AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

Vol. 87 Friday

No. 203 October 21, 2022

Pages 63933–64148

OFFICE OF THE FEDERAL REGISTER

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

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

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

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

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

The online edition of the **Federal Register** is issued under the authority of the Administrative Committee of the Federal Register as the official legal equivalent of the paper and microfiche editions (44 U.S.C. 4101 and 1 CFR 5.10). It is updated by 6:00 a.m. each day the **Federal Register** is published and includes both text and graphics from Volume 1, 1 (March 14, 1936) forward. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202-512-1800 or 866-512-1800 (toll free). E-mail, *gpocusthelp.com.*

The annual subscription price for the **Federal Register** paper edition is $860 plus postage, or $929, for a combined **Federal Register, Federal Register** Index and List of CFR Sections Affected (LSA) subscription; the microfiche edition of the **Federal Register** including the **Federal Register** Index and LSA is $330, plus postage. Six month subscriptions are available for one-half the annual rate. The prevailing postal rates will be applied to orders according to the delivery method requested. The price of a single copy of the daily **Federal Register,** including postage, is based on the number of pages: $11 for an issue containing less than 200 pages; $22 for an issue containing 200 to 400 pages; and $33 for an issue containing more than 400 pages. Single issues of the microfiche edition may be purchased for $3 per copy, including postage. Remit check or money order, made payable to the Superintendent of Documents, or charge to your GPO Deposit Account, VISA, MasterCard, American Express, or Discover. Mail to: U.S. Government Publishing Office—New Orders, P.O. Box 979050, St. Louis, MO 63197-9000; or call toll free 1-866-512-1800, DC area 202-512-1800; or go to the U.S. Government Online Bookstore site, see *bookstore.gpo.gov.*

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

How To Cite This Publication: Use the volume number and the page number. Example: 87 FR 12345.

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

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

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

Single copies/back copies:

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

FEDERAL AGENCIES

Subscriptions:

Assistance with Federal agency subscriptions:	
Email	*FRSubscriptions@nara.gov*
Phone	**202–741–6000**

The Federal Register Printing Savings Act of 2017 (Pub. L. 115-120) placed restrictions on distribution of official printed copies of the daily **Federal Register** to members of Congress and Federal offices. Under this Act, the Director of the Government Publishing Office may not provide printed copies of the daily **Federal Register** unless a Member or other Federal office requests a specific issue or a subscription to the print edition. For more information on how to subscribe use the following website link: *https://www.gpo.gov/frsubs.*

Printed on recycled paper.

Contents

Federal Register

Vol. 87, No. 203

Friday, October 21, 2022

Agency for Healthcare Research and Quality
NOTICES
Supplemental Evidence and Data Request on Strategies:
Integrating Behavioral Health and Primary Care, 64043–64046

Agriculture Department
See Food Safety and Inspection Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64000–64001

Alcohol, Tobacco, Firearms, and Explosives Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Interstate Firearms Shipment Theft/Loss Report, 64114

Army Department
NOTICES
Meetings:
Advisory Committee on Arlington National Cemetery, 64019–64020

Census Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Special Census Program, 64003–64004

Centers for Disease Control and Prevention
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64046–64052

Centers for Medicare & Medicaid Services
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64052–64053

Children and Families Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Trafficking Victim Assistance Program Data, 64053–64054

Coast Guard
RULES
Safety Zone:
Oil Pipeline Repairs, San Pedro Bay, CA, 63948–63950
Special Local Regulation:
Northern California and Lake Tahoe Area Annual Marine Events; Sacramento Ironman Swim, Sacramento, CA, 63948
PROPOSED RULES
Safety Zone:
Reentry Sites; Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida, 63981–63985
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64074–64080
Requests for Applications:
National Maritime Security Advisory Committee, 64075–64076

Commerce Department
See Census Bureau
See Economic Analysis Bureau
See International Trade Administration
See National Institute of Standards and Technology
See National Oceanic and Atmospheric Administration

Committee for Purchase From People Who Are Blind or Severely Disabled
NOTICES
Procurement List; Additions and Deletions, 64017–64018

Commodity Futures Trading Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Privacy of Consumer Financial Information, 64018–64019
Meetings; Sunshine Act, 64018

Consumer Product Safety Commission
NOTICES
Meetings; Sunshine Act, 64019

Defense Department
See Army Department

Economic Analysis Bureau
NOTICES
Meetings:
Advisory Committee, 64004–64005
Requests for Nominations:
Advisory Committee, 64005–64006

Education Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Federal Student Aid User Experience Design Research Generic Clearance, 64022
Form for Maintenance of Effort Waiver Requests, 64020–64021
National Teacher and Principal Survey of 2023–2024 Preliminary Field Activities, 64021

Energy Department
See Federal Energy Regulatory Commission
NOTICES
Meetings:
Environmental Management Site-Specific Advisory Board, Northern New Mexico, 64022–64023
Environmental Management Site-Specific Advisory Board, Paducah, 64023

Environmental Protection Agency
RULES
Parent Company Definition for Toxics Release Inventory Reporting, 63950–63955

NOTICES
Environmental Impact Statements; Availability, etc., 64030–64031
Pesticide Product Registration:
Applications for New Uses September 2022, 64031

Federal Aviation Administration
RULES
Airspace Designations and Reporting Points:
Ellsworth, KS, 63946–63947
Airworthiness Directives:
Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes, 63933–63935
Airbus SAS Airplanes, 63940–63943
Bombardier, Inc., Airplanes, 63935–63940
MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes, 63943–63946
PROPOSED RULES
Airworthiness Directives:
Airbus SAS Airplanes, 63968–63970
BAE Systems (Operations) Limited Airplanes, 63973–63978
Dassault Aviation Airplanes, 63978–63980
MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes, 63970–63973
NOTICES
Proposed Voluntary Agreement:
Statue of Liberty National Monument and Governors Island National Monument, 64130

Federal Bureau of Investigation
NOTICES
Meetings:
Criminal Justice Information Services Advisory Policy Board, 64114–64115

Federal Communications Commission
PROPOSED RULES
Radio Broadcasting Services:
Dennison, OH, 63999
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64032–64034
Meetings:
Communications Equity and Diversity Council, 64031–64032

Federal Deposit Insurance Corporation
NOTICES
Guidelines for Appeals of Material Supervisory Determinations, 64034–64042
Meetings; Sunshine Act, 64042

Federal Emergency Management Agency
NOTICES
Flood Hazard Determinations, 64080–64083

Federal Energy Regulatory Commission
NOTICES
Combined Filings, 64028–64030
Environmental Assessments; Availability, etc.:
Boardwalk Storage Co., LLC, BSC Compression Replacement Project, 64025–64026
Initial Market-Based Rate Filings Including Requests for Blanket Section 204 Authorizations:
MD Solar 2, LLC, 64025
North East Offshore, LLC, 64024–64025
Revolution Wind, LLC, 64029–64030
South Fork Wind, LLC, 64026–64027
Sunrise Wind, LLC, 64028
Request under Blanket Authorization:
Florida Gas Transmission Co., LLC, 64027–64028
Staff Attendance, 64023–64024

Federal Railroad Administration
NOTICES
Petition for Extension of Waiver of Compliance, 64132–64133
Petition for Waiver of Compliance, 64130–64131
Positive Train Control Safety Plan and Positive Train Control System:
BNSF Railway Co., 64131–64132

Federal Reserve System
NOTICES
Change in Bank Control:
Acquisitions of Shares of a Bank or Bank Holding Company, 64043
Formations of, Acquisitions by, and Mergers of Bank Holding Companies, 64042–64043

Food and Drug Administration
RULES
Statutory 5 Percent Limit on Out-of-State Distribution of Compounded Human Drug Products, 63947–63948
NOTICES
Guidance:
Multiple Endpoints in Clinical Trials, 64055–64057
Refusal of Inspection by a Foreign Food Establishment or Foreign Government, 64054–64055
Select Updates for the Breakthrough Devices Program; Reducing Disparities in Health and Healthcare, 64057–64058

Food Safety and Inspection Service
NOTICES
Meetings:
National Advisory Committee on Microbiological Criteria for Foods, 64001–64003

Foreign Assets Control Office
NOTICES
Sanctions Action, 64133

Health and Human Services Department
See Agency for Healthcare Research and Quality
See Centers for Disease Control and Prevention
See Centers for Medicare & Medicaid Services
See Children and Families Administration
See Food and Drug Administration
See Health Resources and Services Administration
See National Institutes of Health
See Substance Abuse and Mental Health Services Administration
NOTICES
Opportunity to Co-Sponsor Office of Research Integrity Events, 64067–64068

Health Resources and Services Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Evidence-Based Telehealth Network Program Measures, 64060–64061

Health Resources and Services Administration Uniform Data System, 64058–64060
Healthy Start Evaluation and Quality Improvement, 64065–64066
Initial and Reconciliation Application Forms to Report Graduate Medical Education Data and Full-Time Equivalent Residents Trained by Hospitals Participating in the Children's Hospitals Graduate Medical Education Payment Program; etc., 64061–64065
Optimizing Virtual Care Grant Program Performance Measures, 64066–64067

Homeland Security Department
See Coast Guard
See Federal Emergency Management Agency
See Transportation Security Administration
NOTICES
Charter Amendments, Establishments, Renewals and Terminations:
Data Privacy and Integrity Advisory Committee; Withdrawal, 64083

Housing and Urban Development Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Application for Insurance of Advance Mortgage Proceeds, 64084–64085

Interior Department
See Land Management Bureau
See National Park Service
See Ocean Energy Management Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Access and Consent Forms, 64085–64086

Internal Revenue Service
PROPOSED RULES
Exclusion From Gross Income of Previously Taxed Earnings and Profits, and Adjustments to Basis of Stock in Controlled Foreign Corporations and of Other Property, 63981

International Trade Administration
NOTICES
Antidumping or Countervailing Duty Investigations, Orders, or Reviews:
Certain Cold-Rolled Steel Flat Products and Certain Corrosion-Resistant Steel Products from the Republic of Korea, 64013
Certain Non-Refillable Steel Cylinders from the People's Republic of China, 64008–64009
Certain Quartz Surface Products from the People's Republic of China, 64009–64013
Certain Softwood Lumber Products from Canada, 64008
Silicomanganese from India, 64006–64007

International Trade Commission
NOTICES
Investigations; Determinations, Modifications, and Rulings, etc.:
Aluminum Extrusions from China, 64113–64114
Certain Hazelnuts and Products Containing the Same, 64112–64113
Certain Smart Televisions, 64110
Certain Welded Stainless Steel Pipe from South Korea and Taiwan, 64112
Pneumatic Off-the-Road Tires from India, 64110–64112

Justice Department
See Alcohol, Tobacco, Firearms, and Explosives Bureau
See Federal Bureau of Investigation
NOTICES
Proposed Consent Decree:
National Marine Sanctuaries Act, 64115

Labor Department
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Termination, Suspension, Reduction, or Increase in Benefit Payments, 64115–64116

Land Management Bureau
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Resource Management Planning, 64086–64087
Environmental Impact Statements; Availability, etc.:
Resource Management Plan for the Proposed Rough Hat Clark County Solar Project in Clark County, NV, 64087–64090

National Endowment for the Arts
NOTICES
Meetings:
Arts Advisory Panel, 64116–64117

National Foundation on the Arts and the Humanities
See National Endowment for the Arts

National Institute of Standards and Technology
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Diversity, Equity, Inclusion and Accessibility Information Collections, 64013–64014

National Institutes of Health
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
National Cancer Institute Generic Submission for Formative Research, Pretesting and Customer Satisfaction of Communication and Education Resources, 64072–64073
National Institute on Drug Abuse Summer Research Internship Program, 64068–64069
Meetings:
Center for Scientific Review, 64069–64071
National Center for Advancing Translational Sciences, 64071–64073
National Institute of Allergy and Infectious Diseases, 64072–64073
National Institute of Neurological Disorders and Stroke, 64070

National Oceanic and Atmospheric Administration
RULES
Deadlines under the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act, 63955–63957

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic:
Coastal Migratory Pelagics Resources in the Gulf of Mexico and Atlantic Region; Amendment 32, 63958–63966
Fisheries of the Exclusive Economic Zone off Alaska:
Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area, 63967
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Natural Resource Damage Assessment Restoration Project Information Sheet, 64015
Meetings:
Fisheries of the South Atlantic; South Atlantic Fishery Management Council, 64015–64016
Gulf of Mexico Fishery Management Council, 64016
New England Fishery Management Council, 64016–64017

National Park Service
NOTICES
Environmental Impact Statements; Availability, etc.:
Wilderness Stewardship Plan for Isle Royale National Park, MI, 64091–64093
National Register of Historic Places:
Pending Nominations and Related Actions, 64090–64091

National Science Foundation
NOTICES
Meetings; Sunshine Act, 64117

Ocean Energy Management Bureau
NOTICES
Final Sale Notice:
Pacific Wind Lease Sale 1 for Commercial Leasing for Wind Power on the Outer Continental Shelf in California, 64093–64110

Postal Service
PROPOSED RULES
Removal of Sacks:
Marketing Mail and Periodicals Flats, 63985–63999

Securities and Exchange Commission
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals, 64117–64119, 64122–64123, 64126–64127
Application:
Emerald Strategic Innovation Interval Fund and Emerald Mutual Fund Advisers Trust, 64126
Meetings; Sunshine Act, 64125–64126
Self-Regulatory Organizations; Proposed Rule Changes:
Nasdaq PHLX, LLC, 64119–64122
The Nasdaq Stock Market, LLC, 64123–64125, 64127–64129

State Department
NOTICES
Culturally Significant Objects Imported for Exhibition:
Robert Motherwell Drawing: As Fast as the Mind Itself, 64129

Substance Abuse and Mental Health Services Administration
NOTICES
Supplemental Funding Opportunity; Fiscal Year 2023, 64073–64074

Surface Transportation Board
NOTICES
Exemption:
Acquisition and Operation; Eastern Maine Railway Co., Central Maine and Quebec Railway US, Inc., d/b/a Canadian Pacific, 64129–64130

Transportation Department
See Federal Aviation Administration
See Federal Railroad Administration

Transportation Security Administration
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Secure Flight Program, 64083–64084

Treasury Department
See Foreign Assets Control Office
See Internal Revenue Service
NOTICES
Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Federal Insurance Office Climate-Related Financial Risk Data Collection, 64134–64141
Meetings:
Financial Research Advisory Committee, 64133–64134

Veterans Affairs Department
NOTICES
Privacy Act; System of Records, 64141–64148

Reader Aids

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

To subscribe to the Federal Register Table of Contents electronic mailing list, go to https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new, enter your e-mail address, then follow the instructions to join, leave, or manage your subscription.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

14 CFR
39 (5 documents) 63933, 63935, 63938, 63940, 63943
71.....63946
Proposed Rules:
39 (4 documents) 63968, 63970, 63973, 63978

21 CFR
216.....63947

26 CFR
Proposed Rules:
1.....63981

33 CFR
100.....63948
165.....63948
Proposed Rules:
165.....63981

39 CFR
Proposed Rules:
111.....63985

40 CFR
372.....63950

47 CFR
Proposed Rules:
73.....63999

50 CFR
216.....63955
622.....63958
679.....63967

Rules and Regulations

Federal Register
Vol. 87, No. 203
Friday, October 21, 2022

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0393; Project Identifier MCAI–2021–01249–T; Amendment 39–22131; AD 2022–16–02]

RIN 2120–AA64

Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. This AD was prompted by the discovery that overwing emergency exit door (OWEED) handle covers were difficult to open on some airplanes. This AD requires replacing the existing OWEED handle cover brackets with newly designed OWEED handle cover brackets and installing placards regarding this replacement, as specified in a Transport Canada Civil Aviation (TCCA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 25, 2022.

ADDRESSES: For material incorporated by reference (IBR) in this AD, contact TCCA, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *AD-CN@tc.gc.ca;* internet *https://tc.canada.ca/en/aviation.* You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0393.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0393; 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 mandatory continuing airworthiness information (MCAI), 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: Gabriel Kim, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

TCCA, which is the aviation authority for Canada, has issued TCCA AD CF–2021–39, dated November 10, 2021 (TCCA AD CF–2021–39) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus Canada Limited Partnership Models BD–500–1A10 and BD–500–1A11 airplanes.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain Airbus Canada Limited Partnership Model BD–500–1A10 and BD–500–1A11 airplanes. The NPRM published in the **Federal Register** on April 6, 2022 (87 FR 19815). The NPRM was prompted by the discovery that OWEED handle covers were difficult to open on some airplanes. An investigation revealed that brackets of certain OWEED handle covers are prone to flexure, thus increasing the force necessary to remove the OWEED handle cover beyond design requirements. As a result, the OWEED handle covers must be removed in order to access the emergency exit, which could delay passenger evacuation. The NPRM proposed to require replacing the existing OWEED handle cover brackets with newly designed OWEED handle cover brackets and installing a placard regarding this replacement, as specified in TCCA AD CF–2021–39.

The FAA is issuing this AD to address the increased force necessary to remove the OWEED handle cover to access the emergency exit, which could hinder passenger evacuation in emergency. See the MCAI for additional background information.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from an individual who supported the NPRM without change.

The FAA also received a comment from Delta Airlines (DAL). The following presents that comment received on the NPRM and the FAA's response.

Request To Clarify Part Numbers for the SB Incorporation Placard

DAL found that the SB Incorporation Placard is identified as two different part numbers, CDPL604–5 and CDPL604–5–F493000–25–01, in Safran Service Bulletin F493000–25–01, Revision 1, dated September 17, 2020, which is referenced in TCCA AD CF–2021–39. The Safran component maintenance manual (CMM) states ''true part number is CDPL604–5–F493000–25–01, added by service bulletin F493000–25–01'' in the nomenclature for part number ''CDPL604–5F49300'' described as ''placard, service bulletin incorporation (bonded).'' The Safran CMM has another part number that begins with ''CDPL604–5,'' but with a different suffix. The service bulletin does not state the full true part number CDPL604–5–F493000–25–01. DAL requested that paragraph (h) of the proposed AD be revised to add an Exception that clarifies the part numbers.

The FAA partially agrees with the request. The FAA agrees that two part numbers, CDPL604–5 and CDPL604–5–F493000–25–01, were identified for the SB Incorporation Placard, and that both

part numbers are correct and represent the same part. However, the FAA disagrees with the need to revise paragraph (h) of this AD to provide further clarification of the part numbers. The replacement kit includes the correct placard for installation. This AD has not been changed with regard to this request.

Conclusion

The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

Related Service Information Under 1 CFR Part 51

TCCA AD CF–2021–39 specifies procedures for replacing the existing OWEED handle cover brackets with newly designed OWEED handle cover brackets and installing placards regarding this replacement.

This material 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.

Costs of Compliance

The FAA estimates that this AD affects 21 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
3 work-hours × $85 per hour = $255	$40	$295	$6,195

According to the manufacturer, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in the cost estimate.

Authority for This Rulemaking

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

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

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:

2022–16–02 Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.): Amendment 39–22131; Docket No. FAA–2022–0393; Project Identifier MCAI–2021–01249–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Model BD–500–1A10 and BD–500–1A11 airplanes, certificated in any category, as identified in Transport Canada Civil Aviation (TCCA) AD CF–2021–39, dated November 10, 2021 (TCCA AD CF–2021–39).

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by discovery that overwing emergency exit door (OWEED) handle covers were difficult to open on some airplanes. An investigation revealed that brackets of certain OWEED handle covers are prone to flexure, thus increasing the force necessary to remove the OWEED handle cover beyond design requirements. The FAA is proposing this AD to address the increased force necessary to remove the OWEED handle cover to access the emergency exit, which could hinder passenger evacuation in an emergency.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, TCCA AD CF–2021–39.

(h) Exception to TCCA AD CF–2021–39

Where TCCA AD CF–2021–39 refers to its effective date, this AD requires using the effective date of this AD.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO 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 responsible Flight Standards 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 (j) of this AD. Information may be emailed to: ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or TCCA; or Airbus Canada Limited Partnership's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Related Information

For more information about this AD, contact Gabriel Kim, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(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 this AD specifies otherwise.

(i) Transport Canada Civil Aviation (TCCA) AD CF–2021–39, dated November 10, 2021.

(ii) [Reserved]

(3) For TCCA AD CF–2021–39, contact Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *AD-CN@tc.gc.ca;* internet *https://tc.canada.ca/en/aviation.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material 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 July 22, 2022.

Gaetano A. Sciortino,

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

[FR Doc. 2022–22331 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0603; Project Identifier MCAI–2021–01093–T; Amendment 39–22189; AD 2022–20–05]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model CL–600–1A11 (600), CL–600–2A12 (601), and CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes. This AD was prompted by a report that some rudder power control unit (PCU) load limiters were found in service with the crimping missing from the end cap; therefore, the pilot command from the load limiter might not transmit correctly. This AD requires a one-time inspection of the rudder PCU load limiters for correct crimping of the end cap, and replacing any defective rudder PCU load limiter. For certain airplanes, this AD would also require repetitive testing of the rudder PCU load limiter for correct functioning, and applicable corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2022.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 25, 2022.

ADDRESSES: For service information identified in this final rule, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* website *bombardier.com.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2022–0603.

Examining the AD Docket

You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0603; 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 mandatory continuing airworthiness information (MCAI), 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: Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@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 certain Bombardier, Inc., Model CL–600–1A11 (600), CL–600–2A12 (601), and CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes. The NPRM published in the **Federal Register** on June 9, 2022 (87 FR 35125). The NPRM was prompted by TCCA AD CF–2021–33, dated October 6, 2021, issued by Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, (referred to after this as the MCAI).

In the NPRM, the FAA proposed to require a one-time inspection of the rudder PCU load limiters for correct crimping of the end cap, and replacing any defective rudder PCU load limiter. For certain airplanes, the FAA also proposed to require repetitive testing of the rudder PCU load limiter for correct functioning, and applicable corrective actions. The FAA is issuing this AD to address defective rudder PCU load limiters, which could result in incorrect transmission of the pilot command, and loss of control of the rudder.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2022–0603.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from NetJets and one individual. The commenters noted the following typographical errors in the proposed AD:

- For serial numbers 5701 through 5988, the service bulletin reference should be ''605–27–010'' instead of ''650–27–010.''
- For serial numbers 6050 through 6158, the service bulletin reference should be ''650–27–003'' instead of ''605–27–003.''

The FAA has corrected these errors in the Related Service Information section and in figure 1 to paragraph (g) of this AD.

Conclusion

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 referenced above. 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 this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information Under 1 CFR Part 51

Bombardier has issued the following service information.

- Bombardier Service Bulletin 604–27–039, Revision 01, dated April 6, 2021.
- Bombardier Service Bulletin 600–0776, dated December 7, 2020.
- Bombardier Service Bulletin 601–0648, dated December 7, 2020.

This service information describes procedures for a one-time inspection of the rudder PCU load limiters for correct crimping of the end cap, and replacing any defective PCU load limiter. These documents are distinct because they apply to different airplane configurations.

Bombardier has also released the following service information.

- Bombardier Service Bulletin 605–27–010, dated December 7, 2020.
- Bombardier Service Bulletin 650–27–003, dated December 7, 2020.

This service information describes procedures for repetitive testing of certain PCU load limiters for proper functioning and applicable corrective actions (performing the one-time inspection of the rudder PCU load limiters for correct crimping of the end cap, and replacing any defective PCU load limiter). This service information also describes procedures for a one-time inspection of the rudder PCU load limiters for correct crimping of the end cap, and replacing any defective PCU load limiter, which terminates the repetitive tests. These documents are distinct because they apply to different airplane configurations.

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.

Costs of Compliance

The FAA estimates that this AD affects 379 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 2 work-hours × $85 per hour = Up to $170	$0	Up to $170	Up to $64,430.

The FAA estimates the following costs to do any necessary on-condition replacement required based on the results of any required inspection. The FAA has no way of determining the number of aircraft that might need this on-condition action:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
10 work-hours × $85 per hour = $850 (per rudder PCU load limiter)	$50	$900

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

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:

2022–20–05 Bombardier, Inc.: Amendment 39–22189; Docket No. FAA–2022–0603; Project Identifier MCAI–2021–01093–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc., airplanes certificated in any category, identified in paragraphs (c)(1) through (3) of this AD.

(1) Model CL–600–1A11 (600) airplanes having serial numbers (S/Ns) 1004 through 1085 inclusive.

(2) Model CL–600–2A12 (601) airplanes having S/Ns 3001 through 3066 inclusive.

(3) Model CL–600–2B16 (601–3A, 601–3R, and 604 Variants) airplanes having S/Ns 5001 through 5194 inclusive, 5301 through 5665 inclusive, 5701 through 5988 inclusive, 6050 through 6158 inclusive, and 6160 through 6162 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight Controls.

(e) Unsafe Condition

This AD was prompted by a report that some rudder power control unit (PCU) load limiters were found in service with the crimping missing from the end cap; therefore, the pilot command from the load limiter might not transmit correctly. The FAA is issuing this AD to address defective rudder PCU load limiters, which could result in incorrect transmission of the pilot command, and loss of control of the rudder.

