FDMS) at www.Regulations.gov or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to nancy.kessinger@va.gov. Please refer to “OMB Control No. 2900-0353” in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT:

Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266-4688 or email maribel.aponte@va.gov. Please refer to “OMB Control No. 2900-0353” in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: 38 U.S.C. 3032(d), 3034, 3241, 3323, 3474, 3481, 3484, 3534(b), 3680(b), 3684, 3686(a), and 10 U.S.C. 16131(e), and chapter 31 section 510., and 38 CFR 21.4203(e), 21.4206, 21.5200(d) & (g), 21.7140(c)(3), 21.7159, 21.7640(a)(4), 21.7659, and 21.9720.

Title: Certification of Lessons Completed.

OMB Control Number: 2900-0353.

Type of Review: Revision of a currently approved collection.

Abstract: VA uses information from the current collection to determine the number of lessons completed by the student and serviced by the correspondence school, and to determine the date of completion or termination of correspondence training. VA pays education benefits based on the information furnished on the form. Without this information, VA would be unable to determine the proper payment or the student's training status.

Affected Public: Individuals and Households.
Estimated Annual Burden: 103 hours.
Estimated Average Burden per Respondent: 10 minutes.
Frequency of Response: Quarterly.
Estimated Number of Respondents: 616.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2021-24667 Filed 11-10-21; 8:45 am]

BILLING CODE 8320-01-P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0156]

Agency Information Collection Activity Under OMB Review: Notice of Change in Student Status

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the

Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. Refer to “OMB Control No. 2900-0156.”

FOR FURTHER INFORMATION CONTACT:

Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266-4688 or email maribel.aponte@va.gov. Please refer to “OMB Control No. 2900-0156” in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: 38 U.S.C. 3020, 3034(a), 3241, 3323(a), 3474, 3524, 3680(a), 3684(a); 10 U.S.C. 510, and 16136. 38 Code of Federal Regulations 21.4203, 21.5200(d), 21.5292(e)(2), 21.5812, 21.7156, 21.7656, 21.9720, and 21.9725.
Title: Notice of Change in Student Status.

OMB Control Number: 2900-0156.

Type of Review: Revision of a currently approved collection.

Abstract: VA uses the information collected to determine whether the beneficiaries’ educational benefits should be increased, decreased, or terminated, and the effective date of the change, if applicable. Without this information, VA might underpay or overpay benefits. 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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 86 FR 77 on September 3, 2021, page 49600.

Affected Public: Individuals or Households.

Estimated Annual Burden: 1,124,027 hours.

Estimated Average Burden Per Respondent: 10 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 6,744,167.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2021-24665 Filed 11-10-21; 8:45 am]

BILLING CODE 8320-01-P



FEDERAL REGISTER

Vol. 86

Friday,

No. 216

November 12, 2021

Part II

The President

Notice of November 10, 2021—Continuation of the National Emergency
With Respect to the Proliferation of Weapons of Mass Destruction

Presidential Documents

Title 3—

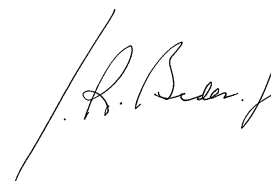
Notice of November 10, 2021

The President

Continuation of the National Emergency With Respect to the Proliferation of Weapons of Mass Destruction

On November 14, 1994, by Executive Order 12938, the President declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons (weapons of mass destruction) and the means of delivering such weapons. On July 28, 1998, by Executive Order 13094, the President amended Executive Order 12938 to respond more effectively to the worldwide threat of weapons of mass destruction proliferation activities. On June 28, 2005, by Executive Order 13382, the President, among other things, further amended Executive Order 12938 to improve our ability to combat proliferation. The proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared in Executive Order 12938 of November 14, 1994, with respect to the proliferation of weapons of mass destruction and the means of delivering such weapons must continue beyond November 14, 2021. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 12938, as amended.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
November 10, 2021.

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