(f) Compliance

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

(g) Inspection and Replacement for Certain Airplanes

At the applicable time specified in paragraph (g)(1) or (2) of this AD, inspect each rudder PCU load limiter having part number (P/N) 600–91302–43 or P/N 600–91302–53 for correct crimping of the end cap, in accordance with paragraph 2.B., Part A, of the Accomplishment Instructions of the applicable service information specified in figure 1 to paragraph (g) of this AD. If the crimping is missing from any end cap, before further flight, replace the defective rudder PCU load limiter, in accordance with paragraph 2.C., Part B, of the Accomplishment Instructions of the applicable service information specified in figure 1 to paragraph (g) of this AD.

(1) For Model CL–600–1A11 airplanes having S/Ns 1004 through 1085 inclusive; Model CL–600–2A12 airplanes having S/Ns 3001 through 3066 inclusive; and Model CL–600–2B16 airplanes having S/Ns 5001 through 5194 inclusive: Inspect within 800 flight hours after the effective date of this AD.

(2) For Model CL–600–2B16 airplanes having S/Ns 5301 through 5665 inclusive: Inspect within 2,200 flight hours after the effective date of this AD.

Figure 1 to paragraph (g) – *Service Information References*

Airplane Model	Serial Number	Service Information
CL-600-1A11	1004 through 1085 inclusive	Bombardier Service Bulletin 600-0776, dated December 7, 2020
CL-600-2A12	3001 through 3066 inclusive	Bombardier Service Bulletin 601-0648, dated December 7, 2020
CL-600-2B16	5001 through 5194 inclusive	Bombardier Service Bulletin 601-0648, dated December 7, 2020
CL-600-2B16	5301 through 5665 inclusive	Bombardier Service Bulletin 604-27-039, Revision 01, dated April 6, 2021
CL-600-2B16	5701 through 5988 inclusive	Bombardier Service Bulletin 605-27-010, dated December 7, 2020
CL-600-2B16	6050 through 6158 inclusive, and 6160 through 6162 inclusive	Bombardier Service Bulletin 650-27-003, dated December 7, 2020

(h) Repetitive Testing, Inspection, and Replacement for Certain Airplanes

For Model CL–600–2B16 airplanes having S/Ns 5701 through 5988 inclusive, 6050 through 6158 inclusive, and 6160 through 6162 inclusive, do the actions specified in paragraphs (h)(1) and (2) of this AD.

(1) Within 1,000 flight hours after the effective date of this AD, test each rudder PCU load limiter for correct functioning, in accordance with paragraph 2.B., Part A, of the Accomplishment Instructions of the applicable service information specified in figure 1 to paragraph (g) of this AD. Repeat the test thereafter at intervals not to exceed 800 flight hours until the inspection required by paragraph (h)(2) of this AD has been accomplished. If any rudder PCU load limiter fails any test, before further flight, do the inspection specified in paragraph (h)(2) of this AD.

(2) Within 3,400 flight hours after the effective date of this AD, inspect each rudder PCU load limiter having P/N 600–1302–43 or P/N 600–1302–53 for correct crimping of the end cap, in accordance with paragraph 2.C., Part B, of the Accomplishment Instructions of the applicable service information specified in figure 1 to paragraph (g) of this AD. If the crimping is missing from any end cap, before further flight, replace the defective rudder PCU load limiter, in accordance with paragraph 2.D., Part C, of the Accomplishment Instructions of the applicable service information specified in figure 1 to paragraph (g) of this AD. Accomplishment of this inspection terminates the repetitive testing required by paragraph (h)(1) of this AD.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) TCCA AD CF–2021–33, dated October 6, 2021, for related information. This MCAI may be found in the AD docket at *regulations.gov* under Docket No. FAA–2022–0603.

(2) For more information about this AD, contact Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(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 this AD specifies otherwise.

(i) Bombardier Service Bulletin 604–27–039, Revision 01, dated April 6, 2021.

(ii) Bombardier Service Bulletin 600–0776, dated December 7, 2020.

(iii) Bombardier Service Bulletin 601–0648, dated December 7, 2020.

(iv) Bombardier Service Bulletin 605–27–010, dated December 7, 2020.

(v) Bombardier Service Bulletin 650–27–003, dated December 7, 2020.

(3) For service information identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* website *bombardier.com.*

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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

Issued on September 15, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22332 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0886; Project Identifier MCAI–2022–00261–T; Amendment 39–22193; AD 2022–20–09]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD–700–2A12 airplanes. This AD was prompted by reports of insufficient clearance between the surrounding structure/skin of the aircraft and select bleed air ducts that supply the wing ice protection system (WIPS) in the rear fuselage. This AD requires inspecting the bleed air duct and surrounding structure for minimum clearance and damage, and applicable corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 25, 2022.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0886; 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 mandatory continuing airworthiness information (MCAI), 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.

Material Incorporated by Reference:

- For service information identified in this final rule, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* website *bombardier.com.*
- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des

Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2022–0886.

FOR FURTHER INFORMATION CONTACT: Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@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 certain Bombardier, Inc., Model BD–700–2A12 airplanes. The NPRM published in the **Federal Register** on July 21, 2022 (87 FR 43462). The NPRM was prompted by AD CF–2022–05, dated February 24, 2022, issued by Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada (referred to after this as the MCAI). The MCAI states that insufficient clearance exists between the surrounding structure/skin of the aircraft and select bleed air ducts that supply the WIPS in the rear fuselage on the aircraft. Without sufficient clearance, the high pressure (HP) shroud could interfere with the surrounding structures and possibly compromise the HP ducting shroud's capability to provide bleed air leak routing, which could result in a bleed air leak being undetected. A significant undetected bleed air leak could expose the surrounding structure to heat stress, resulting in reduced structural integrity of the airplane.

In the NPRM, the FAA proposed to require inspecting the bleed air duct and surrounding structure for minimum clearance and damage, and applicable corrective actions. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2022–0886.

Discussion of Final Airworthiness Directive

Comments

The FAA received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

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 referenced above. 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 this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information Under 1 CFR Part 51

Bombardier has issued Service Bulletin 700–36–7502, dated October 28, 2020. This service information describes procedures for inspecting the bleed air duct and surrounding structure for minimum clearance and damage (wear and chafing), and corrective actions. Corrective actions include adjusting the ductwork if clearance is below the minimum required, and repairing any damage. 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.

Costs of Compliance

The FAA estimates that this AD affects 8 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hours × $85 per hour = $85	$1	$86	$688

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 22 work-hours × $85 per hour = $1,870	$0	$1,870

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

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:

2022–20–09 Bombardier, Inc.: Amendment 39–22193; Docket No. FAA–2022–0886; Project Identifier MCAI–2022–00261–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Bombardier, Inc., Model BD–700–2A12 airplanes, certificated in any category, serial numbers 70006, 70007, 70009 through 70019 inclusive, 70021 through 70029 inclusive, and 70031.

(d) Subject

Air Transport Association (ATA) of America Code 36, Pneumatic.

(e) Unsafe Condition

This AD was prompted by reports of insufficient clearance between the surrounding structure/skin of the aircraft and select bleed air ducts that supply the wing ice protection system (WIPS) in the rear fuselage. The FAA is issuing this AD to address possible interference between the high pressure (HP) shroud and the surrounding structures, which could compromise the HP ducting shroud's capability to provide bleed air leak routing and result in a bleed air leak being undetected. A significant undetected bleed air leak could expose the surrounding structure to heat stress, resulting in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Within 21 months after the effective date of this AD: Inspect the affected bleed air ducts and surrounding structure for minimum clearance and damage (wear or chafing), and do all applicable corrective actions in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 700–36–7502, dated October 28, 2020. Do all applicable corrective actions before further flight.

(h) No Reporting Requirement

Although Bombardier Service Bulletin 700–36–7502, dated October 28, 2020, specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(i) Other AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Additional Information

(1) Refer to TCCA AD CF–2022–05, dated February 24, 2022, for related information. This TCCA AD may be found in the AD docket at *regulations.gov* under Docket No. FAA–2022–0886.

(2) For more information about this AD, contact Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(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 this AD specifies otherwise.

(i) Bombardier Service Bulletin 700–36–7502, dated October 28, 2020.

(ii) [Reserved]

(3) For service information identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* website *bombardier.com.*

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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

Issued on September 19, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22329 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0879; Project Identifier MCAI–2022–00039–T; Amendment 39–22192; AD 2022–20–08]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus SAS Model A300 B2K–3C, B2–203, B4–2C, and B4–203 airplanes. This AD was prompted by reports of cracking of the flight compartment aft window frame and adjacent fuselage skin. This AD requires require a one-time check for previously accomplished repairs of the window pane and adjacent fuselage panel, and applicable corrective actions, as specified in a European Union Aviation Safety Agency (EASA) AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of November 25, 2022.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0879; 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 mandatory continuing airworthiness information (MCAI), 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.

Material Incorporated by Reference:

• For material incorporated by reference (IBR) in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this IBR material on the EASA website at *ad.easa.europa.eu.*

• You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket at *regulations.gov* under Docket No. FAA–2022–0879. It is also available at *regulations.gov* under Docket No. FAA–2022–0879.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email *dan.rodina@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 all Airbus SAS Model A300 B2K–3C, B2–203, B4–2C, and B4–203 airplanes. The NPRM published in the **Federal Register** on July 19, 2022 (87 FR 42970). The NPRM was prompted by EASA AD 2022–0004, dated January 11, 2022 (EASA AD 2022–0004), issued by EASA, which is the Technical Agent for the Member States of the European Union. The MCAI terminates the inspections of the rear lower corner of the flight compartment aft window at fuselage station (STA) 972/frame (FR) 10, as required by paragraphs (a)(8), (d), and (e) of FAA AD 2000–10–01, Amendment 39–11725 (65 FR 33441, May 24, 2000), which corresponds to EASA AD 2022–0004.

In the NPRM, the FAA proposed to require a one-time check for previously accomplished repairs of the window pane and adjacent fuselage panel, and applicable corrective actions, as specified in EASA AD 2022–0004. The FAA is issuing this AD to address the unsafe condition on these products.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2022–0879.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from the Air Line Pilots Association (ALPA), who supported the NPRM without change.

Conclusion

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 referenced above. 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 this product. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information Under 1 CFR Part 51

EASA AD 2022–0004 specifies procedures for a one-time check for previously accomplished repairs of the window pane and adjacent fuselage panel, and applicable corrective actions. If no repair is identified, the corrective actions are accomplishing repetitive ultrasonic inspections of the window frame, and detailed inspections of the adjacent fuselage panel for cracking, and repair of any cracking. If any repair is identified, the corrective action is obtaining and accomplishing further instructions.

This material 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.

Costs of Compliance

The FAA estimates that this AD affects 1 airplane of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$85

The FAA estimates the following costs to do any necessary on-condition inspections based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition inspections:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
3 work-hours × $85 per hour = $255	$0	$255

The FAA has received no definitive data on which to base the cost estimates for the on-condition repairs or additional instructions specified in this 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 because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

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

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

(2) 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:

2022–20–08 Airbus SAS: Amendment 39–22192; Docket No. FAA–2022–0879; Project Identifier MCAI–2022–00039–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2022.

(b) Affected ADs

This AD affects AD 2000–10–01, Amendment 39–11725 (65 FR 33441, May 24, 2000) (AD 2000–10–01).

(c) Applicability

This AD applies to all Airbus SAS Model A300 B2K–3C, B2–203, B4–2C, and B4–203 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 53, Fuselage.

(e) Unsafe Condition

This AD was prompted by reports of cracking of the flight compartment aft window frame and adjacent fuselage skin. The FAA is issuing this AD to address cracking of the wings and fuselage. The unsafe condition, if not addressed, could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, European Union Aviation Safety Agency (EASA) AD 2022–0004, dated January 11, 2022 (EASA AD 2022–0004).

(h) Exceptions to EASA AD 2022–0004

(1) Where EASA AD 2022–0004 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where paragraph (4) of EASA AD 2022–0004 specifies to ''accomplish those instructions accordingly'' if any crack is detected, for this AD if any crack is detected, the crack must be repaired before further flight using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) Where paragraph (6) of EASA AD 2022–0004 specifies terminating action, replace the text ''the requirements of paragraph 1.8 of DGAC France AD 1990–222–116(B) R5 are no longer valid,'' with ''the inspections of the rear lower corner of the flight compartment aft window at fuselage station (STA) 972/ frame (FR) 10, as required by paragraphs (a)(8), (d), and (e) of AD 2000–10–01, are terminated.''

(4) The ''Remarks'' section of EASA AD 2022–0004 does not apply to this AD.

(i) No Reporting Requirement

Although the service information referenced in EASA AD 2022–0004 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Large Aircraft Section, 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 responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov.* 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.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Additional Information

For more information about this AD, contact Dan Rodina, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3225; email *dan.rodina@faa.gov.*

(l) 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 this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2022–0004, dated January 11, 2022.

(ii) [Reserved].

(3) For EASA AD 2022–0004, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this EASA AD on the EASA website at *ad.easa.europa.eu.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material 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: *www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on September 16, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22330 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0011; Project Identifier MCAI–2021–00485–T; Amendment 39–22166; AD 2022–18–15]

RIN 2120–AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

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

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) airplanes, Model CL–600–2C11 (Regional Jet Series 550) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, Model CL–600–2D24 (Regional Jet Series 900) airplanes, and Model CL–600–2E25 (Regional Jet Series 1000) airplanes. This AD was prompted by reports of corrosion on fuel clamshell couplings installed in the fuel tank, and a determination that new or more restrictive airworthiness limitations are necessary. This AD requires removing and replacing the fuel clamshell couplings on certain airplanes, and revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective November 25, 2022.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 25, 2022.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0011; 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 mandatory continuing airworthiness information (MCAI), 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.

Material Incorporated by Reference:

- For service information identified in this final rule, contact MHI RJ Aviation Group, Customer Response Center, 3655 Ave. des Grandes-Tourelles, Suite 110, Boisbriand, Québec J7H 0E2 Canada; North America toll-free telephone 833–990–7272 or direct-dial telephone 450–990–7272; fax 514–855–8501; email *thd.crj@mhirj.com;* internet *mhirj.com.*
- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *regulations.gov* under Docket No. FAA–2022–0011.

FOR FURTHER INFORMATION CONTACT: Jiwan Karunatilake, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued TCCA AD CF–2021–16, dated April 26, 2021 (TCCA AD CF–2021–16) (also referred to as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for certain MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) airplanes, Model CL–600–2C11 (Regional Jet Series 550) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, Model CL–600–2D24 (Regional Jet Series 900) airplanes, and Model CL–600–2E25 (Regional Jet Series 1000) airplanes. You may examine the MCAI in the AD docket on the internet at *regulations.gov* by searching for and locating Docket No. FAA–2022–0011.

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) airplanes, Model CL–600–2C11 (Regional Jet Series 550) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, Model CL–600–2D24 (Regional Jet Series 900) airplanes, and Model CL–600–2E25 (Regional Jet Series 1000) airplanes. The NPRM published in the **Federal Register** on January 25, 2022 (87 FR 3716). The NPRM was prompted by reports of corrosion on fuel clamshell couplings installed in the fuel tank, and a determination that new or more restrictive airworthiness limitations are necessary. The NPRM proposed to require removing and replacing the fuel clamshell couplings on certain airplanes, and revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is issuing this AD to address corroded fuel clamshell couplings in the fuel tank, which, if not removed and replaced, could reduce the ability of the fuel coupling to conduct lightning current and possibly lead to arcing and subsequent fuel tank ignition in the event of a lightning strike. See the MCAI for additional background information.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from the Air Line Pilots Association, International (ALPA) who supported the NPRM without change.

The FAA received one additional comment from MHI RJ Aviation. The following presents the comment received on the NPRM and the FAA's response.

Request for Clarification for Incorporating Temporary Revisions (TRs)

MHI RJ Aviation requested that the proposed AD be revised to include provisional statement allowing the incorporation of TRs in their respective manuals. MHI RJ Aviation conceded that the provision that allows this may be included in paragraph (k) of the proposed AD, but noted that it is not clear. MHI RJ Aviation requested that the FAA consider adding a provision to avoid requests for alternative methods of compliance (AMOCs) from operators.

MHI RJ Aviation provided the status of each TR and whether or not the information in the TR has been incorporated into the MHI RJ Maintenance Requirements Manual (MRM).

The FAA agrees to clarify. Paragraphs (h) and (j) of this AD require operators to ''incorporate the information specified in'' CRJ Series Regional Jet TR ALI–0740, dated October 13, 2020; CRJ Series Regional Jet TR ALI–0741, dated October 13, 2020; CRJ700/900/1000 Series Regional Jet TR ALI–0751, dated April 8, 2021; TR 2S4–002, dated September 1, 2021; and TR 2S4–003, dated September 1, 2021. Therefore, as long as the information in the applicable MRM is identical to the information in the applicable TR, the operator may incorporate either the applicable MRM or the applicable TR to show compliance with this AD. The FAA has not changed this AD in this regard.

Conclusion

The FAA reviewed the relevant data, considered the comments received, and determined that air safety requires adopting this AD as proposed. Except for minor editorial changes, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator. Accordingly, the FAA is issuing this AD to address the unsafe condition on these products.

Related Service Information Under 1 CFR Part 51

MHI RJ Aviation has issued Service Bulletin 601R–28–068, Revision A, dated December 21, 2020; and Service Bulletin 670BA–28–041, Revision B, dated January 27, 2021. This service information describes procedures for removing and replacing the fuel clamshell couplings. These documents are distinct because they apply to different airplane models.

MHI RJ Aviation has also issued TR 2S4–002, dated September 1, 2021. This service information describes a Critical Design Configuration Control Limitation (CDCCL) item for bonding of fuel and vent lines for lightning protection to preclude a spark.

MHI RJ Aviation has also issued the following TRs, which describe airworthiness limitations for fuel tank systems.

- TR 2S4–003, dated September 1, 2021; CRJ Series Regional Jet TR ALI–0741, dated October 13, 2020; and CRJ700/900/1000 Series Regional Jet TR ALI–0751, dated April 8, 2021, which describe a procedure for removing and replacing self-bonding couplings in the fuel tank.
- CRJ Series Regional Jet TR ALI–0740, dated October 13, 2020, which describes a CDCCL item for bonding of fuel and vent lines for lightning protection to preclude a spark.

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.

Costs of Compliance

The FAA estimates that this AD affects 914 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS *

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 21 work-hours × $85 per hour = $1,785	Up to $5,837 ..	Up to $7,622 ..	Up to $6,966,508.

* Table does not include estimated costs for revising the maintenance/inspection program.

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the FAA recognizes that this number may vary from operator to operator. In the past, the FAA has estimated that this action takes 1 work-hour per airplane. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the FAA estimates the total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

According to the manufacturer, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. The FAA does not control warranty coverage for affected individuals. As a result, the FAA has included all known costs in the cost estimate.

Authority for This Rulemaking

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

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

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:

2022–18–15 MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Amendment 39–22166; Docket No. FAA–2022–0011; Project Identifier MCAI–2021–00485–T.

(a) Effective Date

This airworthiness directive (AD) is effective November 25, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the MHI RJ Aviation ULC airplanes, certificated in any category, identified in paragraphs (c)(1) through (4) of this AD.

(1) Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, serial numbers 7002 through 7990 inclusive and 8000 through 8112 inclusive.

(2) Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) and CL–600–2C11 (Regional Jet Series 550) airplanes, serial numbers 10002 through 10347 inclusive.

(3) Model CL–600–2D15 (Regional Jet Series 705) and CL–600–2D24 (Regional Jet Series 900) airplanes, serial numbers 15001 through 15499 inclusive.

(4) Model CL–600–2E25 (Regional Jet Series 1000) airplanes, serial numbers 19001 through 19064 inclusive.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel.

(e) Reason

This AD was prompted by reports of corrosion on fuel clamshell couplings installed in the fuel tank, and a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address corroded fuel clamshell couplings in the fuel tank, which, if not removed and replaced, could reduce the ability of the fuel coupling to conduct lightning current and possibly lead to arcing and subsequent fuel tank ignition in the event of a lightning strike.

(f) Compliance

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

(g) Clamshell Coupling Replacement: Model CL–600–2B19 Airplanes

For Model CL–600–2B19 airplanes: Within 6,600 flight hours or 36 months, whichever occurs first after the effective date of this AD, remove and replace the fuel clamshell couplings, in accordance with Section 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–28–068, Revision A, dated December 21, 2020.

(h) Revision of the Existing Maintenance or Inspection Program: Model CL–600–2B19 Airplanes

For Model CL–600–2B19 airplanes: Within 60 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in paragraphs (h)(1) and (2) of this AD into Supplement 4—FAA Fuel System Limitations of Part 2, Airworthiness Requirements, of the MHI RJ Maintenance Requirements Manual (MRM).

(1) Critical Design Configuration Control Limitation (CDCCL) Item as specified in MHI RJ Temporary Revision (TR) 2S4–002, dated September 1, 2021.

(2) Fuel System Limitation Task 28–23–00–605 as specified in MHI RJ TR 2S4–003, dated September 1, 2021.

(i) Clamshell Coupling Replacement: Model CL–600–2C10, CL–600–2C11, CL–600–2D15, CL–600–2D24, and CL–600–2E25 Airplanes

For Model CL–600–2C10 and CL–600–2C11 airplanes; Model CL–600–2D15 and CL–600–2D24 airplanes, serial numbers 15001 through 15494 inclusive; and Model CL–600–2E25 airplanes: Within 8,800 flight hours or 48 months, whichever occurs first after the effective date of this AD, replace the fuel clamshell couplings, in accordance with Section 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 670BA–28–041, Revision B, dated January 27, 2021.

(j) Revision of the Existing Maintenance or Inspection Program: Model CL–600–2C10, CL–600–2C11, CL–600–2D15, CL–600–2D24, and CL–600–2E25 Airplanes

For Model CL–600–2C10, CL–600–2C11, CL–600–2D15, CL–600–2D24, and CL–600–2E25 airplanes: Within 60 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in paragraphs (j)(1) and (2) of this AD.

(1) Fuel System Limitation Task 28–21–15–601 as specified in [MHI RJ] CRJ Series Regional Jet TR ALI–0741, dated October 13, 2020; and Description Applicability for Airworthiness Limitation Task 28–21–15–601 as amended by [MHI RJ] CRJ700/900/1000 Series Regional Jet TR ALI–0751, dated April 8, 2021; in Section 4–28 of Part 2, Airworthiness Requirements, of the MHI RJ MRM.

(2) CDCCL Item as specified in [MHI RJ] CRJ Series Regional Jet TR ALI–0740, dated October 13, 2020, in Section 5–00 of Part 2, Airworthiness Requirements, of the MHI RJ MRM.

(k) No Alternative Actions, Intervals, or CDCCLs

After the existing maintenance or inspection program has been revised as required by paragraphs (h) and (j) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (m)(1) of this AD.

(l) Credit for Previous Actions

(1) This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using MHI RJ Service Bulletin 601R–28–068, dated December 3, 2020.

(2) This paragraph provides credit for actions required by paragraph (i) of this AD, if those actions were performed before the effective date of this AD using MHI RJ Service Bulletin 670BA–28–041, dated December 3, 2020; or Revision A, dated December 21, 2020.

(m) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the New York ACO Branch, mail it to ATTN: Program Manager, Continuing Operational Safety, at the address identified in paragraph (n)(2) of this AD or email to: *9-avs-nyaco-cos@faa.gov.* If mailing information, also submit information by email. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or refer to TCCA; or MHI RJ Aviation ULC's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(n) Additional Information

(1) Refer to TCCA CF–2021–16, dated April 26, 2021, for related information. This TCCA AD may be found in the AD docket at *regulations.gov* under Docket No. FAA–2022–0011.

(2) For more information about this AD, contact Jiwan Karunatilake, Aerospace Engineer, Airframe and Propulsion Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

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

(o) 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 this AD specifies otherwise.

(i) MHI RJ Service Bulletin 601R–28–068, Revision A, dated December 21, 2020.

(ii) MHI RJ Service Bulletin 670BA–28–041, Revision B, dated January 27, 2021.

(iii) MHI RJ Temporary Revision (TR) 2S4–002, dated September 1, 2021.

(iv) MHI RJ TR 2S4–003, dated September 1, 2021.

(v) [MHI RJ] CRJ Series Regional Jet TR ALI–0740, dated October 13, 2020.

(vi) [MHI RJ] CRJ Series Regional Jet TR ALI–0741, dated October 13, 2020.

(vii) [MHI RJ] CRJ700/900/1000 Series Regional Jet TR ALI–0751, dated April 8, 2021.

(3) For MHI RJ Aviation ULC service information identified in this AD, contact MHI RJ Aviation Group, Customer Response Center, 3655 Ave. des Grandes-Tourelles, Suite 110, Boisbriand, Québec J7H 0E2 Canada; North America toll-free telephone 833–990–7272 or direct-dial telephone 450–990–7272; fax 514–855–8501; email *thd.crj@mhirj.com;* internet *mhirj.com*.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(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: *archives.gov/federal-register/cfr/ibr-locations.html*.

Issued on August 29, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22333 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–0132; Airspace Docket No. 22–ACE–5]

RIN 2120–AA66

Establishment of Class E Airspace; Ellsworth, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Ellsworth, KS. This action is the result of new public instrument procedures being established at Ellsworth Municipal Airport, Ellsworth, KS.

DATES: Effective 0901 UTC, December 29, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11G, 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.

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 establishes Class E airspace extending upward from 700 feet above the surface at Ellsworth Municipal Airport, Ellsworth, KS, to support instrument flight rule operations at this airport.

History

The FAA published a notice of proposed rulemaking in the **Federal Register** (87 FR 11361; March 1, 2022) for Docket No. FAA–2022–0132 to establish Class E airspace at Ellsworth, KS. 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 7400.11G, dated August 19, 2022, and effective September 15, 2022, 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 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. FAA Order JO 7400.11G 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 establishes Class E airspace extending upward from 700 feet above within a 6.5-mile radius of Ellsworth Municipal Airport, Ellsworth, KS.

This action is necessary to support new public instrument procedures at Ellsworth Municipal Airport.

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 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 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

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

* * * * *

ACE KS E5 Ellsworth, KS [Establish]

Ellsworth Municipal Airport, KS
(Lat. 38°45′02″ N, long. 98°13′49″ W)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ellsworth Municipal Airport.

Issued in Fort Worth, Texas, on October 7, 2022.

Martin A. Skinner,

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

[FR Doc. 2022–22291 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 216

[Docket No. FDA–2015–N–0030]

Extension of the Period Before the Food and Drug Administration Intends To Begin Enforcing the Statutory 5 Percent Limit on Out-of-State Distribution of Compounded Human Drug Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Notification; extension of period before enforcement.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is extending the period before FDA intends to begin enforcing the statutory 5 percent limit on distribution of compounded human drug products out of the State in which they are compounded in States that have not entered into a standard memorandum of understanding (MOU) with FDA addressing certain distributions of compounded human drug products. FDA is extending the period, which was scheduled to end on October 27, 2022, until the effective date of a final rule regarding certain distributions of compounded human drug products and publication of an updated standard MOU.

DATES: FDA is extending the period before FDA intends to begin enforcing the statutory 5 percent limit on distribution of compounded human drug products out of the State in which they are compounded in States that have not entered into a standard MOU with FDA as of October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Dominic Markwordt, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 5104, Silver Spring, MD 20993–0002, 301–796–9349.

SUPPLEMENTARY INFORMATION: Section 503A of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 353a) describes the conditions that must be satisfied for drug products compounded by a licensed pharmacist in a State licensed pharmacy or a Federal facility, or a licensed physician, to be exempt from the following sections of the FD&C Act: (1) section 501(a)(2)(B) (21 U.S.C. 351(a)(2)(B)) (concerning current good manufacturing practice (CGMP) requirements), (2) section 502(f)(1) (21 U.S.C. 352(f)(1)) (concerning the labeling of drugs with adequate directions for use), and (3) section 505 (21 U.S.C. 355) (concerning the approval of drugs under new drug applications or abbreviated new drug applications).

One of the conditions to qualify for the exemptions listed in section 503A of the FD&C Act is that: (1) the drug product is compounded in a State that has entered into an MOU with the FDA that addresses the distribution of inordinate amounts of compounded drug products interstate and provides for appropriate investigation by a State agency of complaints relating to compounded drug products distributed outside such State or (2) if the drug product is compounded in a State that has not entered into such an MOU, the licensed pharmacist, pharmacy, or physician does not distribute, or cause to be distributed, compounded drug products out of the State in which they are compounded in quantities that exceed 5 percent of the total prescription orders dispensed or distributed by such pharmacy or physician (statutory 5 percent limit) (see section 503A(b)(3)(B)(i) and (ii) of the FD&C Act).

In the **Federal Register** of October 27, 2020 (85 FR 68074), FDA announced the availability of a standard MOU describing the responsibilities of a State Board of Pharmacy or other appropriate State agency that chooses to sign the standard MOU in investigating and responding to complaints related to drug products compounded in such State and distributed outside such State and in addressing the interstate distribution of inordinate amounts of compounded human drug products.

In the October 27, 2020, **Federal Register** notice, FDA stated that it was providing a 365-day period that was scheduled to end on October 27, 2021, for States to decide whether to sign the standard MOU before FDA intended to begin enforcing the statutory 5 percent limit in States that do not sign the standard MOU. Soon after announcing the availability of the standard MOU, FDA was sued by several compounding pharmacies regarding the standard MOU in the U.S. District Court for the District of Columbia (*Wellness Pharmacy, Inc.* v. *Becerra* (D.D.C. Sep. 21, 2021)).

In the **Federal Register** of August 9, 2021 (86 FR 43550), FDA extended the period to October 27, 2022, before FDA intends to begin enforcing the statutory 5 percent limit in States that do not sign the standard MOU.

On September 21, 2021, the Court remanded the standard MOU to FDA to either certify that it will not have a significant economic effect on small businesses or prepare a regulatory flexibility analysis. To undertake this analysis more fully and ensure a robust framework for these important public health protections, FDA intends to engage in notice-and-comment rulemaking regarding certain distributions of compounded human drug products under section 503A of the FD&C Act. FDA considers the standard MOU published in October 2020 to be suspended. This means that during the rulemaking process, FDA will not enter into new agreements with States based on the October 2020 standard MOU. FDA does not expect States that have signed the October 2020 standard MOU to carry out the activities described in the MOU. The October 2020 standard MOU will be updated based on the content of a final rule, and FDA intends to announce a new opportunity for all

States to consider and sign the updated standard MOU.

FDA is now extending the period before FDA intends to begin enforcing the statutory 5 percent limit in States that have not entered into a standard MOU with FDA until the effective date of a final rule regarding certain distributions of compounded human drug products under section 503A of the FD&C Act and publication of an updated standard MOU.[1]

Dated: October 17, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–22876 Filed 10–20–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2022–0870]

Special Local Regulations Northern California and Lake Tahoe Area Annual Marine Events; Sacramento Ironman Swim, Sacramento, CA

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

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the special local regulations for the annual Sacramento Ironman Triathlon marine event on October 23, 2022, to provide for the safety of life on navigable waterways in the Sacramento River during this event. Our regulation for marine events in Northern California identifies the regulated area for this event. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or loitering or anchoring in the regulated area, unless authorized by the designated Patrol Commander (PATCOM) or other Federal, State, or local law enforcement agencies on scene to assist the Coast Guard in enforcing the regulated area.

DATES: The regulations in 33 CFR 100.1103 will be enforced for the location listed in Table 1 to § 100.1103, Item number 5 from 6 a.m. to 10 a.m. on October 23, 2022.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Anthony I. Solares, Sector San Francisco Waterways Management, U.S. Coast Guard; telephone 415–399–3585, email *SFWaterways@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations in 33 CFR 100.1103, Table 1 to § 100.1103, Item number 5 for the Sacramento Ironman Swim regulated area from 6 a.m. to 10 a.m. on October 23, 2022. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within Northern California, § 100.1103, specifies the location of the regulated area for the Sacramento Ironman Swim which encompasses portions of the American River and Sacramento River. During the enforcement period, the regulated area will be in effect in the navigable waters of the American River and Sacramento River from Township 9 Park to North of Tower Bridge.

During the enforcement period, under the provisions of 33 CFR 100.1103(b), if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander (PATCOM) or any other Official Patrol, defined as a Federal, State, or local law enforcement agency on scene to assist the Coast Guard in enforcing the regulated area. During the enforcement period, if you are the operator of a vessel that participates in the marine event within the regulated area, you must follow the route established by the marine event sponsor, and comply with directions from the Patrol Commander or other Official Patrol. The PATCOM or Official Patrol may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via Local Notice to Mariners. If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notification, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: October 17, 2022.

Jordan M. Baldueza,

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

[FR Doc. 2022–22950 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0853]

RIN 1625–AA11

Safety Zone; Oil Pipeline Repairs, San Pedro Bay, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the oil pipeline repair operations in the vicinity of a damaged pipeline, off the coast of Orange County and near San Pedro Bay, CA. The safety zone is necessary to reduce significant hazards to vessels, the harbor, and the public during ongoing pipeline repair. Entry of persons or vessels into this temporary safety zone is prohibited unless specifically authorized by the Captain of the Port Sector Los Angeles—Long Beach, or his designated representative.

DATES: This rule is effective without actual notice from October 21, 2022 through December 24, 2022. For the purposes of enforcement, actual notice will be used from October 10, 2022, until October 21, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0853 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LCDR Maria Wiener, Waterways Management, U.S. Coast Guard Sector Los Angeles—Long Beach; telephone (310) 357–1603, email *Maria.C.Wiener@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

[1] The Office of the Federal Register has published this document under the category ''Rules and Regulations'' pursuant to 1 CFR 5.9(b). We note that the categorization as such for purposes of publication in the **Federal Register** does not affect the legal content or intent of the document. See, 1 CFR 5.1(c).

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 that is impracticable. It is impracticable to publish an NPRM, because we must establish this safety zone by October 10, 2022, to ensure the safety of response personnel and mariners during repairs of the damaged pipeline.

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

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 Los Angeles—Long Beach (COTP) has determined that potential hazards associated with the pipeline repair and potential oil recovery operations in the vicinity of the damaged pipeline will be a safety concern for anyone within a 750-yard radius from coordinates 33°38′51.072″ N, 118°06′43.146″ W. This rule is necessary to safeguard the public during repair operations; it would be impracticable for the Coast Guard to provide a public comment period on due to the updated repair schedule.

IV. Discussion of the Rule

This rule establishes a safety zone effective from October 10, 2022, to December 24, 2022. The safety zone will encompass all navigable waters from the surface to the sea floor in an area bound within a 750-yard radius from surface to sea bottom from 33°38′51.072″ N, 118°06′43.146″ W. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

To seek permission to enter, hail Coast Guard Sector Los Angeles—Long Beach on VHF–FM Channel 16 or call the 24-hour Command Center at (310) 521–3801. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

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

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), and pursuant to OMB guidance it is exempt from the requirements of Executive Order.

This regulatory action determination is based on the size, location, and duration, and time-of-day of the safety zone. This safety zone will impact a 750-yard area of Newport Beach, CA for three months. The zone will be enforced 24 hours per day, but vessel traffic will be able to safely transit around the zone and the rule allows vessels to seek permission to enter the zone.

B. Impact on Small Entities

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

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

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

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 safety zone effective on October 10, 2022, until December 24, 2022, within a 750-yard radius from coordinates 33°38′51.072″ N, 118°06′43.146″ W. It is categorically excluded from further review under paragraph L60 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1.

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. 0170.1. Revision No. 01.2.

■ 2. Add § 165. T11–113 to read as follows:

§ 165. T11–113 Safety Zone; Oil Pipeline Repairs, San Pedro Bay, CA.

(a) *Location.* The safety zone encompasses all navigable waters from the surface to the sea floor in a 750-yard radius from coordinates 33°38′51.072″ N, 118°06′43.146″ W.

(b) *Definitions.* For the purposes of this section:

Designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer designated by or assisting the Captain of the Port Sector Los Angeles—Long Beach (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in § 165.23 of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, hail Coast Guard Sector Los Angeles—Long Beach on VHF–FM Channel 16 or call the 24-hour Command Center at (310) 521–3801. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section is effective from October 10, 2022, through December 24, 2022. It will be enforced from midnight to midnight each day.

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

Dated: October 7, 2022.

R.D. Manning,

Captain, U.S. Coast Guard, Captain of the Port Sector Los Angeles Long Beach.

[FR Doc. 2022–22945 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 372

[EPA–HQ–OPPT–2018–0155; FRL–6004–02–OCSPP]

RIN 2070–AK42

Parent Company Definition for Toxics Release Inventory (TRI) Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing a rule to codify the definition of ''parent company'' for purposes of reporting to the Toxics Release Inventory (TRI) and to require the reporting of a foreign parent company when applicable. The existing regulation requires facilities reporting to TRI to identify their parent company in annual reporting forms. This rule adds a codified definition of this data element. Among the facilities reporting to TRI are those with complicated corporate ownership structures. As such, effort is required each year by reporting facilities and EPA to clarify how the parent company data element should be represented on the form. A codified definition of parent company will allow EPA to address various corporate ownership scenarios explicitly and will reduce the reporting burden caused by regulatory uncertainty. This rule clarifies existing requirements to reporting facilities and adds a foreign parent company data element, while improving the Agency's data quality.

DATES: This final rule is effective on December 20, 2022.

ADDRESSES: The docket for this action, identified under docket identification (ID) number EPA–HQ–OPPT–2018–0155, is available online at *https://www.regulations.gov* or in person at the Office of Pollution Prevention and Toxics Docket (OPPT Docket) in the Environmental Protection Agency Docket Center (EPA/DC). Please review the visitor instructions and additional information about the docket available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information contact: Stephanie Griffin, Data Gathering and Analysis Division, (7406M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–1463; email address: *griffin.stephanie@epa.gov.*

For general information contact: The Emergency Planning and Community Right-to-Know Information Center; telephone number: (800) 424–9346, TDD (800) 553–7672; website: *https://www.epa.gov/aboutepa/epa-hotlines#epcraic.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

You may be potentially affected by this action if your facility submits annual reports under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11023, and section 6607 of the Pollution Prevention Act (PPA), 42 U.S.C. 13106, to EPA and States or Tribes of the facility's environmental releases or other waste management quantities of covered chemicals. (Pursuant to 40 CFR 372.30(a), facilities located in Indian country are required to report to the appropriate tribal government official and EPA instead of to the State and EPA. See April 19, 2012 (77 FR 23409) (FRL–9660–9)). To determine whether your facility is affected by this action, you should carefully examine the applicability criteria in 40 CFR part 372, subpart B. 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:

- Facilities included in the following NAICS manufacturing codes (corresponding to Standard Industrial Classification (SIC) codes 20 through 39): 311*, 312*, 313*, 314*, 315*, 316, 321, 322, 323*, 324, 325*, 326*, 327, 331, 332, 333, 334*, 335*, 336, 337*, 339*, 111998*, 113310, 211130*, 212324*, 212325*, 212393*, 212399*, 488390*, 511110, 511120, 511130, 511140*, 511191, 511199, 512230*, 512250*, 519130*, 541713*, 541715*, or 811490*. (*Exceptions and/or limitations exist for these NAICS codes.)
- Facilities included in the following NAICS codes (corresponding to SIC codes other than SIC codes 20 through 39): 212111, 212112, 212113 (corresponds to SIC code 12, Coal Mining (except 1241)); or 212221, 212222, 212230, 212299 (corresponds to SIC code 10, Metal Mining (except 1011, 1081, and 1094)); or 221111, 221112, 221113, 221118, 221121, 221122, 221330 (all are limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce) (corresponds to SIC codes 4911, 4931, and 4939, Electric Utilities); or 424690, 425110, 425120 (limited to facilities previously classified in SIC code 5169, Chemicals and Allied Products, Not Elsewhere Classified); or 424710 (corresponds to SIC code 5171, Petroleum Bulk Terminals and Plants); or 562112 (limited to facilities primarily engaged in solvent recovery services on a contract or fee basis (previously classified under SIC code 7389, Business Services, NEC)); or 562211, 562212, 562213, 562219, 562920 (limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 *et seq.*) (corresponds to SIC code 4953, Refuse Systems).
- Federal facilities.
- Any facility which the EPA Administrator has determined to be subject to TRI reporting requirements under the discretionary authority of EPCRA section 313(b)(2).

B. What is the Agency's authority for taking this action?

EPA is taking this action under EPCRA sections 313(g)(1) and 328, 42 U.S.C. 11023(g)(1) and 11048.

In general, EPCRA section 313 requires owners and operators of covered facilities in specified SIC codes that manufacture, process, or otherwise use listed toxic chemicals in amounts above specified threshold levels to report certain facility specific information about such chemicals, including the annual releases and other waste management quantities. EPCRA section 313(g)(1) requires EPA to publish a uniform toxic chemical release form for these reporting purposes, and it also prescribes, in general terms, the types of information that must be submitted on the form. Congress also granted EPA broad rulemaking authority to allow the Agency to fully implement the statute, to ensure the release forms are available to inform the public of toxic chemical releases and ''to assist governmental agencies, researchers, and other persons in the conduct of research and data gathering'' (EPCRA section 313(h), 42 U.S.C. 11023(h)).

EPCRA section 328 (42 U.S.C. 10048) states that: ''The Administrator may prescribe such regulations as may be necessary to carry out this chapter.''

C. What action is the Agency taking?

EPA is codifying the definition of ''parent company'' for TRI reporting purposes. Under this rule, EPA is clarifying existing guidance and providing reporting clarity for facilities, including those owned by corporate subsidiaries, multiple owners, foreign entities, or that are publicly owned. EPA is also requiring facilities to report their highest-level foreign parent company, when applicable, beginning with Reporting Year 2023, for forms due by July 1, 2024 and for each subsequent reporting year. With this rule, the definition of ''parent company'' for TRI reporting is more closely aligned with definitions under other reporting programs, including the Chemical Data Reporting (CDR) rule (40 CFR part 711) and the Greenhouse Gas Reporting Program (GHGRP) rule (40 CFR part 98).

The definition of ''parent company'' within TRI reporting regulations is the highest-level company with the largest ownership interest in the TRI facility as of December 31 of the reporting year. This addresses the following ownership scenarios:

- A facility is owned by a single company, which is not owned by another company;
- A facility is owned by a single company, which is owned by another company;
- A facility is owned by multiple companies, including companies that are themselves owned by other entities;
- A facility is owned by a joint venture or cooperative;
- A facility is owned, at least in part, by a foreign company; and
- A facility is owned by the Federal Government, or a state, tribal, or municipal government.

EPA is also requiring facilities reporting to TRI to use standardized naming conventions for parent company reporting, as provided in the annual TRI Reporting Forms and Instructions (RFI), available as a downloadable Excel file (''Standardized Parent Company Names'') at *https://www.epa.gov/tri/rfi.* These naming conventions address common formatting discrepancies, such as punctuation, capitalization, and abbreviations (for example, ''Corp'' for ''Corporation'').

D. Why is the Agency taking this action?

Facilities required to report to TRI must also report their parent companies and identify whether any reportable off-site transfers of TRI chemicals are sent to a facility also owned by that same parent company. Reporting facilities rely on the TRI RFI to report this information and to address questions, including what constitutes a ''parent company'' for TRI reporting purposes. The RFI does not address all scenarios applicable to many TRI facilities, including facilities owned by subsidiaries of larger companies; facilities with multiple owners, none of whom are a majority owner; joint ventures that are not purely 50:50; facilities directly owned by foreign entities; and, publicly-owned facilities. Because the Agency's longstanding guidance has repeatedly resulted in reporter confusion in situations such as a facility having multiple owners, or when no single entity owns at least 50 percent of a facility, EPA is taking this action to provide certainty over what must be reported for this data element. In addition to greater regulatory certainty and clarity for facilities, the Agency believes this will also provide time-saving benefits for both EPA and the reporting community. In previous years, the Agency has found that many facilities, relying only on a broad definition of ''parent company'' in the RFI, inaccurately report parent company information to TRI, resulting in repeated efforts to contact individual facilities to verify their facility's ownership structure after each reporting year.

EPA is also requiring the use of a standardized naming convention for parent companies, including identical punctuation and capitalization styles or using common abbreviations (for example, reporting ''Inc'' for ''Incorporation'') (Ref. 1). The conventions have been included in TRI guidance for several reporting cycles, and their inclusion in the CFR would formalize the requirement to adhere to them for the purpose of TRI data harmonization. The naming convention is primarily a tool to streamline the data quality and aggregation activities on submitted data. Thus, TRI reports and

EPA databases more accurately reflect which facilities are owned by the same parent company, rather than counting parent companies reported with variations in spelling, capitalization, punctuation, or abbreviations as unique companies.

EPA is also finalizing the requirement for TRI facilities to submit their highest-level foreign parent company, where applicable. EPA recognizes that there are a variety of ownership situations for TRI facilities. In some situations, a TRI facility is owned, at least in part, by a company outside of the United States. In these cases, the facility is required to report on both their highest-level U.S.-based and foreign parent companies, as applicable. Collecting the highest-level foreign parent company name in addition to the highest level-U.S.-based parent company name ensures greater data consistency for TRI data users than just including one name (*i.e.,* either the highest-level U.S.-based company, or the foreign parent company). TRI data users include researchers, industry, the public, and other EPA and government reporting programs. The distinct data elements for U.S.-based and foreign parent company names enable data users to include or exclude any foreign parent companies from analyses or searches as they choose. Conversely, allowing either a U.S.-based or foreign parent company name to be reported for the same data element (*i.e.,* a single parent company field, regardless of location) would prevent TRI's public data tools from distinguishing companies that are owned by U.S.-based entities from those that are foreign-owned. This single data element would prevent any data user from reasonably and efficiently determining where the company is based, unless further data of the listed parent company, such as address, was also required.

EPA is finalizing the requirement for reporting a foreign parent company to begin with Reporting Year 2023, for forms due by July 1, 2024. The later date for this requirement will both enable EPA to update the TRI–MEweb reporting software with the beginning of a new reporting year, and the reporting community to familiarize themselves with the new data requirement.

Ultimately, this rule more closely aligns the definition of parent company for TRI reporters with the definition codified by the CDR Program at 40 CFR 711.3. Differences in this proposed definition and the definition codified in the CDR regulations result from differences in the respective programs' longstanding terms of art (*e.g.,* TRI uses ''facilities,'' whereas CDR uses ''sites''), as well as from edits intended to provide greater clarity in the TRI context. For instance, the TRI definition slightly differs from CDR regulations in the paragraph referring to 50:50 joint ventures (40 CFR 372.3) in order to clarify that a joint venture should be reported as its own parent company, irrespective of whether any of the joint participants is owned by a higher-level company. Nonetheless, this codified definition of ''parent company'' under TRI is much closer to the codified definition under CDR. Having nearly identical definitions between the TRI and CDR programs supports EPA's ability to compare the databases for data quality purposes. Additionally, the GHGRP has codified the definition of parent company at 40 CFR 98.3(c)(11). While the GHGRP definition of this data element has some differences from the CDR definition and this rule's definition, there are many similarities across the definitions, including the need to report the highest-level company in the facility's ownership hierarchy and the requirement to refer to reporting instructions for standardized naming conventions. Thus, this definition and reporting requirement is similar to those already codified under other EPA reporting rules. This rule promotes understanding of the data element within the regulated community, especially among those facilities which also report to CDR and are already familiar with the codified definition.

E. What are the estimated incremental impacts of this action?

EPA has evaluated the potential incremental impacts of this rule. The details are presented in the economic analysis prepared for the rule (Ref. 2), which is available in the docket and is briefly summarized in this unit.

EPA estimates the incremental impacts across all facilities to be up to $1,239,572 in the first year, and up to $14,238 every subsequent year, with no annualized capital or operation and maintenance costs. The paperwork burden is estimated to be up to 17,833 hours the first year, and up to 205 hours every subsequent year. However, these estimated impacts do not include the cost and time savings for facilities who have previously had difficulty interpreting EPA's guidance on this data element, nor do these impacts include the reduced need for communication between the Agency and facilities in the annual effort to standardize parent company names. The benefits of the rule are described qualitatively in the economic analysis, as some of the benefits are unable to be monetized (such as the improved ability of various TRI data users to analyze parent company-level information thoroughly); thus, the estimated incremental impact listed does not factor in benefits. EPA estimates that a total of 21,154 entities (*i.e.,* all TRI reporting facilities) are impacted by this rule.

II. Background

As discussed in the proposed rule (Ref. 3), EPA proposed to codify a definition of ''parent company'' for TRI reporting purposes and to require the reporting of the foreign parent company when applicable. In the proposed rule, EPA described how codifying this definition provides greater clarity to TRI reporting facilities and greater consistency with other reporting programs. While EPA proposed adding a data element for the highest-level foreign parent company, the Agency specifically requested public comment on this proposed additional data element. The proposed rule Economic Analysis (Ref. 4) also provided estimated burden and costs associated with three different scenarios: simply codifying a definition of ''parent company'' and not requiring the reporting of foreign parent companies; codifying a definition of ''parent company'' and requiring only the reporting of the highest-level parent company of the facility, which may be a U.S. or foreign company; and codifying a definition of ''parent company'' and requiring the reporting of the U.S. parent company and foreign parent company, if applicable.

In the proposed rule, EPA estimated the incremental burden of the action, under Option 3 which would require reporting both the highest-level U.S. parent company and foreign parent company, if applicable. The estimated incremental burden was 18,091 hours across the entire reporting universe of 21,458 facilities in the first year, while subsequent reporting years would see an impact of 210 hours.

III. Summary of Comments and EPA Responses

In response to the proposed rule, EPA received four public comments. The commenters included two individuals (one anonymous), one law firm on behalf of a client, and one state environmental agency. This unit summarizes the comments received and EPA's response to each comment.

Comment #1. One private citizen was supportive of the rule to promote corporate accountability. The commenter also suggested that TRI track carbon dioxide emissions.

EPA response. Although carbon dioxide is not a TRI listed chemical, and

therefore TRI does not track carbon dioxide emissions, EPA appreciates the commenter's support of the rule. EPA also points out that the Agency has other information reporting programs which may provide such data, such as the GHGRP which tracks facility-level emissions from the largest sources of greenhouse gas emissions in the U.S.

Comment #2. The anonymous commenter was critical of the rule, stating that codifying this data element only serves to boost EPA's enforcement authority against facilities who misreport their parent company name. The commenter also questioned EPA's claims of how the proposed rule may improve TRI data quality and reduce burden for correcting submitted parent company information. The commenter also thought that requiring facilities to report the foreign parent in addition to the U.S.-based parent would be burdensome for the respondent and should not be required.

EPA response. EPA appreciates this perspective and understands that requiring corporate structure data elements for reporting to TRI may cause minimal work to each facility in the first year of reporting. EPA respectfully disagrees that codifying these data elements will not lead to improved data quality outcomes. Rather, EPA's experience with TRI facility submissions for parent company information is that lack of a codified definition results in inconsistent data. EPA believes that without a codified definition, there would be continued inconsistency in naming conventions, conflicting interpretations of the data elements, and an inability to perform trend analysis across all TRI facilities.

Comment #3. The law firm commenter generally supports the rule and encourages TRI facilities to reduce their toxic chemical releases. The commenter also advocated for clearer guidance for determining which entity should report under TRI for those facilities with complex corporate structures (*i.e.,* when the facility owner and operator are different entities, and the facility owner does not have operating or permitting control).

EPA response. EPA appreciates the commenter's support of the rule. In response to the commenter's questions related to reporting responsibilities between different facility owners and operators, EPA would direct the commenter to the language in EPCRA and in the TRI implementing regulations, as well as longstanding guidance documents, for clarity on which entity is responsible for reporting. For instance, under ECPRA section 313(b)(1), TRI reporting requirements apply to both ''owners and operators of [covered facilities]''. EPA has also codified this requirement at 40 CFR 372.5. Additionally, TRI reporting guidance materials reiterate that both the owner and operator of a covered facility are subject to reporting requirements, and both may be liable for penalties if no reports are received from a covered facility. However, for practical purposes, EPA believes the operator is generally more likely to have necessary information for TRI reporting. Readers are directed to TRI Q&As for additional information, including Q&A 86 (Ref. 5).

Comment #4. The state environmental agency commenter did not support the rule, stating that EPA's focus on this data element is ''misplaced'' in light of ''ongoing misperception'' caused by the TRI. The commenter submitted comments on TRI data including that reported releases do not distinguish between permitted and regulated releases (such as to POTWs or waste storage areas) and unauthorized releases. The commenter requested that EPA distinguish those types of releases in the TRI data by collecting and reporting releases by percentage of regulated releases. The commenter also suggested that EPA focus efforts on certain entities including plastics, pharmaceuticals, and other manufacturers.

EPA response. EPA appreciates the concerns expressed by the commenter and their depth of knowledge regarding the TRI program. However, the concerns outlined in their comments are beyond the scope of the proposed rule.

IV. Summary of Final Rule

EPA is finalizing the rule as proposed. The Agency also updated the estimated incremental impacts of this action based on 2022 wage rates and the number of TRI reporting facilities for Reporting Year 2020, the most recent year for which EPA has complete data at this time (Ref. 2). EPA considered public comments received and the estimated incremental costs of the three options discussed in the proposed rule, including the addition of a data requirement for a highest-level foreign parent company. The economic impact analysis demonstrates that the costs of requiring both a U.S.-based and foreign parent company are minimal, especially with the use of TRI–MEweb, EPA's web-based TRI reporting tool. When facilities input their parent company(ies), the information is only needed once to apply across all reporting forms, and information submitted in previous years can be imported to forms submitted for subsequent years if the information has not changed. Thus, TRI facilities need only to provide this information once, unless and until the appropriate parent company(ies) changes. Thus, TRI facilities must report their highest-level U.S.-based parent companies, following the definition of ''parent company'' as codified in 40 CFR 372, beginning with Reporting Year 2022, for which reports are due by July 1, 2023. TRI facilities must also report their highest-level foreign parent company, if applicable, beginning with Reporting Year 2023, for which reports are due by July 1, 2024.

V. References

The following is a listing of the documents that are specifically referenced in this document. The docket includes these documents and other information considered by EPA, including documents that are referenced within the documents that are included in the docket, even if the referenced document is not physically located in the docket. For assistance in locating these other documents, please consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

1. EPA, OPPT. RY 2021—Standardized Parent Company Names. January 2022. *https://ordspub.epa.gov/ords/guideme_ext/f?p=guideme:rfi-home#downloadable.*

2. EPA, OPPT. Economic Analysis of the Parent Company Definition for TRI Reporting. July 18, 2022.

3. EPA. Proposed Rule; Parent Company Definition for Toxics Release Inventory (TRI) Reporting. **Federal Register**. 86 FR 53577, September 28, 2021 (FRL–6004–01–OCSPP).

4. EPA, OPPT. Economic Analysis of the Proposed Parent Company Definition for TRI Reporting. March 29, 2021.

5. EPA. ECPRA Section 313 Questions & Answers: 2019 Consolidation Document. April 2019. *https://ordspub.epa.gov/ords/guideme_ext/guideme_ext/guideme/file/2019qa.pdf.*

6. EPA. Supporting Statement for an Information Collection Request (ICR) under the Paperwork Reduction Act (PRA); entitled ''Parent Company Definition for TRI Reporting; Final Rule (RIN 2070AK42).'' EPA ICR No. 2597.02; OMB Control No. 2070–0216. October 2022.

VI. 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#influence.*

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

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review under

Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011).

B. Paperwork Reduction Act (PRA)

The information collection activities in this final rule have been submitted for approval to OMB under the PRA, 44 U.S.C. 3501 *et seq.* The information Collection Request (ICR) document that EPA prepared is assigned EPA ICR No. 2597.02 and identified by OMB Control No. 2070–0216 (Ref. 6). You can find a copy of the ICR in the rulemaking docket and it is briefly summarized in this unit. The information collection requirements are not enforceable until OMB approves them.

Currently, the facilities subject to the reporting requirements under EPCRA section 313 and PPA section 6607 may use either EPA Toxic Chemicals Release Inventory Form R (EPA Form 1B9350–1), or EPA Toxic Chemicals Release Inventory Form A (EPA Form 1B9350–2), as appropriate under 40 CFR 372. OMB has approved the reporting and recordkeeping requirements related to Forms A and R, supplier notification and petitions under OMB Control number 2070–0212 (EPA ICR No. 2613.04) and those related to trade secret designations under OMB Control 2050–0078 (EPA ICR No. 1428.11). As such, once this ICR is approved, EPA intends to ask OMB to amend the existing ICR to include the following additional details:

Respondents/affected entities: See Unit I.A. of this document. This action will not change the universe of TRI reporting facilities.

Respondent's obligation to respond: Mandatory (EPCRA section 313).

Estimated number of respondents: 21,154 facilities.

Frequency of response: Annual.

Total estimated burden: Across all facilities, the total first year burden hours will be up to17,833 hours and up to 205 burden hours every subsequent year. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: Up to $1,239,572 in the first year and up to $14,238 every subsequent year. This estimate includes $0 annualized capital or operation and maintenance costs.

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 OMB control numbers for EPA regulations in 40 CFR are listed in 40 CFR part 9. When OMB approves this ICR, the Agency will announce that approval in the **Federal Register**.

C. 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, 5 U.S.C. 601 *et seq.* In making this determination, EPA concludes that the impact of concern for this rule is any significant adverse economic impact on small entities and that the agency is certifying that this rule will not have a significant economic impact on a substantial number of small entities because the rule has no net burden on the small entities subject to the rule.

The small entities subject to the requirements of this action are TRI facilities, which include small privately-owned facilities and municipal government-owned facilities who are required to report to EPA under EPCRA section 313. Based on the results of the small entity analysis, a total of 7,669 small parent entities are estimated to be parent companies of TRI reporting facilities (7,653 private businesses and 16 municipalities). The Agency has determined that all small entities impacted by this rule will incur compliance costs less than one percent of revenues under the rule and only in the first year following this rule's effective date. Details of this analysis are presented in the Economic Analysis of the final rule (Ref. 2), which is available in the docket. The Agency has therefore concluded that this action will not have a significant economic impact on a substantial number of small entities.

D. 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. The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

E. Executive Order 13132: Federalism

This action does not have federalism implications, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). 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.

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

This action does not have tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000) because it will not have substantial direct effects on tribal governments, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. This rule will not impose substantial direct compliance costs on Indian tribal governments, nor would it change the relationship between the Federal government and Indian tribes. This rule only impacts Indian tribes if they own or operate a TRI reporting facility and are required to report to EPA under EPCRA section 313. Because TRI facilities owned or operated by public entities do not have foreign parent companies, this rule does not impose any additional reporting requirements on those facilities or public entities. Thus, Executive Order 13175 does not apply to this action.

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

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) 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.

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

This action is not a ''significant energy action'' as defined in Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not likely to have a significant adverse effect on the supply, distribution or use of energy and has not otherwise been designated as a significant energy action by the Administrator of the Office of Information and Regulatory Affairs.

I. National Technology Transfer and Advancement Act (NTTAA)

This action does not involve technical standards that would require Agency consideration under NTTAA section 12(d), 15 U.S.C. 272.

J. Executive Orders 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Low-Income Populations and Executive Order 14008: Tackling the Climate Crisis at Home and Abroad

EPA believes that this action is not subject to Executive Order 12898 (59 FR 7629, February 16, 1994) and Executive Order 14008 (86 FR 7619, January 27, 2021) because this rule does not establish an environmental health or safety standard.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 372

Community right-to-know, Environmental protection, Reporting and recordkeeping.

Dated: October 17, 2022

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR part 372 as follows:

PART 372 TOXIC CHEMICAL RELEASE REPORTING COMMUNITY RIGHT-TO-KNOW

■ 1. The authority citation for part 372 continues to read as follows:

Authority: 42 U.S.C. 11023 and 11048.

■ 2. In § 372.3, add in alphabetical order a definition for ''Parent company'' to read as follows:

§ 372.3 Definitions.

* * * * *

Parent company means the highest-level company (or companies) of the facility's ownership hierarchy as of December 31 of the year for which data are being reported according to the following instructions. The *U.S. parent company* is located within the United States while the *foreign parent company* is located outside the United States:

(1) If the facility is entirely owned by a single U.S. company that is not owned by another company, that single company is the U.S. parent company.

(2) If the facility is entirely owned by a single U.S. company that is, itself, owned by another U.S.-based company (*e.g.,* it is a division or subsidiary of a higher-level company), the highest-level company in the ownership hierarchy is the U.S. parent company. If there is a higher-level parent company that is outside of the United States, the highest-level foreign company in the ownership hierarchy is the foreign parent company.

(3) If the facility is owned by more than one company (*e.g.,* company A owns 40 percent, company B owns 35 percent, and company C owns 25 percent), the highest-level U.S. company with the largest ownership interest in the facility is the U.S. parent company. If there is a higher-level foreign company in the ownership hierarchy, that company is the foreign parent company.

(4) If the facility is owned by a 50:50 joint venture or a cooperative, the joint venture or cooperative is its own parent company.

(5) If the facility is entirely owned by a foreign company (*i.e.,* without a U.S.-based subsidiary within the facility's ownership hierarchy), the highest-level foreign parent company is the facility's foreign parent company.

(6) If the facility is federally owned, the highest-level Federal agency or department operating the facility is the U.S. parent company.

(7) If the facility is owned by a non-Federal public entity (*e.g.,* a State, municipal, or tribal government), that entity is the U.S. parent company.

* * * * *

■ 3. In § 372.85 revise paragraph (b)(8) to read as follows:

§ 372.85 Toxic chemical release reporting form and instructions.

* * * * *

(b) * * *

(8) Name of the facility's parent company, including:

(i) Legal name of the facility's highest-level U.S.-based parent company and its Dun and Bradstreet identification number, when applicable.

(ii) Beginning with the reporting year ending December 31, 2023, for which reporting forms are due July 1, 2024, and for each subsequent reporting year, the legal name of the facility's highest-level foreign parent company and its Dun and Bradstreet identification number, when applicable.

(iii) The facility must report using the standardized conventions for the naming of a parent company as provided in the toxic chemical release inventory reporting instructions identified in paragraph (a) of this section.

* * * * *

■ 4. In § 372.95 revise paragraph (b)(12) to read as follows:

§ 372.95 Alternate threshold certification and instructions.

* * * * *

(b) * * *

(12) Name of the facility's parent company, including:

(i) Legal name of the facility's highest-level U.S.-based parent company and its Dun and Bradstreet identification number, when applicable.

(ii) Beginning with the reporting year ending December 31, 2023, for which reporting forms are due July 1, 2024, and for each subsequent reporting year, the legal name of the facility's highest-level foreign parent company and its Dun and Bradstreet identification number, when applicable.

(iii) The facility must report using the standardized conventions for the naming of a parent company as provided in the toxic chemical release inventory reporting instructions identified in paragraph (a) of this section.

* * * * *

[FR Doc. 2022–22833 Filed 10–20–22; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No. 221017–0216]

RIN 0648–BK06

Modification of Deadlines Under the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act

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

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to revise the regulations implementing the import provisions of the Marine Mammal Protection Act (MMPA). This final rule extends, by one year, the exemption period to end December 31, 2023.

DATES: This final rule is effective October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Kellie Foster-Taylor, Office of International Affairs, Trade, and Commerce NMFS by email at *kellie.foster-taylor@noaa.gov* or by phone at 301–427–7721.

SUPPLEMENTARY INFORMATION:

Background

On August 15, 2016, NMFS published a final rule (81 FR 54389) implementing the MMPA Import Provisions (16 U.S.C. 1371 (a)(2)). These provisions prohibit the import of fish or fish products from commercial fishing operations that result in the incidental mortality or serious injury of marine mammals in excess of United States standards. Specifically, this rule established conditions for evaluating a harvesting nation's regulatory programs to address incidental and intentional mortality and serious injury of marine mammals (hereafter referred to as bycatch) in its fisheries producing fish and fish products exported to the United States.

Fish and fish products from export and exempt fisheries identified by the Assistant Administrator for Fisheries in the List of Foreign Fisheries (LOFF) can only be imported into the United States if the harvesting nation has applied for and received a Comparability Finding from NMFS. The 2016 final rule established procedures that a harvesting nation must follow, and conditions it must meet, to receive a Comparability Finding for a fishery. The rule also established provisions for intermediary nations to ensure that such nations do not import and re-export to the United States fish or fish products that are subject to an import prohibition applicable to the harvesting nation.

Exemption Period

Under the MMPA Import Provisions, NMFS established an initial five-year exemption period for foreign nations to develop, as appropriate, fishery regulatory programs governing the bycatch of marine mammals that are comparable in effectiveness to U.S. regulations. During the exemption period, the prohibitions of the MMPA Import Provisions do not apply to imports from the harvesting nation. NMFS established the exemption period to provide nations with adequate time to assess marine mammal stocks, estimate bycatch, and develop regulatory programs to mitigate that bycatch.

NMFS issued an interim final rule on November 3, 2020 (85 FR 69515), to extend the exemption period and to allow more time for nations to implement regulatory programs and apply for comparability findings for their fisheries. Additional information on the basis for the extension was provided in the interim final rule and is not repeated here. The interim final rule established a 30-day comment period and NMFS considered those comments in making determinations about this subsequent final rule.

Responses to Comments

NMFS received submissions from three commenters on the interim final rule. Commenters included one non-governmental organization, one industry group, and one private citizen. One commenter raised an issue that was not germane to this action, because it addressed prior decision-making on the timeline of the previously-issued final rule implementing the MMPA Import Provisions (81 FR 54389; August 15, 2016). The other comments either supported or opposed the deadline extensions under the interim final rule. Comments received on the interim final rule are available for public review at *https://www.regulations.gov/* under the docket identifier ''NOAA–NMFS–2020–0127''. In the following sections, NMFS summarizes and responds to issues raised by commenters which are relevant to the 2020 decision to extend the exemption period.

Modification of Deadlines

Comment 1: One commenter supported the modification of deadlines under the MMPA Import Provisions. These modifications include: (1) extending the five-year exemption period by one year through December 31, 2022; and (2) changing the initial comparability finding application deadline from March 1 to November 30, 2021. Another commenter opposed both extensions, and urged the agency to maintain the original comparability finding application deadline of March 1, 2021, and the original exemption period end date of December 31, 2021, as established in the final rule implementing the MMPA Import Provisions (81 FR 54389; August 15, 2016).

Response: NMFS finds that extending the exemption period and the comparability finding application deadline is warranted and necessary due to delays in administrative actions attributable to diversion of governmental resources in response to the unprecedented COVID–19 pandemic. The pandemic has caused significant strains on foreign nations' operations and disruptions in research, legislative and regulatory processes. Providing nations with additional time to implement regulatory programs will allow more nations to meet the requirements of the MMPA Import Provisions and thereby enhance marine mammal conservation.

Effects of the COVID–19 Pandemic on Seafood Trade and Marine Mammals

Comment 1: One commenter noted that the COVID–19 pandemic has disrupted the global seafood supply chain. They expressed concerns that, without the modification of the deadlines, imposition of trade restrictions could cause further disruptions in the seafood supply chain. They noted such an impact could also affect U.S. seafood exporters.

Response: NMFS concurs that the pandemic affected the global seafood supply chain and continues to affect supply chains with labor shortages and transit delays. As such, NMFS believes extending the deadlines can reduce further disruptions to trade and additional burdens on the supply chain.

Comment 2: One commenter expressed a concern that the original five-year exemption period in the 2016 final rule implementing the MMPA Import Provisions was a poor decision. The commenter also disagreed with the extension of the exemption period and the revised deadline for comparability finding applications as specified in the interim final rule. In allowing for the original exemption periods, they asserted NMFS' action led to the loss of millions of marine mammals, and that the decision to extend the exemption period and the deadline for comparability finding applications will lead to the killing of, or cause serious injury to, over half a million marine mammals.

Response: NMFS has no supporting information to conclude that extending the exemption period and the deadline for comparability finding applications will result in mortality or serious injury of over half a million marine mammals. On the contrary, NMFS believes that allowing more time for nations to develop regulatory programs governing the bycatch of marine mammals that are comparable in effectiveness to U.S. regulations is likely to achieve more robust conservation efforts for marine mammals. If nations are subject to the original deadlines, and cannot achieve comparable regulatory programs in time, trade restrictions could reduce the incentive for additional actions to conserve marine mammals. Further, it is not likely that loss of access to the U.S. market would, by itself, result in a shutdown of foreign fisheries that interact with marine mammals.

Comment 3: One commenter wrote that a procedure included in the final rule implementing the MMPA Import Provisions (81 FR 54389, 54393)—that NMFS will consult with nations unlikely to receive a comparability finding—is the sufficient mechanism to remedy any trouble to meet deadlines due to the pandemic instead of an extension.

Response: While NMFS will consult with countries unlikely to receive a comparability finding, having consultations without an extension continues to exert burdens on many nations due to delays cascading from the pandemic and subsequent labor shortages (including within foreign fishery ministries) and supply chain issues. As a result, nations need more time to establish comparable regulatory programs. The extension will increase the likelihood that nations will be able to implement comparable regulatory programs after consultations with NMFS.

Administrative Procedure Act (APA)

Comment 1: One commenter wrote that NMFS' decision to issue the interim final rule was arbitrary and capricious under the APA. They asserted that NMFS violated the APA by waiving the usual 30-day opportunity for public comment, and that NMFS' application of the good cause exception under the APA is inappropriate.

Response: NMFS found good cause to issue the interim final rule to extend the exemption period and revise the deadline for applications without advance notice or the prior opportunity for public comment, as well as good cause to make the rule effective immediately without providing a 30-day delay. The basis for these findings was the need to expeditiously notify exporting nations of the extended time for submitting their comparability finding applications. Advance notice and prior opportunity for comment, or delayed effectiveness, would not have served the purposes of the extension and would have been contrary to the public interest in allowing exporting nations sufficient planning time to submit complete comparability finding applications so as to implement fully effective programs to mitigate marine mammal bycatch.

Further Extension of the Exemption Period

NMFS continued its outreach and technical consultations with seafood exporting nations during the extended exemption period to assist them in submitting applications for comparability findings by the extended deadline of November 30, 2021. Many nations submitted applications by the deadline and a few others were able to complete applications after follow-up consultations with NMFS. Ultimately, NMFS received applications for comparability findings from 132 nations and for 2,504 foreign fisheries.

NMFS staff reviewing applications have encountered a significant need to further consult with nations while evaluating the 2,504 foreign fisheries regarding the marine mammal bycatch mitigation programs described in their submissions. To complete review and evaluate comparability, staff have raised questions regarding species of marine mammals interacting with fishing gear, abundance estimates for those species, fishery monitoring programs to measure bycatch, and measures of effectiveness for the applied bycatch mitigation techniques. In addressing these questions, NMFS staff have experienced time delays in communicating with foreign counterparts and for translation of submitted responses.

Therefore, NMFS is extending the exemption period by one additional year. This change is warranted because of the need for clarity on all foreign fishery regulatory programs and for more time so that all applications from the 132 nations and the 2,504 foreign fisheries can be reviewed fairly and consistently.

Classification

This rule is published under the authority of the Marine Mammal Protection Act, 16 U.S.C. 1371. The NMFS Assistant Administrator has determined that this final rule is consistent with the Marine Mammal Protection Act and other applicable laws. Under NOAA Administrative Order (NAO 216–6), the promulgation of regulations that are procedural and administrative in nature are categorically excluded from the requirement to prepare an Environmental Assessment.

Administrative Procedure Act

NOAA issues this final rule to extend the exemption period without a 30-day delay in effective date. A delay in effective date is not required under section 553(d)(1) of the Administrative Procedure Act because this final rule grants an exemption by extending the exemption period through December 31, 2023. This extension will give NMFS more time to ensure consistency in its evaluations of foreign nation regulatory programs and give exporting nations more time to adjust supply chains in response to any trade restrictions that might be applied. Furthermore, NOAA finds good cause to issue this final rule without a delay in effective date under section 553(d)(3) of the Administrative Procedure Act because such delay would not serve the purposes of the extension and would be contrary to the public interest in avoiding confusion about near term deadlines faced by exporting nations.

Executive Order 12866

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

Paperwork Reduction Act

This final rule contains no new or revised collection-of-information requirements subject to the Paperwork Reduction Act.

List of Subjects in 50 CFR Part 216

Administrative practice and procedure, Exports, Marine mammals, Reporting and recordkeeping requirements.

Dated: October 18, 2022.

Samuel D. Rauch, III,

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

For the reasons set out in the preamble, the interim rule amending 50 CFR part 216, which was published at 85 FR 69515 on November 3, 2020, is adopted as final with the following change:

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

■ 1. The authority citation for part 216 continues to read as follows:

Authority: 16 U.S.C. 1361 *et seq.*

■ 2. In § 216.3, the definition for ''Exemption period'' is revised to read as follows:

§ 216.3 Definitions.

* * * * *

Exemption period means the period during which commercial fishing operations that are the source of exports of commercial fish and fish products to the United States will be exempt from the prohibitions of § 216.24(h)(1). The exemption period extends through December 31, 2023.

* * * * *

[FR Doc. 2022–22965 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 221017–0217]

RIN 0648–BL19

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagics Resources in the Gulf of Mexico and Atlantic Region; Amendment 32

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

ACTION: Final rule.

SUMMARY: NMFS issues regulations to implement management measures described in Amendment 32 to the Fishery Management Plan (FMP) for the Coastal Migratory Pelagic (CMP) Resources of the Gulf of Mexico and Atlantic Region (CMP FMP), as prepared and submitted by the Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council (Councils). This final rule and Amendment 32 revise the Gulf of Mexico (Gulf) migratory group of cobia (Gulf group cobia) catch limits, possession limit and minimum size limits, establish a Gulf group cobia commercial trip limit and recreational vessel limit, and revise the CMP FMP framework procedures. This final rule also clarifies the Gulf group cobia sale and purchase restrictions. The purpose of this final rule and Amendment 32 is to end overfishing of Gulf group cobia, update catch limits to be consistent with the best scientific information available, and revise management measures to help constrain landings to the catch limits.

DATES: This final rule is effective November 21, 2022.

ADDRESSES: Electronic copies of Amendment 32, which includes a fishery impact statement and a regulatory impact review, may be obtained from the Southeast Regional Office website at *https://www.fisheries.noaa.gov/action/amendment-32-management-gulf-migratory-group-cobia.*

FOR FURTHER INFORMATION CONTACT: Kelli O'Donnell, telephone: 727–824–5305, or email: *Kelli.ODonnell@noaa.gov.*

SUPPLEMENTARY INFORMATION: Gulf group cobia is managed under the CMP FMP in Federal waters from the Georgia/Florida border in the Atlantic to the Texas/Mexico border in the Gulf. The CMP FMP was prepared by the Councils and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On July 7, 2022, NMFS published a notice of availability for Amendment 32 and requested public comment (87 FR 40478; July 7, 2022). On July 18, 2022, NMFS published a proposed rule for Amendment 32 and requested public comment (87 FR 42690; July 18, 2022). The proposed rule and Amendment 32 outline the rationale for the actions contained in this final rule. A summary of the management measures described in Amendment 32 and implemented by this final rule is described below.

All weights in this proposed rule are in round and eviscerated weight combined, unless otherwise specified.

Background

Under the CMP FMP, the Councils jointly manage fishing for Gulf group cobia in Federal waters from Texas to the Florida/Georgia boundary. The Gulf group cobia acceptable biological catch (ABC) is apportioned between the Gulf zone, which spans from the Councils' jurisdictional boundary west of the Dry Tortugas, Florida, to the Texas/Mexico border, and the Florida east coast (FLEC) zone, which spans from the Florida/Georgia border to the Councils' jurisdictional boundary west of the Dry Tortugas, Florida. Under the current framework procedures in the CMP FMP, the Gulf of Mexico Fishery Management Council (Gulf Council) is responsible for specifying management measures for Gulf group cobia, except that the South Atlantic Fishery Management Council (South Atlantic Council) is responsible for specifying trip limits, closed seasons or areas, and gear restrictions in the FLEC zone.

The current overfishing limit (OFL) and ABC are 2,660,000 lb (1,206,556 kg) and 2,600,000 lb (1,179,340 kg), respectively. The current stock annual catch limit (ACL) is equal to the ABC. These catch limits were established in 2015 in Amendment 20B to the CMP FMP (80 FR 4216; January 27, 2015), and are based on the recommendations of the Councils' Scientific and Statistical Committees (SSCs) from the Southeast Data Assessment and Review (SEDAR) 28 stock assessment. The recreational landings estimates used in SEDAR 28 were generated using the Marine Recreational Information Program's (MRIP) Coastal Household Telephone Survey (CHTS).

In Amendment 20B, the Councils apportioned the Gulf group cobia stock ABC between the Gulf zone (64 percent) and FLEC zone (36 percent), based on average landings from 1998–2012 across both zones, with the ACL for each zone being set equal to the apportioned ABC. Recreational landings estimates during 1998–2012 were generated using MRIP–CHTS. In 2018, MRIP replaced the fishing effort estimates from the CHTS with those from the Fishing Effort Survey (FES). Total recreational fishing effort estimates generated from MRIP–FES are generally higher than MRIP–CHTS estimates, and those higher effort estimates necessarily increase the recreational landings estimates. This difference in the estimates is because MRIP–FES is designed to more accurately measure fishing activity. Had MRIP–FES data been available when the current Gulf grouper cobia OFL and ABC were established, the OFL would have been 4,870,000 lb (2,208,995 kg) and the ABC would have been 4,500,000 (2,041,166 kg).

In 2020, the SEDAR 28 Update indicated that Gulf group cobia was undergoing overfishing with the biomass at reduced levels, which puts the stock at risk of becoming overfished. The SEDAR 28 Update included updated recreational landings estimates based on MRIP FES. In July 2020, the Councils' SSCs reviewed the SEDAR 28 Update and recommended new OFLs and ABCs that would end overfishing of Gulf group cobia and allow harvest to increase over time. The SSCs' recommendation for OFL is 3,210,000 lb (1,456,032 kg) for 2022, and 3,310,000 lb (1,501,391 kg) for 2023 and subsequent years. The SSCs' recommendation for ABC is 2,600,000 lb (1,179,340 kg) for 2022, and 2,760,000 lb (1,251,915 kg) for 2023 and subsequent years. These recommendations represent a reduction in the allowable harvest when compared to the current OFL and ABC, as noted previously.

The Gulf Council manages Gulf group cobia in the Gulf zone without sector allocations. The South Atlantic Council manages Gulf group cobia in the FLEC zone with sector allocations, allocating 8 percent of the ACL to the commercial sector and 92 percent of the ACL to the recreational sector. This allocation was originally established in 2012 in Amendment 18 to the CMP FMP, when two migratory groups of cobia were managed under the CMP FMP: Gulf group cobia and Atlantic migratory group cobia (Atlantic group cobia) (76 FR 82058; December 29, 2011). The allocation was based on a formula that balanced historical catches (2000–2008) with more recent landings (2006–2008).

The boundary between these two migratory groups was set at the Councils' jurisdictional boundary west of the Dry Tortugas. However, the SEDAR 28 (2013) assessment determined that the biological boundary between the Gulf and Atlantic migratory groups of cobia was the Florida/Georgia border. To account for this change, in Amendment 20B the Councils created the Gulf zone and the FLEC zone, allocating a portion of the Gulf group cobia ABC to each zone. In that amendment, the Councils also chose to keep the same sector allocations for the FLEC zone that were established for Atlantic group cobia in Amendment 18 to the CMP FMP. Subsequently, the Councils removed Atlantic group cobia from the CMP FMP in 2018 through Amendment 31, and it is now managed by the Atlantic States Marine Fisheries Commission (84 FR 4733; February 19, 2019).

The current stock ACT in the Gulf zone is 10 percent below the Gulf zone ACL. That ACT was selected to provide a buffer to the ACL, but result in a catch level that was no less than historic total catch from 2000–2009. The current recreational ACT in the FLEC zone is 17 percent below the FLEC zone ACL and was calculated using the following formula: the ACL multiplied by 1 minus the greater of the proportional standard error (PSE) of the recreational landings estimates, or 0.5.

The Councils established the current commercial and recreational possession limit for Gulf group cobia of two fish per person per day through Amendment 5 to the CMP FMP (55 FR 29370; July 19, 1990). This possession limit was extended to the FLEC zone when the Gulf group cobia boundary was changed. The FMP contains no commercial or recreational trip limit for Gulf group cobia in either zone.

The Councils first established a minimum size limit for cobia of 33 inches (83.8 cm), fork length, in the original CMP FMP (48 FR 5270; February 4, 1983) and that minimum size limit applied to both the Gulf zone and the FLEC zone when they were created in Amendment 20B. In 2020, the Gulf Council revised the Gulf group cobia minimum size limit in the Gulf zone to 36 inches (91.4 cm) fork length, through Framework Amendment 7 to the CMP FMP (85 FR 10328; February 24, 2020).

Management Measures Contained in This Final Rule

For Gulf group cobia, this final rule revises the stock and sector ACLs, the Gulf zone stock ACT (quota), the FLEC zone recreational ACT, and the possession limit and minimum size limits, and establishes a commercial trip limit and a recreational vessel limits. This final rule also clarifies the CMP sale and purchase provisions for federally permitted dealers.

ACLs

The current stock ACL for Gulf group cobia is equal to the ABC of 2,600,000 lb (1,179,340 kg) and is based on the results of SEDAR 28, which used data from MRIP–CHTS. Amendment 32 retains the stock ACL for Gulf group cobia of 2,600,000 lb (1,179,340 kg) for 2022, and increases the stock ACL to 2,760,000 lb (1,251,915 kg) for 2023 and subsequent years, which is also equal to the ABCs recommended by the Councils' SSCs. The SSCs' recommendations and the Councils' determinations are based on the results of the SEDAR 28 Update, which used data from MRIP–FES. Thus, the revised ACLs using MRIP–FES data actually represent a decrease in the allowable harvest of Gulf group cobia, as discussed above. For example, had the current stock ACL been derived using MRIP–FES data, the current stock ACL would have been 4,500,000 lb (2,041,166 kg).

The current zone apportionment of the ABC (equal to the stock ACL) is 64 percent to the Gulf zone and 36 percent to the FLEC zone. Amendment 32 and this final rule revise the zone apportionment to 63 percent to the Gulf zone and 37 percent to the FLEC zone. This results in a Gulf zone ACL of 1,638,000 lb (742,984 kg) for 2022, and 1,738,000 lb (788,343 kg) for 2023 and subsequent years. The revised FLEC zone ACL will be 962,000 lb (436,356 kg) for 2022, and 1,021,200 lb (463,209 kg) for 2023 and subsequent years.

Amendment 32 maintains the current commercial and recreational allocation in the FLEC zone as 8 percent and 92 percent, respectively. The revised commercial ACLs (quotas) are 76,960 lb (34,908 kg) for 2022, and 81,696 lb (37,057 kg) for 2023 and subsequent years. The revised recreational ACLs are 885,040 lb (401,447 kg) for 2022, and 939,504 lb (426,152 kg) for 2023 and subsequent years.

ACTs

Amendment 32 and this final rule update the calculation for determining the ACTs using the Gulf Council's ACL/ACT Control Rule. Applying the control rule resulted in ACTs that are 10 percent less than the respective zone ACLs. This final rule revises the stock ACT in the Gulf zone to be 1,474,200 lb (668,686 kg) for 2022, and 1,564,920 lb (709,836 kg) for 2023 and subsequent years, and revises the recreational ACT in the FLEC zone to be 796,536 lb (361,303 kg) for 2022, and 845,554 lb (383,537 kg) for 2023 and subsequent years.

There is no commercial ACT for Gulf group cobia in the FLEC zone and the Councils did not establish a commercial ACT in Amendment 32. The Councils determined that a commercial ACT was not necessary because the commercial sector had not exceeded its ACL in the past and the projections in Amendment 32 indicated that commercial harvest would not exceed the revised ACLs.

Possession Limit, Commercial Trip Limit, and Recreational Vessel Limit

The current possession limit for Gulf group cobia of two fish per person per day applies to commercial and recreational harvest in both zones. This possession limit is codified at 50 CFR 622.383(b), which addresses limited harvest species. In Amendment 32, the Councils decided to reduce the Gulf group cobia possession limit to one fish per person. The Councils also decided to establish a commercial trip limit of two fish and a recreational vessel limit of two fish per trip. As explained in more detail in the proposed rule, the purposes of these changes are to reduce fishing mortality, help constrain harvest to the applicable catch limits and extend the fishing season, and to make the harvest limits in Federal waters consistent with those established by the state of Florida.

This final rule implements these changes by establishing a recreational bag limit in 50 CFR 622.382(a) and a commercial trip limit in 50 CFR 622.385(c), and removing the regulations at 50 CFR 622.383. The recreational bag limit for Gulf group cobia will be one fish per person per day, not to exceed 2 fish per vessel per trip. The commercial trip limit for Gulf group cobia per day will be one fish per person and 2 fish per vessel, not to exceed 2 fish per vessel per trip. The commercial trip limit, and the recreational bag and vessel limits will apply to harvest from both the Gulf zone and FLEC zone.

Minimum Size Limits

This final rule increases the commercial and recreational minimum size limits for Gulf group cobia in the FLEC zone from 33 inches (83.8 cm) to 36 inches (91.4 cm), fork length. The current Gulf zone commercial and recreational minimum size limit is 36 inches (91.4 cm), fork length, and the Councils determined that having a consistent minimum size limit in both the FLEC and Gulf zones will reduce

confusion about the regulations in Federal waters and decrease the burden on law enforcement, while also providing benefits to the stock.

Increasing the minimum size limit to 36 inches (91.4 cm), fork length, in the FLEC zone will reduce the harvest rate across both sectors and reduce the total harvest. The increase in the minimum size limit will also increase the likelihood that sexually mature cobia are able to spawn more than once before being harvested, resulting in additional recruitment to the spawning stock over time.

Permitted Dealer Sale and Purchase

This final rule also clarifies the sale and purchase regulations at 50 CFR 622.386(b) and (c). The Councils and NMFS do not require a specific Federal permit for the commercial harvest of Gulf group cobia. However, because this stock is included in the CMP FMP, the regulations at 50 CFR 622.386(b) and (c) restrict the sale and purchase of Gulf group cobia by federally permitted vessels and seafood dealers. The regulation at 50 CFR 622.386(b) requires that Gulf group cobia harvested on any vessel that has a valid Federal vessel permit (*i.e.,* commercial or charter vessel/headboat permit for any Federal fishery) be sold to a seafood dealer who has a valid Federal Gulf and South Atlantic dealer permit. Under 50 CFR 622.386(c), that same Federal dealer may purchase Gulf group cobia harvested in or from Gulf or South Atlantic Federal waters only from a vessel that has been issued a Federal CMP permit (*i.e.,* commercial or charter vessel/headboat permit for king or Spanish mackerel). The dealer limitation in 50 CFR 622.386(c) is inconsistent with the requirement in 50 CFR 622.386(b) for Gulf group cobia on all federally permitted vessels to be sold to a federally permitted dealer, as well as with the Gulf and South Atlantic Councils' Generic Amendment that created the Federal Gulf and South Atlantic dealer permit (79 FR 19490; April 9, 2014). Therefore, this final rule corrects the regulations in 50 CFR 622.386(c) to make the purchase restriction that is tied to having a Federal permit applicable only to king and Spanish mackerel species rather than to all CMP species generally. This correction will allow federally permitted dealers to accept Gulf group cobia harvested from the Exclusive Economic Zone (EEZ) from any vessel, regardless of the permit status of the vessel.

Management Measures in Amendment 32 Not Codified Through This Final Rule

OFL and ABC

As previously explained, the current OFL and ABC for Gulf group cobia of 2,660,000 lb (1,206,556 kg) and 2,600,000 lb (1,179,340 kg), are based on the Councils' SSCs' recommendations from SEDAR 28, which used recreational landings estimates from MRIP–CHTS. Amendment 32 adopts the new increasing OFLs and ABCs based on the SSCs' recommendations from the results of the SEDAR 28 Update, which used MRIP–FES recreational landings estimates. The new OFLs will be 3,210,000 lb (1,456,032 kg) for 2022, and 3,310,000 lb (1,501,391 kg) for 2023 and subsequent years. The new ABCs will be 2,600,000 lb (1,179,340 kg) for 2022, and 2,760,000 lb (1,251,915 kg) for 2023 and subsequent years.

ABC Apportionment

The current ABC apportionment for Gulf group cobia is 64 percent for the Gulf zone and 36 percent for the FLEC zone, respectively. Amendment 32 revises the Gulf group cobia ABC apportionment between the Gulf and FLEC zones by using the average landings from 1998–2012 across both zones using MRIP–FES landings for this time series. This results in a new apportionment of the Gulf group cobia stock ABC of 63 percent for the Gulf zone and 37 percent for the FLEC zone. Using the same time series to calculate the apportionment, but updating it by using MRIP–FES, addresses the higher recreational landings that have occurred in the FLEC zone compared to the Gulf zone.

Sector Allocations

Currently, Gulf group cobia in the Gulf zone is managed as a stock without separate ACLs for each sector, and the Councils did not reconsider this management approach in Amendment 32. The commercial and recreational allocation in the FLEC zone is 8 percent and 92 percent, respectively. Amendment 32 maintains stock management in the Gulf zone and maintains the current commercial and recreational allocation in the FLEC zone. The current FLEC zone allocation will be applied to the revised FLEC zone ACLs. The Councils wanted to recognize the harvest needs of the commercial sector in the FLEC zone by not decreasing the *status quo* catch limit of 70,000 lb (31,751 kg).

FMP Framework Procedure

Currently, the framework procedure limits the management measures that the South Atlantic Council may independently propose for Gulf group cobia in the FLEC zone to vessel trip limits, closed seasons or areas, or fishing gear restrictions.

Amendment 32 revises the framework procedures to allow the South Atlantic Council to independently change vessel trip limits, closed seasons or areas, fishing gear restrictions, per person bag and possession limits, size limits, in-season and post-season accountability measures, and specification of ACTs or sector ACTs for Gulf group cobia in the FLEC zone. The Councils decided that providing the South Atlantic Council the authority to make any of these changes through a framework process will allow the South Atlantic Council to respond quickly to new information. The Councils determined this change would result in beneficial biological, socio-economic, and administrative impacts.

Amendment 32 also clarifies language in the CMP FMP framework procedure by removing reference to Atlantic group cobia, which was removed from management by the Councils through Amendment 31 to the CMP FMP (84 FR 4733; February 19, 2019), and changes the language referring to the ABC/ACL Control Rule because there is no ABC/ACL Control Rule. Instead, this language should refer to the ABC and ACL/ACT Control Rules.

Comments and Reponses

NMFS received four comments on the notice of availability for Amendment 32. No comments were received on the proposed rule. In general, the comments supported the proposed measures to end overfishing of Gulf group cobia. Some comments suggested changes to management measures that are outside the scope of the Amendment 32 and the proposed rule, such as a prohibition on commercial harvest and closure during the spawning season. These comments are not addressed further. Specific comments related to Amendment 32 and the proposed rule are grouped by topic and summarized below, followed by NMFS' respective responses.

Comment 1: Two comments addressed the proposed recreational vessel limit of two fish per trip. One comment suggested that the vessel limit should be one fish for the first year after implementation of the final rule and another comment recommended that the vessel limit should instead be four fish.

Response: NMFS disagrees that the vessel limit should be further reduced

for the first year after implementation of the final rule or set at four fish per vessel. The Councils considered three alternatives for a recreational vessel limit: two fish, four fish, and six fish. The Councils did not consider reducing the vessel limit to one fish. Analysis in Amendment 32 showed that most recreational trips harvest only one cobia per vessel and less than five percent of recreational trips harvest four cobia per vessel. The two fish per vessel limit would allow two separate anglers to harvest fish on a trip and also extend the recreational fishing season. Importantly, the two fish vessel limit is consistent with those established by the state of Florida, which will aid with compliance and enforcement.

Comment 2: The FLEC zone commercial and recreational minimum size limits should remain at 33 inches (83.8 cm), fork length.

Response: NMFS disagrees that the minimum size limits should remain at 33 inches (83.8 cm), fork length, in the FLEC zone. Regardless of the size limit, fishermen will need to measure and determine whether a fish they catch meets the minimum size limit. Further, analysis in Amendment 32 indicated that increasing the minimum size limits for the FLEC zone from 33 inches (83.8 cm), fork length, to 36 inches (91.3 cm), fork length, in conjunction with the vessel limit would reduce the rate of harvest in the FLEC zone enough to constrain landings to the reduced catch limits that are necessary to end overfishing. Additionally, having the same regulations within both zones and for both sectors will reduce the complexity of complying with the regulations.

Classification

Pursuant to section 304(b)(3) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with Amendment 32, the CMP FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

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

A final regulatory flexibility analysis (FRFA) was prepared. The FRFA incorporates the initial regulatory flexibility analysis (IRFA), a summary of the significant issues raised by the public comments in response to the IRFA, and NMFS responses to those comments, and a summary of the analyses completed to support the action. A copy of this analysis is available from NMFS (see **ADDRESSES**). A summary of the FRFA follows.

The Magnuson-Stevens Act provides the statutory basis for this final rule. A description of this final rule, why it is being implemented, and the purpose of this final rule are contained in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this final rule.

No public comments were received specifically in response to the IRFA, nor were there any public comments received that related to socio-economic implications and potential impacts on small entities. General issues raised in public comments are addressed in the Comments and Responses section of this final rule. No changes to this final rule were made in response to these public comments. No comments were received from the Office of Advocacy for the Small Business Administration (SBA).

This final rule will apply to all commercial vessels, charter vessels and headboats (for-hire vessels), and recreational anglers that fish for or harvest cobia in either the FLEC zone or Gulf zone. Because no Federal permit is required for the commercial harvest or sale of Gulf cobia, the distinction between commercial and recreational fishing activity for the purposes of this final rule is whether the fish are sold. Individuals that harvest Gulf cobia under the recreational bag limit in Federal waters and who do not subsequently sell these fish are considered to be recreational anglers. Recreational anglers are not considered small entities under the Regulatory Flexibility Act (RFA), so they are outside the scope of this analysis (5 U.S.C. 603). Small entities include small businesses, small organizations, and small governmental jurisdictions (5 U.S.C. 601(6) and 601(3)–(5)). Recreational anglers are not businesses, organizations, or governmental jurisdictions. A component of this final rule will also apply to Federally-permitted dealers that purchase Gulf cobia.

For-hire vessels sell fishing services to recreational anglers. The changes to the CMP FMP implemented by this final rule will not directly alter the services sold by these for-hire vessels. Any change in anglers' demand for these fishing services (and associated economic effects) as a result of this final rule would be secondary to any direct effect on anglers and, therefore, would be an indirect effect of this final rule. Indirect effects fall outside the scope of the RFA; however, because for-hire captains and crew are allowed to harvest and sell Gulf cobia under the possession limit when the commercial season is open, for-hire businesses, or employees thereof, could be directly affected by this final rule as well.

In summary, businesses that engage in commercial fishing (*i.e.,* those that sell their harvests of Gulf cobia, including some for-hire businesses), as well as seafood dealers that purchase Gulf cobia, are the only small entities that will be directly affected by the final rule, and therefore only the impacts on these small entities will be discussed.

Although no Federal permit is required for the commercial harvest and sale of Gulf cobia, vessels with other Federal commercial permits are required to report their catches for all species harvested, including Gulf cobia. On average from 2015 through 2019, there were 261 federally-permitted commercial vessels with reported landings of cobia in the Gulf zone. Their average annual vessel-level gross revenue from all species for 2015 through 2019 was approximately $195,000 (2019 dollars) and cobia harvested from the Gulf zone accounted for less than one percent of this revenue. During the same time period, 248 federally-permitted commercial vessels reported landings of cobia in the FLEC zone. Their average annual vessel-level revenue from all species for 2015 through 2019 was approximately $46,000 (2019 dollars) and cobia harvested from the FLEC zone accounted for approximately one percent of this revenue. The maximum annual revenue from all species reported by a single one of the vessels that harvested Gulf cobia from 2015 through 2019 was approximately $2.27 million (2019 dollars).

For anglers to fish for or possess CMP species in or from the Gulf EEZ on for-hire vessels, those vessels are required to have a Federal limited access Gulf Charter Vessel/Headboat for Coastal Migratory Pelagics permit (Gulf CMP for-hire permit). On September 3, 2021, there were 1,301 valid (non-expired) or renewable Gulf CMP for-hire permits and 4 valid or renewable Gulf CMP historical captain for-hire permits. For anglers to fish for or possess CMP species in or from the Mid-Atlantic or South Atlantic EEZ on for-hire vessels, those vessels are required to have a Federal open access South Atlantic Charter Vessel/Headboat for Coastal Migratory Pelagics permit (South Atlantic CMP for-hire permit). On September 3, 2021, there were 1,825 valid South Atlantic CMP for-hire permits. Although the for-hire permit application collects information on the primary method of operation, the permit does not identify the permitted vessel as either a headboat or a charter vessel and vessels may operate in both capacities. However, only federally-permitted headboats are required to submit harvest

and effort information to the NMFS Southeast Region Headboat Survey (SRHS). Participation in the SRHS is based on determination by the Southeast Fisheries Science Center that the vessel primarily operates as a headboat. As of March 9, 2021, 69 Gulf headboats were registered in the SRHS. There were 39 Atlantic headboats registered in the SRHS that may operate in the FLEC zone, as well. As a result, of the 1,305 vessels with Gulf CMP for-hire permits (including historical captain permits), up to 69 may primarily operate as headboats and the remainder as charter vessels. Of the 1,825 vessels with South Atlantic CMP for-hire permits, up to 39 may primarily operate as headboats.

The average charter vessel operating in the Gulf is estimated to receive approximately $90,000 (2019 dollars) in gross revenue and $27,000 in net income (gross revenue minus variable and fixed costs) annually. The average Gulf headboat is estimated to receive approximately $272,000 (2019 dollars) in gross revenue and $79,000 in net income annually. The average charter vessel operating in the South Atlantic is estimated to receive approximately $125,000 (2019 dollars) in annual gross revenue. The average South Atlantic headboat is expected to receive approximately $222,000 (2019 dollars) in annual gross revenue. Estimates of annual net income for South Atlantic charter vessels and headboats are not available.

As of July 12, 2021, there were 373 entities with a Federal Gulf and South Atlantic Dealer permit. The number of these seafood dealers that will be directly affected by this final rule is unknown; therefore, this number may be considered an upper bound estimate.

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System [NAICS] code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $11 million for all its affiliated operations worldwide. All of the commercial fishing businesses directly regulated by this final rule are believed to be small entities based on the NMFS size standard.

The SBA has established size standards for all major industry sectors in the U.S. including for-hire businesses (NAICS code 487210) and seafood dealers/wholesalers (NAICS code 424460). A business primarily involved in the for-hire fishing industry is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of $8 million for all its affiliated operations worldwide. All of the for-hire vessels directly regulated by this final rule are believed to be small entities based on the SBA size criteria. A business that primarily operates as a seafood dealer/wholesaler is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual employment not in excess of 100 employees for all its affiliated operations worldwide. Employment data for the dealers directly regulated by this final rule are not available; however, NMFS conservatively assumes a substantial number of these dealers are small entities based on the SBA size criteria.

No other small entities that will be directly affected by this final rule have been identified.

This final rule will modify the Gulf cobia stock ACL based on the recommendations of the Councils' SSCs, as presented in July 2020. The stock ACL will be set equal to the stock ABC or 2,600,000 lb (1,179,340 kg) in 2022 and then increase to 2,760,000 lb (1,251,915 kg) in 2023 and thereafter. These new ACLs are not directly comparable to the status quo ACL of 2,600,000 lb (1,179,340 kg), because the status quo ACL is based on MRIP–CHTS data for the recreational sector; whereas, the new ACLs are based on MRIP–FES data. When converted to an MRIP–FES equivalent value, however, the status quo ACL is estimated to be approximately 4,500,000 lb (2,041,166 kg). Although this final rule is expected to result in a 42 percent to 39 percent reduction in the stock ACL relative to the MRIP–FES equivalent status quo ACL, these differences do not represent differences between status quo harvest opportunities and expected future harvests. That is because the stock ACL is sub-divided into zone and sector specific ACLs, and those sub-ACLs dictate fishing opportunities. Also, based on historical landings information, the stock ACL has been underutilized in the past, and therefore, a reduction in the ACL may not impact harvests in the short term. Additionally, because the Gulf zone ACL is shared by the commercial and recreational sectors, and given the change from MRIP–CHTS to MRIP–FES, the portion of the Gulf zone ACL that will be harvested by each sector is unclear. Therefore, economic effects that will result from these ACL changes cannot be quantified.

This final rule will also modify the Gulf cobia stock ACL apportionment to be 63 percent for the Gulf zone and 37 percent for the FLEC zone, based on the MRIP–FES average landings for Gulf cobia for the years 1998 through 2012, and use this apportionment to update the zone ACLs based on the Gulf cobia stock ACL described above. This translates into an ACL for the Gulf zone of 1,638,000 lb (742,984 kg) in 2022 and 1,738,800 lb (788,706 kg) in 2023 and subsequent years. For the FLEC zone, the ACL will be 962,000 lb (436,356 kg) in 2022 and 1,021,200 lb (463,209 kg) in 2023 and subsequent years. These changes to the stock ACL apportionment will result in a benefit transfer from the Gulf zone to the FLEC zone, by allocating one percent more of the Gulf cobia stock ACL to the FLEC zone as compared to the status quo allocation. Because the new zone ACLs are not directly comparable to the status quo zone ACLs, due to the change from MRIP–CHTS to MRIP–FES, and because there is a single stock ACL for the Gulf zone, with no sector sub-ACLs, the economic effects of this reallocation to the commercial sector and the for-hire component of the recreational sector cannot be quantified.

Additionally, this final rule will retain the FLEC zone cobia ACL sector allocation of 8 percent to the commercial sector and 92 percent to the recreational sector and update the sector ACLs accordingly. This will result in a FLEC zone commercial ACL of 76,960 lb (34,908 kg) in 2022 and 81,696 lb (37,057 kg) in 2023 and subsequent years. Relative to the status quo FLEC zone commercial ACL of 70,000 lb (31,751 kg), this is an increase of 6,960 lb (3,157 kg) in 2022 and 11,696 lb (5,305 kg) in 2023 and subsequent years. The commercial sector (including for-hire vessels that sell their catch) is not expected to harvest the new ACL in full in the short-term, based on the annual average commercial cobia landings for the FLEC zone from 2015 through 2019. However, harvest of the full FLEC zone ACL in the future would result in an increase in estimated ex-vessel value of $25,600 to $43,000 (2019 dollars) relative to the status quo. Divided by the number of commercial vessels from 2015 through 2019 with reported FLEC zone cobia landings, this would translate to an increase in ex-vessel revenue of $103 to $173 dollars per vessel (less than one percent of average annual per vessel revenue).

This final rule will use the Gulf Council's ACL/ACT Control Rule to calculate ACTs for the Gulf zone and the recreational sector in the FLEC zone, setting each ACT at 10 percent below their respective zone ACLs. The Gulf zone stock ACT, which is shared by the commercial and recreational sectors, will be 1,474,200 lb (668,686 kg) in 2022 and 1,564,920 lb (709,836 kg) in 2023 and subsequent years. In the Gulf zone, the switch from a constant ACT to an ACT calculated using the Gulf's control rule will result in the same buffer between the ACL and the ACT of 10 percent. Therefore, this change to the method used for setting the ACT will not affect Gulf commercial cobia fishing practices or harvests in the Gulf zone and will not result in economic effects. The FLEC zone currently has no commercial sector ACT.

This final rule will also reduce the daily possession limit for cobia in the Gulf zone, for both recreational and commercial sectors, to one fish per person. This commercial limit will be codified as a commercial trip limit and the recreational limit as a recreational bag limit. NMFS expects these changes to reduce commercial Gulf zone cobia landings by 51 lb (23 kg) in total each year. The associated loss in aggregate ex-vessel revenue expected to result from this reduction is estimated at $188 (2019 dollars). This final rule will also create a recreational vessel limit of two fish per trip and a commercial trip limit of two fish per trip, noting that fishermen may not exceed the per person daily possession limit. NMFS expects these changes to reduce commercial landings by 1,295 lb (587 kg). The associated loss in ex-vessel revenue is estimated at $4,793 (2019 dollars) or approximately $18 per vessel per year, on average. It is not possible to quantify the direct economic effects of these changes on for-hire fishing vessels because data that describe commercial cobia landings on for-hire vessels are not available; however, the new commercial daily possession limit and commercial trip limit may reduce their opportunity to sell cobia.

Moreover, this final rule will reduce the daily possession limit for cobia in the FLEC zone, for both commercial and recreational sectors, to one fish per person. NMFS expects these changes to reduce total commercial FLEC zone cobia landings by 6,127 lb (2,779 kg). The associated loss in ex-vessel revenue is estimated at $25,857 (2019 dollars) or approximately $104 per vessel per year, on average. This final rule will also create a recreational vessel limit of two fish per trip and a commercial vessel trip limit of two fish per trip, noting that fishermen may not exceed the per person daily possession limit. NMFS expects these changes to reduce total commercial landings by 3,939 lb (1,787 kg). The associated loss in ex-vessel revenue is estimated at $16,622 (2019 dollars) or approximately $67 per vessel per year, on average. It is not possible to quantify the direct economic effects of these changes on for-hire fishing vessels due to data limitations described earlier; however, the new commercial daily possession limit and commercial trip limit may reduce their opportunity to sell cobia.

This final rule will retain the current minimum size limit of 36 inches, fork length, in the Gulf zone and increase the minimum size limit from 33 inches fork length to 36 inches fork length in the FLEC zone. NMFS expects this change to reduce commercial landings in the FLEC zone by 11,904 lb (5,400 kg). The associated loss in ex-vessel revenue is estimated to be $50,237 (2019 dollars) or approximately $203 per vessel per year, on average (less than one percent of average annual per vessel revenue). It is not possible to quantify the direct economic effects of the change in the minimum size limit on for-hire fishing vessels due to data limitations described earlier; however, it may reduce their opportunity to sell cobia.

Finally, this final rule will modify the framework procedure to update the responsibilities of each Council for setting regulations for Gulf cobia. Specifically, it will expand the South Atlantic Council's responsibilities for Gulf cobia in the FLEC zone to include: per person bag and possession limits, size limits, in-season and post-season accountability measures, and specification of ACTs or sector ACTs. The South Atlantic Council will now be able to independently approve framework actions pertaining to these specific management measures for the FLEC zone for Gulf cobia. Two additional corrections are being included to the framework procedure via this final rule. Atlantic group cobia was removed from the CMP FMP through the final rule implementing Amendment 31. However, the CMP framework procedure was not updated at that time to remove reference to Atlantic group cobia. In addition, the CMP framework language referencing the ABC/ACL Control Rule is incorrect because it lacks an ABC/ACL control rule. Instead, the CMP framework language should refer to the ABC and ACL/ACT Control Rules. The Councils are making these corrections through this final rule. The changes to the CMP framework are administrative in nature and will not have direct economic effects on any small entities.

The following discussion describes the alternatives that were not selected as preferred by the Councils.

Three alternatives were considered for the action to modify the Gulf cobia OFL, ABC, and ACL. The first alternative, the no action alternative, would maintain the current reference points (OFL and ABC) and the stock ACL for Gulf group cobia. The no-action alternative would not be expected to change fishing practices or commercial harvests of Gulf cobia, nor result in economic effects. This alternative was not selected by the Councils because it would be inconsistent with the SSCs' latest catch limit recommendations and the transition to MRIP–FES, and therefore, would not be based on the best scientific information available. The second alternative is the preferred alternative. The third alternative would modify the Gulf cobia stock OFL, ABC, and ACL as a constant catch value for 2021 and subsequent fishing years or until changed by a future management action. The stock ACL would be set equal to the stock ABC or 2,340,000 lb (1,061,406 kg) for 2021 and thereafter. This would be 260,000 lb (117,934 kg) less than the preferred alternative in 2022 and 420,000 lb (190,509 kg) less than the preferred alternative for 2023 and subsequent years. Therefore, this alternative would be expected to provide fewer commercial fishing opportunities and lower economic benefits in the long term as compared to the preferred alternative. This alternative was not selected by the Councils because they determined that it was unnecessary to prevent overfishing and would unnecessarily limit future harvest levels and associated economic benefits for the commercial and recreational sectors.

Four alternatives were considered for the action to modify the Gulf cobia stock apportionment between the Gulf zone and the FLEC zone. The first alternative, the no action alternative, would retain the current Gulf cobia stock ACL apportionment of 64 percent to the Gulf zone and 36 percent to the FLEC zone based on MRIP–CHTS average landings for Gulf cobia for the years 1998–2012. The first alternative was not selected by the Councils. It would not align with the SSCs' OFL and ABC recommendations based on the SEDAR 28 Update assessment to monitor recreational catch and effort in MRIP–FES data currency (SEDAR 28 Update 2020), nor would the calculation use FLEC zone cobia-specific landings. The second alternative would retain the Gulf cobia stock ACL apportionment between the

zones at 64 percent to the Gulf zone and 36 percent to the FLEC zone, and use this apportionment to update both zone ACLs in MRIP–FES units. This alternative was not selected by the Councils because it fails to account for the effects of the change in recreational data reporting on historical landings during the time series used to set the current allocation (1998–2012). The third alternative is the preferred alternative. The fourth alternative would modify the Gulf cobia stock ACL apportionment to be 59 percent to the Gulf zone and 41 percent to the FLEC zone, based on the MRIP–FES average landings for Gulf cobia for the years 2003–2019, and use this apportionment to update the zone ACLs. This would result in a 4 percent lesser allocation percentage to the Gulf zone relative to the preferred alternative. The Councils did not select this alternative because the landings during the latter years in the time series may be biased by recent changes in the management of Gulf cobia.

Four alternatives were considered for the action to modify the FLEC zone cobia allocation between the commercial and recreational sectors. The first alternative, the no action alternative, would retain the FLEC zone cobia ACL allocation of 8 percent to the commercial sector and 92 percent to the recreational sector based on the South Atlantic Council's allocation formula for Atlantic group cobia based on MRIP–CHTS landings, which balanced historical catches (2000–2008) with more recent landings (2006–2008). The first alternative was not selected by the Councils. It would not align with the SSCs' OFL and ABC recommendations based on the SEDAR 28 Update assessment to monitor recreational catch and effort in MRIP–FES data currency (SEDAR 28 Update 2020). The second alternative would modify the FLEC zone cobia ACL allocation to be 5 percent to the commercial sector and 95 percent to the recreational sector based on the South Atlantic Council's allocation formula for Atlantic group cobia applied to historic MRIP–FES data for FLEC zone cobia specific landings. This formula balanced historical catches landings (2000–2008) with more recent landings (2006–2008). This alternative would result in a FLEC zone commercial ACL of 48,100 lb (21,818 kg) in 2022 and 51,060 lb (23,160 kg) in 2023 and subsequent years based on the preferred alternative in the first action for an increasing catch yield stream. Relative to the preferred alternative this would be a decrease in the FLEC zone commercial ACL of 28,860 lb (13,091 kg) in 2022 and 30,636 lb (13,896 kg) in 2023 and subsequent years. If the commercial ACL constrains harvest in the future, this would represent a potential loss in ex-vessel revenue of $121,789 to $129,284 (2019 dollars); or, approximately $491 to $521 per vessel per year, on average. The Councils did not select this alternative because they did not want to decrease the commercial sector ACL. The third alternative is the preferred alternative. The fourth alternative would modify the FLEC zone cobia ACL allocations to be calculated based on maintaining the current commercial ACL (*i.e.,* 70,000 lb [31,751 kg]) beginning in the 2021 fishing year and allocating the remaining revised total ACL to the recreational sector. The allocation percentages for 2021 would then be applied to the FLEC zone cobia ACL in years following 2021. This alternative would result in a FLEC zone commercial ACL of 77,778 lb (35,280 kg) in 2022 and 82,564 lb (37,450 kg) in 2023 and subsequent years. Relative to the preferred alternative this would be an increase in the FLEC zone commercial ACL of 818 lb (371 kg) in 2022 and 868 lb (394 kg) in 2023 and subsequent years. If the commercial ACL constrains harvest in the future, this would represent a potential increase in aggregate ex-vessel revenue of $3,452 to $3,663 (2019 dollars); or, approximately $15 per vessel per year, on average. This alternative was not selected by the Councils because they believed it was a more complicated approach to achieving the same goal as the preferred alternative (no reduction in the commercial ACL), the benefits to the commercial sector would be minimal, and it would potentially create confusion for fishery stakeholders when revisiting sector allocations in the future.

Three alternatives were considered for the action to update and/or establish ACTs for the Gulf group cobia zones. The first alternative, the no action alternative, would maintain the current formula for setting the Gulf cobia ACTs in the Gulf zone and FLEC zone. Under this alternative the Gulf zone ACT would be set at 90 percent of the Gulf zone ACL and the FLEC zone ACT would be set at the FLEC zone ACL multiplied by ((1- PSE of the FLEC zone recreational landings) or 0.5, whichever is greater). This alternative would result in the same ACT buffer for the Gulf zone of 10 percent relative to the preferred alternative. However, the FLEC zone recreational sector would retain a 17 percent ACT buffer. This alternative was not selected by the Councils because they wanted a consistent method for setting ACTs in each zone. The second alternative is the preferred alternative. The third alternative would establish an ACT for the commercial sector in the FLEC zone using the Gulf Council's ACL/ACT Control Rule. Relative to the preferred alternative, this alternative has the potential to reduce commercial fishing opportunities for FLEC zone cobia, as this sector has not historically had an ACT. Therefore, it would be expected to result in greater associated economic losses to commercial fishing businesses over the long term. This alternative was not selected by the Councils because the commercial quota monitoring system is effective and there is low risk of overages for the FLEC zone commercial sector.

Four alternatives were considered for the action to modify the possession, vessel, and trip limits for cobia in the Gulf zone. The first alternative, the no action alternative, would retain the current commercial and recreational daily possession limit of two fish per person and would not implement a vessel or trip limit. Therefore, this alternative would not be expected to result in economic effects to small entities. This alternative was not selected by the Councils because it would forgo biological benefits to the stock afforded by reduced fishing pressure. The second alternative is the preferred alternative and contains two preferred options that apply to both the recreational sector and the commercial sector, respectively. The third alternative, which was also selected as preferred, will create a recreational vessel limit; however, fishermen will not be allowed to exceed the per person daily possession limit. The third alternative contained three options. The first option was selected as preferred, which sets the recreational vessel limit at two fish per vessel per trip. The second and third options would set the vessel limit per trip at four fish and six fish, respectively. Changes to the recreational vessel limit would not have a direct economic effect on any small entities. The fourth and final alternative for this action, also selected as preferred, will set a commercial trip limit; however, fishermen will not be allowed to exceed the per person daily possession limit. The fourth alternative also contained three options. The first option was selected as preferred, which sets the commercial trip limit at two fish per trip. The second and third options would set the trip limit at four fish and six fish, respectively. Relative to the preferred option, these would be expected to result in commercial cobia landings that are 926 to 1,296 lb (420 to

588 kg) greater. These additional landings would be worth an estimated $3,426 to $4,795 (2019 dollars) or less than $19 in ex-vessel revenue per vessel per year, on average. The Councils did not select the second and third options because they would be inconsistent with harvest limits in Florida state waters in the Gulf and, therefore, would not aid with compliance and enforcement.

Four alternatives were considered for the action to modify the possession, vessel, and trip limits for cobia in the FLEC zone. The first alternative, the no action alternative, would retain the current recreational and commercial daily possession limit of two fish per person in the FLEC zone, and would not implement a vessel or trip limit. Therefore, this alternative would not be expected to result in economic effects to small entities. This alternative was not selected by the Councils because it would forgo biological benefits to the stock afforded by reduced fishing pressure as well as a potentially longer recreational season. The second alternative is the preferred alternative and contains two preferred options that apply to both the recreational sector and the commercial sector, respectively. The third alternative, which was also selected as preferred, will create a recreational vessel limit; however, fishermen will not be allowed to exceed the per person daily possession limit. The third alternative contained three options. The first option was selected as preferred, which sets the recreational vessel limit at two fish per vessel per trip. The second and third options would set the vessel limit per trip at four fish and six fish, respectively. Changes to the recreational vessel limit would not have a direct economic effect on any small entities. The fourth and final alternative for this action, also selected as preferred, will set a commercial vessel trip limit; however, fishermen will not be allowed to exceed the per person daily possession limit. The fourth alternative also contained three options. The first option was selected as preferred, which sets the commercial vessel trip limit at two fish per trip. The second and third options would set the commercial vessel trip limit at four fish and six fish, respectively. Relative to the preferred option, these would be expected to result in commercial cobia landings that are 2,626 lb (1,191 kg) greater. These additional landings would be worth an estimated $11,082 (2019 dollars) or approximately $45 in ex-vessel revenue per vessel per year, on average. The Councils did not select the second and third options because they wanted to be consistent with the commercial trip limit proposed for the Gulf zone.

Four alternatives were considered for the action to modify the Gulf cobia minimum size limit. The first alternative, the no action alternative, would retain the current commercial and recreational minimum size limit of 36 inches (94.1 cm), fork length, in the Gulf zone and 33 inches (83.8 cm), fork length, in the FLEC zone. This would not be expected to result in economic effects on any small entities. The first alternative was not selected by the Councils, because they believed an increased minimum size limit in the FLEC zone would benefit the stock by allowing for a greater proportion of the stock to become sexually mature prior to being harvested. They also wanted consistent cobia size limits in Federal waters. The second alternative is the preferred alternative. The third alternative would increase the commercial and recreational minimum size limit to 39 inches (99.1 cm), fork length. The third alternative contained two options that would apply the 39 inch (99.1 cm) minimum size limit to the Gulf zone and the FLEC zone, respectively. Increasing the minimum size limit to 39 inches (99.1 cm), fork length, from 36 inches (94.1 cm), fork length, in the Gulf zone would be expected to result in a loss of 9,618 lb (4,363 kg) and $35,586 (2019 dollars) in ex-vessel revenue ($136 per vessel per year, on average). In the FLEC zone, a minimum size limit of 39 inches (99.1 cm), fork length, would lead to a loss in landings that is 9,498 lb (4,308 kg) greater than what is expected under the preferred alternative. This would translate into an additional $40,078 (2019 dollars) reduction in ex-vessel revenue or $162 per vessel per year, on average, relative to the preferred alternative. The fourth and final alternative for this action would increase the commercial and recreational minimum size limit to 42 inches (106.7 cm), fork length. The fourth alternative contained two options that would apply the 42 inch (106.7 cm) minimum size limit to the Gulf zone and the FLEC zone, respectively. Increasing the minimum size limit to 42 inches (106.7 cm), fork length, would be expected to result in a loss of 19,287 lb (8,748 kg) and $71,361 (2019 dollars) in ex-vessel revenue ($273 per vessel per year, on average) in the Gulf zone. In the FLEC zone, a minimum size limit of 42 inches (106.7 cm), fork length, would lead to a loss in landings that is 14,487 lb (6,571 kg) greater than what is expected under the preferred alternative. This would translate into an additional $61,133 reduction in ex-vessel revenue or $247 per vessel per year, on average, relative to the preferred alternative. The Councils did not select the third or fourth alternative and two options for each of those two alternatives because they would indirectly drive fishing efforts to target more fecund female cobia, which may have a negative effect on the spawning stock biomass and could result in shorter fishing seasons due to heavier fish being landed.

Finally, two alternatives were considered for the action to modify the framework procedure. The first alternative, the no action alternative, would not make any changes to the framework procedure and thus would not have any economic effects on any small entities. It was not selected by the Councils because it would forgo the biological, social, and economic benefits of allowing the South Atlantic Council to react quicker and be more responsive to updated scientific information or changes in fishing harvest for FLEC zone cobia. The second alternative is the preferred alternative.

An additional item is contained in this final rule that is not included in Amendment 32, namely a revision to the language in 50 CFR 622.386(c). This revision will allow federally-permitted dealers to purchase cobia harvested in or from the Gulf or South Atlantic EEZ from any vessel, regardless of whether the vessel has been issued a Federal commercial vessel permit or a Federal charter vessel/headboat permit. It is unclear how many vessels and dealers will be impacted by this change; however, NMFS expects the direct economic effects to be positive because this change will expand the opportunity for federally and non-federally permitted vessels, and federally-permitted dealers to sell or buy Gulf cobia, respectively.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as ''small entity compliance guides.'' The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, NMFS prepared a fishery bulletin, which also serves as a small entity compliance guide. Copies of this final rule are available from the Southeast Regional Office, and the guide, *i.e.,* fishery bulletin, will be sent

to all known industry contacts in the CMP Fishery and be posted at *https://www.fisheries.noaa.gov/tags/small-entity-compliance-guide?title=&field_species_vocab_target_id=&field_region_vocab_target_id%5B1000001121%5D=1000001121&sort_by=created.* The guide and this final rule will be available upon request.

No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this final rule. This final rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 622

Annual catch limits, Bag and possession limits, Cobia, Fisheries, Fishing, Gulf of Mexico, Trip limits.

Dated: October 17, 2022.

Samuel D. Rauch, III,

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

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

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

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

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

■ 2. In § 622.380, revise paragraph (a)(1)(ii) to read as follows:

§ 622.380 Size limits.

* * * * *

(a) * * *

(1) * * *

(ii) *Florida east coast zone.* 36 inches (91.4 cm), fork length.

* * * * *

■ 3. In § 622.382, add paragraph (b) to read as follows:

§ 622.382 Bag and possession limits.

* * * * *

(b) *Gulf migratory group cobia*—(1) *Bag limits.* The following applies to persons who fish for cobia in the Gulf zone or Florida east coast zone, and do not sell their catch.

(i) One fish per person per day, not to exceed 2 fish per vessel per trip.

(ii) [Reserved]

(2) [Reserved]

§ 622.383 [Removed and Reserved]

■ 4. Remove and reserve § 622.383.

■ 5. In § 622.384, revise paragraphs (d)(1) and (e)(2) to read as follows:

§ 622.384 Quotas.

* * * * *

(d) * * *

(1) *Gulf migratory group*—(i) *Gulf zone.* For the 2022 fishing year, the stock quota is 1,474,200 lb (668,686 kg). For the 2023 fishing year and subsequent fishing years, the stock quota is 1,564,920 lb (709,836 kg).

(ii) *Florida east coast zone.* The following quotas apply to persons who fish for cobia and sell their catch. For the 2022 fishing year the quota is 76,960 lb (34,908 kg). For the 2023 fishing year and subsequent fishing years the quota is 81,696 lb (37,057 kg).

* * * * *

(e) * * *

(2) The sale or purchase of king mackerel, Spanish mackerel, or cobia of the closed species, migratory group, zone, or gear type is prohibited, including any king or Spanish mackerel taken under the bag and possession limits specified in § 622.382(a), or cobia taken under the bag and possession limits specified in § 622.382(b). The prohibition on the sale or purchase during a closure for coastal migratory pelagic fish does not apply to coastal migratory pelagic fish that were harvested, landed ashore, and sold prior to the effective date of the closure and were held in cold storage by a dealer or processor.

■ 6. In § 622.385, add paragraph (c) to read as follows:

§ 622.385 Commercial trip limits.

* * * * *

(c) *Cobia.* (1) [Reserved]

(2) *Gulf migratory group.* The following trip limit applies to persons who fish for cobia and sell their catch.

(i) *Gulf zone and Florida east coast zone.* Cobia in or from the EEZ may be possessed or landed in amounts not exceeding 1 fish per person and 2 fish per vessel.

(ii) [Reserved]

■ 7. In § 622.386, revise paragraph (c) to read as follows:

§ 622.386 Restrictions on sale/purchase.

* * * * *

(c) *Dealer receipt of fish.* King or Spanish mackerel harvested in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ may be first received by a dealer who has a valid Federal Gulf and South Atlantic dealer permit, as required under § 622.370(c)(1), only from a vessel that has a valid Federal commercial vessel permit for king or Spanish mackerel, as required under § 622.370(a), or a valid Federal charter vessel/headboat permit for coastal migratory pelagic fish, as required under § 622.370(b).

* * * * *

■ 8. In § 622.388, revise paragraph (e)(1)(ii), (e)(2)(ii)(A), and (e)(2)(iii) to read as follows:

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

* * * * *

(e) * * *

(1) * * *

(ii) The stock ACLs for Gulf migratory group cobia in the Gulf zone are 1,638,000 lb (742,984 kg) for 2022, and 1,738,800 lb (788,706 kg) for 2023 and subsequent fishing years.

(2) * * *

(ii) * * *

(A) If the sum of cobia landings that are sold and not sold, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (e)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the length of the following fishing season by the amount necessary to ensure landings may achieve the applicable ACT, but do not exceed the applicable ACL in the following fishing year. Further, during that following year, if necessary, the AA may file additional notification with the Office of the Federal Register to readjust the reduced fishing season to ensure harvest achieves the ACT but does not exceed the ACL. The applicable ACTs for the Florida east coast zone of cobia are 796,536 lb (361,303 kg) for 2022, and 845,554 lb (383,537 kg) for 2023 and subsequent fishing years. The applicable ACLs for the Florida east coast zone of cobia are 885,040 lb (401,447 kg) for 2022, and 939,504 lb (426,152 kg) for 2023 and subsequent fishing years.

* * * * *

(iii) *Stock ACLs.* The stock ACLs for Florida east coast zone cobia are 962,000 lb (436,356 kg) for 2022, and 1,021,200 lb (463,209 kg) for 2023 and subsequent fishing years.

[FR Doc. 2022–22827 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 220223–0054; RTID 0648–XC487]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Pacific cod from trawl catcher vessels to Amendment 80 trawl catcher/processors in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 2022 total allowable catch (TAC) of Pacific cod to be harvested.

DATES: Effective October 18, 2022, through 2400 hours, Alaska local time (A.l.t.), December 31, 2022.

FOR FURTHER INFORMATION CONTACT: Krista Milani, 907–581–2062.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2022 Pacific cod TAC specified for trawl catcher vessels in the BSAI is 27,855 metric tons (mt) as established by the final 2022 and 2023 harvest specifications for groundfish in the BSAI (87 FR 11626, March 2, 2022) and reallocations (87 FR 51004, August 19, 2022; 87 FR 59730, October 3, 2022).

The 2022 Pacific cod TAC specified for Amendment 80 trawl catcher/processors in the BSAI is 17,981 mt as established by the final 2022 and 2023 harvest specifications for groundfish in the BSAI (87 FR 11626, March 2, 2022).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined that trawl catcher vessels will not be able to harvest 700 mt of the 2022 Pacific cod TAC allocated to those vessels under § 679.20(a)(7)(ii)(A)(*9*).

Therefore, in accordance with § 679.20(a)(7)(iii)(B), NMFS apportions 700 mt of Pacific cod from trawl catcher vessels to the annual amount specified for Amendment 80 trawl catcher/processors.

The harvest specifications for 2022 Pacific cod included in final 2022 and 2023 harvest specifications for groundfish in the BSAI (87 FR 11626, March 2, 2022) and reallocations (87 FR 51004, August 19, 2022; 87 FR 59730, October 3, 2022) is revised as follows: 27,155 mt to trawl catcher vessels, and 18,681 mt to Amendment 80 trawl catcher/processors.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR part 679, which was issued pursuant to section 304(b), and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would allow for harvests that exceed the originally specified apportionment of the Pacific cod TAC. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 17, 2022.

The Assistant Administrator for Fisheries, NOAA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

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

Dated: October 18, 2022.

Jennifer M. Wallace,

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

[FR Doc. 2022–22936 Filed 10–18–22; 4:15 pm]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 87, No. 203
Friday, October 21, 2022

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–2022–1300; Project Identifier MCAI–2022–00663–T]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS 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 Airbus SAS Model A321–251NX, A321–252NX, A321–253NX, A321–271NX and A321–272NX airplanes. This proposed AD was prompted by an emergency exit slide deployment test on an Airbus Cabin Flex (ACF) overwing emergency exit, the emergency exit slide did not deploy due to disconnected slide release cable junction. This proposed AD would require a one-time detailed inspection of the installation of the ACF overwing emergency exit slide release mechanism for discrepancies, and applicable corrective actions, as specified in a European Union Aviation Safety Agency (EASA) AD, which is proposed for incorporation by reference. 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 5, 2022.

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 material that will be incorporated by reference (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 material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available in the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–1300.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–1300; 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 mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3229; email *Vladimir.Ulyanov@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–2022–1300; Project Identifier MCAI–2022–00663–T'' 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 Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3229; email *Vladimir.Ulyanov@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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2022–0090, dated May 18, 2022 (also referred to as the MCAI), to correct an unsafe condition for certain Airbus SAS Model A321–251NX, A321–252NX, A321–253NX, A321–271NX and A321–272NX airplanes.

This proposed AD was prompted by an emergency exit slide deployment test on an Airbus SAS Model A321neo Cabin Flex (ACF) overwing emergency exit, where the emergency exit slide did not deploy. The investigation identified that the slide release mechanism cable

junction was disconnected inside the surrounding collets and knurled sleeve nut. The mushroom head connector was not inserted into the T-slot cable joint. The FAA is proposing this AD to address the disconnected slide release cable junction, which could prevent emergency slide deployment, possibly resulting in injury to occupants during an emergency evacuation. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

EASA AD 2022–0090 specifies procedures for a one-time detailed inspection of the installation of the ACF overwing emergency exit slide release mechanism on both left hand (LH) and right hand (RH) sides of the fuselage for discrepancies (*i.e.,* a disconnected slide release cable inside the sleeve nuts and collets (mushroom head not inserted in T-slot joint) and missing lockwire around the knurled sleeve nut), and applicable corrective actions. The corrective actions include connecting the slide release cable and installing lockwire on the knurled sleeve nut.

This material 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 the State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2022–0090 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2022–0090 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022–0090 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2022–0090 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2022–0090. Service information required by EASA AD 2022–0090 for compliance will be available at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–1300 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this proposed AD would affect 65 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
14 work-hours × $85 per hour = $1,190	* $0	$1,190	$77,350

* The FAA has received no definitive data on which to base the cost estimates for the parts specified in this proposed AD.

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any optional actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
12 work-hours × $85 per hour = $1,020 ...	Negligible	$1,020

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:

Airbus SAS: Docket No. FAA–2022–1300; Project Identifier MCAI–2022–00663–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 5, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Airbus SAS Model A321–251NX, A321–252NX, A321–253NX, A321–271NX and A321–272NX airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2022–0090, dated May 18, 2022 (EASA AD 2022–0090).

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by an emergency exit slide deployment test on an Airbus Cabin Flex (ACF) overwing emergency exit, where the emergency exit slide did not deploy due to a disconnected slide release cable junction. The FAA is issuing this AD to address the disconnected slide release cable junction, which could prevent emergency slide deployment, possibly resulting in injury to occupants during an emergency evacuation. See the mandatory continuing airworthiness information (MCAI) for additional background information.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2022–0090.

(h) Exceptions to EASA AD 2022–0090

(1) Where EASA AD 2022–0090 refers to its effective date, this AD requires using the effective date of this AD.

(2) The ''Remarks'' section of EASA AD 2022–0090 does not apply to this AD.

(3) Where paragraph (2) of EASA AD 2022–0090 specifies compliance times for corrective actions, for this AD, perform those corrective actions at the applicable times specified in paragraph (h)(3)(i), (ii), and (iii) of this AD.

(i) If missing lockwire around the knurled sleeve nut is found and the slide release cable inside the sleeve nuts and collets is connected (mushroom head inserted in T-slot joint): Install lockwire within 4 months after the effective date of this AD.

(ii) If a disconnected slide release cable inside the sleeve nuts and collets (mushroom head not inserted in T-slot joint) is found and lockwire around the knurled sleeve nut is not missing: Connect slide release cable before further flight.

(iii) If a disconnected slide release cable inside the sleeve nuts and collets (mushroom head not inserted in T-slot joint) is found and the lockwire around the knurled sleeve nut is missing: Connect slide release cable and install lockwire before further flight.

(i) No Reporting Requirement

Although the service information referenced in EASA AD 2022–0090 specifies to submit certain information to the manufacturer, this AD does not include that requirement.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Large Aircraft Section, 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 responsible Flight Standards Office, as appropriate. If sending information directly to the Large Aircraft Section, International Validation Branch, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, Large Aircraft Section, International Validation Branch, FAA; or EASA; or Airbus SAS's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (j)(2) of this AD, if any service information referenced in EASA AD 2022–0090 contains paragraphs that are labeled as RC, the instructions in RC paragraphs, including subparagraphs under an RC paragraph, must be done to comply with this AD; any paragraphs, including subparagraphs under those paragraphs, that are not identified as RC are recommended. The instructions in paragraphs, including subparagraphs under those paragraphs, not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the instructions identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to instructions identified as RC require approval of an AMOC.

(k) Related Information

(1) For EASA AD 2022–0090, 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 EASA AD on the EASA website at *https://ad.easa.europa.eu.* You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. This material may be found in the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–1300.

(2) For more information about this AD, contact Vladimir Ulyanov, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3229; email *Vladimir.Ulyanov@faa.gov.*

Issued on October 6, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22201 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0141; Project Identifier MCAI–2021–01052–T]

RIN 2120–AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Supplemental notice of proposed rulemaking (SNPRM).

SUMMARY: The FAA is revising a notice of proposed rulemaking (NPRM) that would have applied to all MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes. This action revises the NPRM by proposing to require an inspection for correct installation of the flexible lamp assembly; trimming and reidentifying a bracket; and for certain airplanes, an inspection for damage of

the wire harness assembly; and applicable corrective actions. The FAA is proposing this airworthiness directive (AD) to address the unsafe condition on these products. Since these actions would impose an additional burden over those in the NPRM, the FAA is requesting comments on this SNPRM.

DATES: The FAA must receive comments on this SNPRM by December 5, 2022.

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 *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.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0141; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, this SNPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For service information identified in this SNPRM, contact MHI RJ Aviation Group, Customer Response Center, 3655 Ave. des Grandes-Tourelles, Suite 110, Boisbriand, Québec J7H 0E2 Canada; North America toll-free telephone 833–990–7272 or direct-dial telephone 450–990–7272; fax 514–855–8501; email *thd.crj@mhirj.com;* website *mhirj.com*.
- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Gabriel Kim, Aerospace Engineer, Avionics and Electrical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@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–2022–0141; Project Identifier MCAI–2021–01052–T'' 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 *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this SNPRM.

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 SNPRM 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 SNPRM, 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 SNPRM. Submissions containing CBI should be sent to Gabriel Kim, Aerospace Engineer, Avionics and Electrical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@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 FAA issued an NPRM to amend 14 CFR part 39 by adding an AD that would apply to all MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440). The NPRM published in the **Federal Register** on February 25, 2022 (87 FR 10752). The NPRM was prompted by AD CF–2021–32, dated September 17, 2021, issued by Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada (referred to after this as the MCAI). The MCAI states that an oxygen-fed ground fire event was potentially caused by electrical arcing from a faulty surround light wire on the third crew member's (observer) oxygen mask. An investigation determined that the oxygen supply hose connecting to the rear of the observer oxygen mask box assembly could be subject to chafing damage.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2022–0141.

In the NPRM, the FAA proposed to require an inspection for discrepancies of the observer's oxygen mask stowage box and storage compartment, oxygen hose connections and routing, and the associated electrical harness, and corrective actions if necessary; and modifying the oxygen mask flexible lamp harness, mounting plate, and compartment panel, including rerouting the electrical harness and applying protective sealant.

Actions Since the NPRM Was Issued

Since the FAA issued the NPRM, an operator reported a fouling condition between the power feed wires for the stowage box light strip and an existing aluminum bracket in the mask stowage compartment of the entrance monument. MHI RJ determined that additional actions were needed to further address the unsafe condition. TCCA subsequently issued AD CF–2021–32R1, dated July 25, 2022, to require an additional inspection for correct installation of the flexible lamp assembly; trimming and reidentifying a bracket; and for certain airplanes, an inspection for damage of the wire harness assembly; and applicable corrective actions to address the fouling condition. The FAA is proposing this AD to address possible damage to the observer oxygen mask supply hoses and a potential for an oxygen-fed fire in the vicinity of the observer oxygen mask storage compartment.

Comments

The FAA received comments from MHI RJ Aviation and Air Wisconsin. The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Incorporate Revised Service Information

MHI RJ Aviation and Air Wisconsin requested that the FAA incorporate new

service information into this proposed AD. MHI RJ noted that when an operator performed the actions specified in the proposed AD, it resulted in an unforeseen new potential fouling condition with the existing bracket. MHI RJ stated that it had asked operators to not complete the actions until revised service information, including instructions to ensure clearance between the bracket and harness, was available. Air Wisconsin requested that the proposed AD be revised to include the new service information and additional work.

The FAA agrees and has revised this proposed AD to refer to Service Bulletin 601R–35–022, Revision B, dated April 21, 2022, as the appropriate source of service information to accomplish the required actions. This service information includes additional work to address the potential fouling condition.

Related Service Information Under 1 CFR Part 51

The FAA reviewed MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022. This service information specifies procedures for doing a general visual inspection for discrepancies, including elbow fitting clocking (rotation), sealing tape installed in a certain location, wire damage (*e.g.,* cuts, nicks, kinks, insulation damage) of the observer's oxygen mask stowage box and storage compartment, the observer's mask oxygen hose connections, the hose routing, and the associated electrical harness, and applicable corrective actions; and modifying the oxygen mask flexible lamp harness, mounting plate, and compartment panel, including rerouting the electrical harness and applying protective sealant. Corrective actions include re-positioning the elbow fitting, removing sealing tape, and repairing wiring. This service information also specifies procedures for an inspection for correct installation of the flexible lamp assembly; trimming and reidentifying a bracket; and for certain airplanes, an inspection for damage of the wire harness assembly; and applicable corrective actions. Corrective actions include correcting flexible lamp assembly installations and repair.

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 and Requirements of This SNPRM

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 the 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 SNPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Certain changes described above expand the scope of the NPRM. As a result, it is necessary to reopen the comment period to provide additional opportunity for the public to comment on this SNPRM.

Proposed AD Requirements in This SNPRM

This proposed AD would require accomplishing the actions specified in the service information described previously.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 407 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 9 work-hours × $85 per hour = Up to $765	Up to $115	Up to $880	Up to $358,160.

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:

MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Docket No. FAA–2022–0141; Project Identifier MCAI–2021–01052–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 5, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 35, Oxygen.

(e) Unsafe Condition

This AD was prompted by a report of an oxygen-fed ground fire event potentially caused by electrical arcing from a faulty surround light wire on the third crew member's (observer) oxygen mask. An investigation determined that the oxygen supply hose connecting to the rear of the observer oxygen mask box assembly could be subject to chafing damage. This AD was also prompted by the determination that additional inspections and a bracket trim are needed to address the unsafe condition. The FAA is issuing this AD to address possible damage to the observer oxygen mask supply hoses and a potential for an oxygen-fed fire in the vicinity of the observer oxygen mask storage compartment.

(f) Compliance

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

(g) Required Actions

Within 4,000 flight hours or 24 months, whichever occurs first after the effective date of this AD, do the actions in paragraphs (g)(1) and (2) of this AD:

(1) For airplanes on which the actions specified in MHI RJ Service Bulletin 601R–35–022, dated June 1, 2021; or MHI RJ Service Bulletin 601R–35–022, Revision A, dated October 12, 2021; have not been accomplished: Do the actions specified in paragraphs (g)(1)(i) and (ii) of this AD.

(i) Do a general visual inspection for discrepancies of the observer's oxygen mask stowage box and stowage compartment, the observer's mask oxygen hose connections, the hose routing, and the associated electrical harness; reroute the electrical harness and apply protective sealant in accordance with Part A. Section 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022. If any discrepancies are found, before further flight, do all applicable corrective actions, in accordance with paragraph 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022.

(ii) Modify the oxygen mask flexible lamp harness, mounting plate, and compartment panel, including rerouting the electrical harness; apply protective sealant; inspect the flexible lamp assembly for correct installation; and trim and reidentify the bracket; in accordance with Part A. Section 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022. Do all applicable flexible lamp assembly installation corrections before further flight in accordance with Part A. Section 2.B. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022.

(2) For airplanes on which the actions specified in MHI RJ Service Bulletin 601R–35–022, dated June 1, 2021; or MHI RJ Service Bulletin 601R–35–022, Revision A, dated October 12, 2021; have been accomplished: Inspect the flexible lamp assembly for correct installation; inspect the wire harness assembly for damage; and trim and reidentify the bracket in accordance with Part B. Section 2.E. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022. Do all applicable flexible lamp assembly installation corrections and damage repair before further flight in accordance with Part B. Section 2.E. of the Accomplishment Instructions of MHI RJ Service Bulletin 601R–35–022, Revision B, dated April 21, 2022.

(h) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO 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 responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or MHI RJ Aviation ULC's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(i) Additional Information

(1) Refer to TCCA AD CF–2021–32R1, dated July 25, 2022, for related information. This TCCA AD may be found in the AD docket at *regulations.gov* under Docket No. FAA–2022–0141.

(2) For more information about this AD, contact Gabriel Kim, Aerospace Engineer, Avionics and Electrical Systems Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(j) 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 this AD specifies otherwise.

(i) MHI RJ Aviation Service Bulletin 601R–35–022, Revision B, dated April 21, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact MHI RJ Aviation Group, Customer Response Center, 3655 Ave. des Grandes-Tourelles, Suite 110, Boisbriand, Québec J7H 0E2 Canada; North America toll-free telephone 833–990–7272 or direct-dial telephone 450–990–7272; fax 514–855–8501; email *thd.crj@mhirj.com;* website *mhirj.com.*

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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

Issued on October 7, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22275 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–1298; Project Identifier MCAI–2022–00437–T]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directives (ADs) 2005–15–11, 2016–07–09, and 2018–19–24, which apply to all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2005–15–11 requires repetitive detailed and specialized inspections to detect fatigue damage in the fuselage, replacement of certain bolt assemblies, and corrective actions if necessary. AD 2016–07–09 requires a

revision of the maintenance or inspection program, as applicable. AD 2018–19–24 requires a one-time detailed inspection of a certain fuselage frame and repair, if necessary, and a revision of the maintenance or inspection program, as applicable, to incorporate new or revised maintenance instructions and airworthiness limitations. Since the FAA issued those ADs, the FAA has determined that new or more restrictive airworthiness limitations are necessary. This proposed AD would continue to require the actions in AD 2016–07–09 and 2018–19–24 and require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by December 5, 2022.

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 *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.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–1298; 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 mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For service information identified in this NPRM, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com*; website *baesystems.com/Businesses/RegionalAircraft/index.htm*.
- You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *todd.thompson@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–2022–1298; Project Identifier MCAI–2022–00437–T'' 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 the 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 *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 Todd Thompson, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *todd.thompson@faa.gov*. Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2005–15–11, Amendment 39–14200 (70 FR 43025, July 26, 2005) (AD 2005–15–11) for all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2005–15–11 was prompted by MCAI originated by the Civil Aviation Authority (CAA), which is the aviation authority for the United Kingdom (U.K.) (U.K. CAA). The U.K. CAA issued AD 2005–15–11 to correct an unsafe condition identified by a review of primary airframe fatigue test results and a Maintenance Steering Group 3 (MSG–3) analysis, which found a need to issue an AD to detect and correct fatigue damage of the fuselage, door, engine nacelle, empennage, and wing structures, which could result in reduced structural integrity of the airplane.

AD 2005–15–11 requires repetitive detailed and specialized inspections to detect fatigue damage in the fuselage, replacement of certain bolt assemblies, and corrective actions if necessary. The FAA issued AD 2005–15–11 to address fatigue damage of the fuselage, door, engine nacelle, empennage, and wing structures, which could result in reduced structural integrity of the airplane.

The FAA issued AD 2016–07–09, Amendment 39–18454 (81 FR 21263, April 11, 2016) (AD 2016–07–09), for all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2016–07–09 was prompted by MCAI originated by the European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union. EASA issued AD 2014–0043, dated February 21, 2014 (EASA AD 2014–0043), to correct an unsafe condition identified as failure of certain structurally significant items, including the main landing gear and nose landing gear, and fuel vapor ignition sources.

AD 2016–07–09 requires a revision of the maintenance or inspection program. The FAA issued AD 2016–07–09 to address failure of certain structurally significant items, including the main landing gear and nose landing gear, which could result in reduced structural integrity of the airplane; and to prevent fuel vapor ignition sources, which could result in a fuel tank explosion and consequent loss of the airplane.

The FAA issued AD 2018–19–24, Amendment 39–19425 (83 FR 49786, October 3, 2018) (AD 2018–19–24), for all BAE Systems (Operations) Limited Model 4101 airplanes. AD 2018–19–24 was prompted by MCAI originated by

EASA. EASA issued AD 2017–0187, September 22, 2017 (EASA AD 2017–0187), to correct an unsafe condition identified as cracking in fuselage frame 90 and fatigue damage of various airplane structures.

AD 2018–19–24 requires a one-time detailed inspection of a certain fuselage frame and repair, if necessary, and a revision of the maintenance or inspection program, as applicable, to incorporate new or revised maintenance instructions and airworthiness limitations. The FAA issued AD 2018–19–24 to address cracking in fuselage frame 90, which could cause it to fail and thereby compromise the structural integrity of the aircraft pressure hull. The FAA also issued AD 2018–19–24 to address fatigue damage of various airplane structures, which could result in reduced structural integrity of the airplane. AD 2018–19–24 specifies that accomplishing the revision required by that AD terminates all requirements of AD 2005–15–11.

Actions Since ADs 2015–15–11, 2016–07–09, and 2018–19–24 Were Issued

Since the FAA issued ADs 2015–15–11, 2016–07–09, and 2018–19–24, the U.K. CAA superseded EASA ADs 2014–0043 and 2017–0187, and issued U.K. CAA AD G–2022–0006, dated March 30, 2022 (U.K. CAA AD G–2022–0006; also referred to as the MCAI). U.K. CAA AD G–2022–0006 states that the repetitive inspection requirements for Structural Significant Items (SSI) 53–10–029 were not addressed in EASA AD 2017–0187, and additional SSI inspections are necessary (inspections for cracking of Hi-Shear (now LISL)) collars. U.K. CAA AD G–2022–0006 also states that failure to comply with new or more restrictive actions could result in an unsafe condition. The FAA is issuing this AD to address fatigue damage of various airplane structures and failure of certain structurally significant items, which could result in reduced structural integrity of the airplane. The FAA is also issuing this AD to address fuel vapor ignition sources, which could result in a fuel tank explosion and consequent loss of the airplane. You may examine U.K. CAA AD G–2022–0006 in the AD docket at regulations.gov under Docket No. FAA–2022–1298.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Chapter 05 of BAE Systems (Operations) Limited J41Aircraft Maintenance Manual (AMM), Revision 44, dated June 15, 2021, for effectivity group 403; and BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 408. This service information specifies airworthiness limitations for fuel tank systems and certification maintenance requirements. These documents are distinct since they apply to different airplanes.

This proposed AD would also require:

- Subjects 05–10–10, ''Airworthiness Limitations''; 05–10–20, ''Certification Maintenance Requirements''; and 05–10–30, ''Critical Design Configuration Control Limitations (CDCCL)—Fuel System''; of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 38, dated September 15, 2013, which the Director of the Federal Register approved for incorporation by reference as of May 16, 2016 (81 FR 21263, April 11, 2016);
- BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017, which the Director of the Federal Register approved for incorporation by reference as of November 7, 2018 (83 FR 49786, October 3, 2018); and
- BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016, which the Director of the Federal Register approved for incorporation by reference as of November 7, 2018 (83 FR 49786, October 3, 2018).

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 the State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI and service information described 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 Requirements of This NPRM

This proposed AD would retain none of the requirements of AD 2005–15–11; certain requirements of AD 2016–07–09; and all requirements of AD 2018–19–24. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections) and Critical Design Configuration Control Limitations (CDCCLs). Compliance with these actions and CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (o)(1) of this proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 10 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA estimates the total cost per operator for the retained actions from AD 2016–07–09 to be $7,650 (90 work-hours × $85 per work-hour).

The FAA estimates the total cost per operator for the retained maintenance or inspection program revision from AD 2018–19–24 to be $7,650 (90 work-hours × $85 per work-hour)

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

The FAA estimates the total cost per operator for the new proposed actions to be $7,650 (90 work-hours × $85 per work-hour).

ESTIMATED COSTS FOR REQUIRED ACTIONS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection (Retained actions from AD 2018–19–24).	2 work-hours × $85 per hour = $170	$0	$170	$1,700

The FAA has received no definitive data on which to base the cost estimates for the on-condition actions specified in this 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 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:

■ a. Removing Airworthiness Directive AD 2005–15–11, Amendment 39–14200 (70 FR 43025, July 26, 2005); AD 2016–07–09, Amendment 39–18454 (81 FR 21263, April 11, 2016); and AD 2018–19–24, Amendment 39–19425 (83 FR 49786, October 3, 2018); and

■ b. Adding the following new airworthiness directive:

BAE Systems (Operations) Limited: Docket No. FAA–2022–1298; Project Identifier MCAI–2022–00437–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 5, 2022.

(b) Affected ADs

(1) This AD replaces AD 2005–15–11, Amendment 39–14200 (70 FR 43025, July 26, 2005) (AD 2005–15–11).

(2) This AD replaces AD 2016–07–09, Amendment 39–18454 (81 FR 21263, April 11, 2016) (AD 2016–07–09).

(3) This AD replaces AD 2018–19–24, Amendment 39–19425 (83 FR 49786, October 3, 2018) (AD 2018–19–24).

(c) Applicability

This AD applies to all BAE Systems (Operations) Limited Model 4101 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. The FAA is issuing this AD to address fatigue damage of various airplane structures and failure of certain structurally significant items, which could result in reduced structural integrity of the airplane. The FAA is also issuing this AD to address fuel vapor ignition sources, which could result in a fuel tank explosion and consequent loss of the airplane.

(f) Compliance

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

(g) Retained Revision of the Maintenance or Inspection Program (From AD 2016–07–09), With No Changes

This paragraph restates the requirements of paragraph (i) of AD 2016–07–09, with no changes. Within 90 days after May 16, 2016 (the effective date of AD 2016–07–09): Revise the maintenance or inspection program, as applicable, by incorporating Subjects 05–10–10, ''Airworthiness Limitations''; 05–10–20, ''Certification Maintenance Requirements''; and 05–10–30, ''Critical Design Configuration Control Limitations (CDCCL)—Fuel System''; of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 38, dated September 15, 2013. The initial compliance times for the tasks are at the applicable times specified in paragraphs (g)(1) through (3) of this AD. Accomplishing the revision of the existing maintenance or inspection program required by paragraph (m) of this AD terminates the requirements of this paragraph.

(1) For replacement tasks of life limited parts specified in Subject 05–10–10, ''Airworthiness Limitations,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 38, dated September 15, 2013: Prior to the applicable flight cycles (landings) or flight hours (flying hours) on the part specified in the ''Mandatory Life Limits'' column in Subject 05–10–10, or within 90 days after May 16, 2016 (the effective date of AD 2016–07–09), whichever occurs later.

(2) For structurally significant item tasks specified in Subject 05–10–10, ''Airworthiness Limitations,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 38, dated September 15, 2013: Prior to the accumulation of the applicable flight cycles specified in the ''Initial Inspection'' column in Subject 05–10–10, or within 90 days after May 16, 2016 (the effective date of AD 2016–07–09), whichever occurs later.

(3) For certification maintenance requirements tasks specified in Subject 05–10–20, ''Certification Maintenance Requirements,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 38, dated September 15, 2013: Prior to the accumulation of the applicable flight hours specified in the ''Time Between Checks'' column in Subject 05–10–20, or within 90 days after May 16, 2016 (the effective date of AD 2016–07–09), whichever occurs later; except for tasks that specify ''first flight of the day'' in the ''Time Between Checks'' column in Subject 05–10–20, the

initial compliance time is the first flight of the next day after doing the revision required by paragraph (g) of AD 2016–07–09, or within 90 days after May 16, 2016, whichever occurs later.

(h) Retained Restrictions on Alternative Actions, Intervals, and/or (CDCCLs), With No Changes

This paragraph restates the requirements of paragraph (j) of AD 2016–07–09, with no changes. Except as required by paragraph (m) of this AD, after the maintenance or inspection program, as applicable, has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, and/or CDCCLs may be used unless the actions, intervals, and/or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (o)(1) of this AD.

(i) Retained Inspection, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2018–19–24, with no changes. At the compliance times specified in paragraphs (i)(1) and (2) of this AD, as applicable: Do a detailed inspection of fuselage frame 90 for cracking or fatigue damage, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016. If any cracking or fatigue damage is found: Before further flight, repair using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or BAE Systems (Operations) Limited's EASA Design Organization Approval (DOA). Accomplishing the revision of the existing maintenance or inspection program required by paragraph (m) of this AD terminates the requirements of this paragraph.

(1) For airplanes with 6,300 flight cycles or fewer since Structural Significant Items (SSI) 53–10–029 (Maintenance Planning Document (MPD) 531029–DVl–10010–1) was last accomplished: Within 6,600 flight cycles after the last accomplishment of SSI 53–10–029 (MPD 531029–DVl–10010–1), or within 6 months after November 7, 2018 (the effective date of AD 2018–19–24), whichever is later.

(2) For airplanes with more than 6,300 flight cycles since SSI 53–10–029 (MPD 531029–DVl–10010–1) was last accomplished: Within 300 flight cycles or 4.5 months, whichever is earlier, since the last accomplishment of SSI 53–10–029 (MPD 531029–DVl–10010–1), or within 6 months after November 7, 2018 (the effective date of AD 2018–19–24), whichever is later.

(j) Retained Revision of Maintenance or Inspection Program (From AD 2018–19–24), With No Changes

This paragraph restates the requirements of paragraph (h) of AD 2018–19–24, with no changes. Within 90 days after November 7, 2018 (the effective date of AD 2018–19–24): Revise the maintenance or inspection program, as applicable, by incorporating the maintenance tasks and associated thresholds and intervals described in, and in accordance with, the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017. The initial compliance times for new or revised tasks are at the applicable times specified in BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017, or within 6 months after November 7, 2018, whichever is later. Accomplishing the revision of the existing maintenance or inspection program required by paragraph (m) of this AD terminates the requirements of this paragraph.

(k) Retained No Alternative Actions and Intervals, With No Changes

This paragraph restates the requirements of paragraph (i) of AD 2018–19–24, with no changes. Except as required by paragraph (m) of this AD: After the maintenance or inspection program has been revised as required by paragraph (j) of this AD, no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions or intervals are approved as an AMOC in accordance with the procedures specified in paragraph (o)(1) of this AD.

(l) Retained No Reporting Requirement, With No Changes

This paragraph restates the requirements of paragraph (k) of AD 2018–19–24, with no changes. Although the Accomplishment Instructions of BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016, specify to submit certain information to the manufacturer, this AD does not include that requirement.

(m) New Revision of the Existing Maintenance or Inspection Program

Within 90 days after the effective date of this AD: Revise the existing maintenance or inspection program, as applicable, by incorporating Subjects 05–10–10, ''Airworthiness Limitations''; 05–10–20, ''Certification Maintenance Requirements''; and 05–10–30, ''Critical Design Configuration Control Limitations (CDCCL)—Fuel System''; of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 403; or BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 408; as applicable. The initial compliance times for the tasks are at the applicable times specified in paragraphs (m)(1) through (3) of this AD. Accomplishing the revision of the existing maintenance or inspection program required by this paragraph terminates the actions required by paragraphs (g), (i) and (j) of this AD.

(1) For replacement tasks of life limited parts specified in Subject 05–10–10, ''Airworthiness Limitations,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 403; or BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 408; as applicable: Prior to the applicable flight cycles (landings) or flight hours (flying hours) on the part specified in the ''Mandatory Life Limits'' column in Subject 05–10–10, or within 90 days after the effective date of this AD, whichever occurs later.

(2) For structurally significant item tasks specified in Subject 05–10–10, ''Airworthiness Limitations,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 403; or BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021. for effectivity group 408; as applicable: Prior to the accumulation of the applicable flight cycles specified in the ''Initial Inspection'' column in Subject 05–10–10, or within 90 days after the effective date of this AD, whichever occurs later.

(3) For certification maintenance requirements tasks specified in Subject 05–10–20, ''Certification Maintenance Requirements,'' of Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 403; or BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 408; as applicable: Prior to the accumulation of the applicable flight hours specified in the ''Time Between Checks'' column in Subject 05–10–20, or within 90 days after the effective date of this AD, whichever occurs later; except for tasks that specify ''first flight of the day'' in the ''Time Between Checks'' column in Subject 05–10–20, the initial compliance time is the first flight of the next day after accomplishing the revision required by paragraph (m) of this AD, or within 90 days after the effective date of this AD, whichever occurs later.

(n) New No Alternative Actions, Intervals, or Critical Design Configuration Control Limitations (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (m) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in paragraph (o)(1) of this AD.

(o) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* 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 responsible Flight Standards Office, as appropriate. If sending information directly to the International Validation Branch, send it to the attention of the person identified in paragraph (p)(2) of this AD. Information may be emailed to: *9-AVS-AIR-730-AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must

be accomplished using a method approved by the Manager, International Validation Branch, FAA; or the United Kingdom Civil Aviation Authority (U.K. CAA); or BAE Systems (Operations) Limited's U.K. CAA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(p) Additional Information

(1) Refer to U.K. CAA AD G–2022–0006, dated March 30, 2022, for related information. This U.K. CAA AD may be found in the AD docket at *regulations.gov* under Docket No. FAA–2022–1298.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3228; email *todd.thompson@faa.gov*.

(q) 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 this AD specifies otherwise.

(3) The following service information was approved for IBR.

(i) Chapter 05 of BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Revision 44, dated June 15, 2021, for effectivity group 403;

(ii) Chapter 05 of BAE Systems (Operations) Limited J41 AMM, Revision 44, dated June 15, 2021, for effectivity group 408.

(4) The following service information was approved for IBR on November 7, 2018 (83 FR 49786, October 3, 2018).

(i) BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016.

(ii) BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017.

(5) The following service information was approved for IBR on May 16, 2016 (81 FR 21263, April 11, 2016).

(i) Chapter 05, ''Airworthiness Limitations,'' of the BAE Systems (Operations) Limited J41 Aircraft Maintenance Manual (AMM), Revision 38, dated September 15, 2013. Page 1 of the ''Publications Transmittal'' is the only page that shows the revision level of this document.

(A) Subject 05–10–10, ''Airworthiness Limitations.''

(B) Subject 05–10–20, ''Certification Maintenance Requirements.''

(C) Subject 05–10–30, ''Critical Design Configuration Control Limitations (CDCCL)—Fuel System.''

(ii) [Reserved]

(6) For service information identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com*; website *baesystems.com/Businesses/RegionalAircraft/index.htm*.

(7) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(8) 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: *www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued on October 6, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22202 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–1297; Project Identifier MCAI–2022–00570–T]

RIN 2120–AA64

Airworthiness Directives; Dassault Aviation 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 Dassault Aviation Model FALCON 7X airplanes. This proposed AD was prompted by a report of smoke in the flightdeck and loss of the right-hand (RH) primary display unit (PDU) and the secondary flight display (SFD). This proposed AD would require inspecting the two electrical power feeders for damage (deterioration), measuring the clearance between the two electrical power feeders and the forward lavatory bulkhead, and applicable corrective actions, as specified in a 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 5, 2022.

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 *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.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–1297; 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 mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For material that is proposed for IBR in this NPRM, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available in the AD docket at *regulations.gov* by searching for and locating Docket No. FAA–2022–1297.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3226; email *Tom.Rodriguez@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–2022–1297; Project Identifier MCAI–2022–00570–T'' 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 *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 Tom Rodriguez, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3226; email *Tom.Rodriguez@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

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2022–0073, dated April 27, 2022 (EASA AD 2022–0073) (also referred to as the MCAI), to correct an unsafe condition for certain Dassault Aviation Model FALCON 7X airplanes.

This proposed AD was prompted by a report of smoke in the flightdeck and loss of the RH PDU and the SFD. The subsequent investigation determined that chafing and arcing of the electrical power feeders with the forward lavatory bulkhead led to smoke and loss of the RH PDU and the SFD power supply. The FAA is proposing this AD to address chafing and arcing of the electrical power feeders with the forward lavatory bulkhead, which could lead to loss of systems supporting flight automation and flight displays and reduced situational awareness, possibly resulting in a significant increase of flightcrew workload and injury to occupants. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

EASA AD 2022–0073 specifies procedures for inspecting the two electrical power feeders for damage (deterioration), measuring the clearance between the two electrical power feeders and the forward lavatory bulkhead, and applicable corrective actions. The corrective actions include repairing any electrical power feeder with deterioration and modifying the forward lavatory bulkhead. If a clearance of more than 1 millimeter (mm) but less than or equal to 13 mm is detected, the corrective action includes installing ROUNDIT200NX sheath on the affected electrical power feeder using white binding braid. If a clearance of more than 13 mm is detected, the corrective action includes looking for the presence of a blue cable grip around the electrical power feeders and installing it if it is missing. This material 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 the State of Design Authority, it has notified the FAA of the unsafe condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2022–0073 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2022–0073 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2022–0073 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2022–0073 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2022–0073. Service information required by EASA AD 2022–0073 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2022–1297 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this proposed AD would affect 45 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
2 work-hours × $85 per hour = $170	$0	$170	$7,650

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 33 work-hours × $85 per hour = $2,805	Up to $431	Up to $3,236.

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

Dassault Aviation: Docket No. FAA–2022–1297; Project Identifier MCAI–2022–00570–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by December 5, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Dassault Aviation Model FALCON 7X airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2022–0073, dated April 27, 2022 (EASA AD 2022–0073).

(d) Subject

Air Transport Association (ATA) of America Code 24, Electrical power.

(e) Unsafe Condition

This AD was prompted by a report of smoke in the flightdeck and loss of the right-hand primary display unit (PDU) and the secondary flight display (SFD). The FAA is issuing this AD to address chafing and arcing of the electrical power feeders with the forward lavatory bulkhead, which could lead loss of systems supporting flight automation and flight displays and reduced situational awareness, possibly resulting in a significant increase of flightcrew workload and injury to occupants.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2022–0073.

(h) Exceptions to EASA AD 2022–0073

(1) Where EASA AD 2022–0073 refers to its effective date, this AD requires using the effective date of this AD.

(2) The ''Remarks'' section of EASA AD 2022–0073 does not apply to this AD.

(i) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* 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 responsible Flight Standards Office, as appropriate. If sending information directly to 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.* Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or Dassault Aviation's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(j) Related Information

(1) For EASA AD 2022–0073, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu;* website *easa.europa.eu.* You may find this EASA AD on the EASA website at *ad.easa.europa.eu.* You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. This material may be found in the AD docket at *regulations.gov* by searching for and locating Docket No. FAA–2022–1297.

(2) For more information about this AD, contact Tom Rodriguez, Aerospace Engineer, Large Aircraft Section, FAA, International Validation Branch, 2200 South 216th St., Des Moines, WA 98198; telephone 206–231–3226; email *Tom.Rodriguez@faa.gov.*

Issued on October 6, 2022.

Christina Underwood,

Acting Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–22203 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–121509–00]

RIN 1545–AY54

Exclusion From Gross Income of Previously Taxed Earnings and Profits, and Adjustments to Basis of Stock in Controlled Foreign Corporations and of Other Property

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Withdrawal of notice of proposed rulemaking.

SUMMARY: This document withdraws a notice of proposed rulemaking published in the **Federal Register** on August 29, 2006. The notice of proposed rulemaking relates to the exclusion from gross income of previously taxed earnings and profits under section 959 of the Internal Revenue Code (the ''Code'') and related basis adjustments under section 961 of the Code.

DATES: The proposed regulations are withdrawn on October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Joshua P. Roffenbender, (202) 317–6934, or Chadwick Rowland, (202) 317–6937 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background

On August 29, 2006, the Treasury Department and the IRS issued a notice of proposed rulemaking relating to the exclusion from gross income of previously taxed earnings and profits under section 959 and related basis adjustments under section 961 (71 FR 51155), corrections to which were published in the **Federal Register** on December 8, 2006 (71 FR 71116) (together, the ''2006 proposed regulations''). On December 14, 2018, the Treasury Department and the IRS issued Notice 2019–01 (2019–02 I.R.B. 275), which announced an intent to withdraw the 2006 proposed regulations and issue a new notice of proposed rulemaking under sections 959 and 961 (the ''new proposed regulations'').

This document withdraws the 2006 proposed regulations. Those proposed regulations were never finalized, never went into effect, and did not indicate that taxpayers could rely on them. Withdrawing the proposed regulations at this point will help prevent possible abuse or other misuse of them—such as inappropriate basis adjustments in certain stock acquisitions to which section 304(a)(1) applies—while the Treasury Department and the IRS continue to develop the new proposed regulations. The IRS may, where appropriate, challenge taxpayer positions giving rise to inappropriate results.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Withdrawal of a Notice of Proposed Rulemaking

■ Accordingly, under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG–121509–00) published in the **Federal Register** on August 29, 2006 (71 FR 51155), corrections to which were published in the **Federal Register** on December 8, 2006 (71 FR 71116), is withdrawn.

Douglas W. O'Donnell,

Deputy Commissioner for Services and Enforcement.

[FR Doc. 2022–22891 Filed 10–20–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0806]

RIN 1625–AA00

Safety Zones in Reentry Sites; Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would implement a special activities provision of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. The Coast Guard is proposing to establish five temporary safety zones for the safe splashdown and recovery of reentry vehicles launched by Space Exploration Technologies Corporation (SpaceX) in support of National Aeronautics and Space Administration (NASA) and privately chartered missions. The proposed temporary safety zones are located within the Coast Guard District Seven area of responsibility (AOR) offshore of Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida. This proposed rule would prohibit U.S.-flagged vessels from entering any of the temporary safety zones unless authorized by the District Commander of the Seventh Coast Guard District, a Coast Guard Captain of the Port, or a designated representative. Foreign-flagged vessels would be encouraged to remain outside the safety zones. This action is necessary to protect vessels and waterway users from the potential hazards created by reentry vehicle splashdowns and recovery operations in the U.S. Exclusive Economic Zone (EEZ). It is also necessary to provide for the safe recovery of reentry vehicles, and any personnel involved in reentry services, after the splashdown. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before November 21, 2022.

ADDRESSES: You may submit comments identified by docket number USCG–2022–0806 using the Federal Decision Making Portal at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Ryan Gilbert, District 7 Waterways Division (dpw), U.S. Coast Guard; telephone (305) 415–6748, email *Ryan.A.Gilbert@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

AOR Area of Responsibility
BNM Broadcast Notice to Mariners
CFR Code of Federal Regulations
COTP Captain of the Port
DHS Department of Homeland Security
EEZ Exclusive Economic Zone
FAA Federal Aviation Administration
FL Florida
FR Federal Register
MSIB Marine Safety Information Bulletin
NASA National Aeronautics and Space Administration
NM Nautical Mile
NPRM Notice of Proposed Rulemaking
§ Section
SpaceX Space Exploration Technologies Corporation
U.S. United States
U.S.C. United States Code

II. Background, Purpose, and Legal Basis

On January 1, 2021, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283) (Authorization Act) was enacted. Section 8343 (134 Stat. 4710) calls for the Coast Guard to conduct a two-year pilot program to establish and implement a process to establish safety zones to address special

activities in the U.S. Exclusive Economic Zone (EEZ).[1] These special activities include space activities [2] carried out by United States (U.S.) citizens. Terms used to describe space activities, including *launch, reentry site,* and *reentry vehicle,* are defined in 51 U.S.C. 50902, and in this document.

The Coast Guard has long monitored space activities impacting the maritime domain and taken actions to ensure the safety of vessels and the public as needed during space launch [3] operations. In conducting this activity, the Coast Guard engages with other government agencies, including the Federal Aviation Administration (FAA) and National Aeronautics and Space Administration (NASA), and private space operators, including Space Exploration Technologies Corporation (SpaceX). This engagement is necessary to ensure statutory and regulatory obligations are met to ensure the safety of launch operations and waterway users.

During this engagement, the Coast Guard was informed of space reentry vehicles and recovery operations in the U.S. EEZ. Section 50902 of 51 U.S.C. defines ''reentry vehicle'' as a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from Earth orbit or outer space to Earth, substantially intact. SpaceX, a U.S. company, identified five reentry sites [4] within the U.S. EEZ of the Coast Guard District Seven area of responsibility (AOR) expected to be used for the splashdown and recovery of reentry vehicles. All of these sites are off the coast of Florida (FL)—three are located in the Atlantic Ocean and two are located in the Gulf of Mexico.

On August 4, 2022, the Coast Guard published a temporary final rule (TFR) [5] in the **Federal Register** establishing five temporary safety zones for the safe splashdown and recovery of reentry vehicles launched by SpaceX in support of NASA missions. That TFR is effective through December 31, 2022.

With this notice of proposed rulemaking, the Coast Guard is proposing to establish 5 temporary safety zones for the safe splashdown and recovery of reentry vehicles launched by SpaceX in support of NASA missions from January 1, 2023 through February 4, 2024.

The purpose of this rulemaking is to ensure the protection of vessels and waterway users in the U.S. EEZ from the potential hazards created by reentry vehicle splashdowns and recovery operations, and the safe recovery of reentry vehicles and personnel involved in reentry services.[6] The Coast Guard is proposing this rulemaking under authority of section 8343 of the Authorization Act.

III. Discussion of Proposed Rule

The Coast Guard is proposing to establish five temporary safety zones in the U.S. EEZ for the safe reentry vehicle splashdown and recovery of reentry vehicles launched by SpaceX in support of NASA and privately chartered missions from January 1, 2023 through February 4, 2024.

The proposed temporary safety zones are located within the Coast Guard District Seven AOR offshore of Jacksonville, Daytona, and Cape Canaveral, FL, in the Atlantic Ocean, and Tampa and Tallahassee, FL, in the Gulf of Mexico. The proposed rule would prohibit U.S.-flagged vessels from entering any of the safety zones unless authorized by the District Commander, a Coast Guard Captain of the Port (COTP), or a designated representative. Because the safety zones are within the U.S. EEZ, only U.S.-flagged vessels would be subject to enforcement. However, all foreign-flagged vessels would be encouraged to remain outside the safety zones.

Three of the five proposed temporary safety zones are located off the coast of FL in the Atlantic Ocean in the following areas: (1) Approximately 65 nautical miles (NM) northeast from Jacksonville; (2) 29 NM northeast from Daytona; and (3) 17 NM east from Port Canaveral. The remaining two proposed temporary safety zones are located off the coast of FL in the Gulf of Mexico in the following areas: (1) Approximately 58 NM northwest from Tampa Bay; and (2) 43 NM south from Tallahassee. The Jacksonville, Daytona, Cape Canaveral, and Tampa safety zones have an approximate area of 256 square miles, and are diamond shaped with the top point of the diamond pointing to the North. The Tallahassee safety zone is approximately 59 square miles in size and is triangular in shape. The Tallahassee safety zone, as provided by NASA and SpaceX, is the same size and shape as the other four safety zones; however, only a portion of the safety zone is within the jurisdiction of the Seventh Coast Guard District, so only the 59 square miles is included in this proposed rule. The remaining portion of the safety zone falls within the Coast Guard District Eight AOR.

The coordinates for the safety zones are based on the furthest north, east, south, and west points of the reentry vehicles splashdown and are determined from data and modeling by SpaceX and NASA. The coordinates take into account the trajectories of the reentry vehicles coming out of orbit, the potential risk to the public, and the proximity to medical facilities that meet NASA requirements. The specific coordinates for the five temporary safety zones are presented in the regulatory text at the end of this document.

To the extent feasible, the District Commander, COTP,[7] or designated representative would inform the public of the activation of the five temporary safety zones by Notice of Enforcement (NOE) published in the **Federal Register** at least two days before the reentry vehicle splashdown. The NOE would identify the approximate date(s) during which a reentry vehicle splashdown and recovery operations would occur. The District Commander or COTP Jacksonville would issue the NOEs for the safety zones located in Jacksonville, Daytona, and Cape Canaveral, FL. The District Commander or COTP St. Petersburg would issue the NOEs for the safety zones located Tampa and Tallahassee, FL.

To the extent possible, twenty-four hours before a reentry vehicle splashdown and recovery operations, the District Commander, COTP, or designated representative would inform the public whether one of the five safety zones would remain activated (subject to enforcement) until announced by Broadcast Notice to Mariners (BNM) on VHF–FM channel 16, and/or Marine Safety Information Bulletin (MSIB) (as appropriate) that the safety zone is no longer subject to enforcement. The specific temporary safety zone to be enforced would be based on varying mission and environmental factors, including atmospheric conditions, sea state, weather, and orbital calculations.

[1] The Coast Guard defines the U.S. *exclusive economic zone* in 33 CFR 2.30(a). *Territorial sea* is defined in 33 CFR 2.22.

[2] *Space Activities* means space activities, including launch and reentry, as such terms are defined in section 50902 of Title 51, United States Code, carried out by United States citizens.

[3] The term *launch* is defined in 51 U.S.C. 50902.

[4] *Reentry site* means the location on Earth to which a reentry vehicle is intended to return (as defined in a license the FAA Administrator issues or transfers under this chapter).

[5] See Coast Guard temporary final rule titled, ''Safety Zones in Reentry Sites; Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida'' (87 FR 47626).

[6] *Reentry Services* means (1) activities involved in the preparation of a reentry vehicle and payload, crew (including crew training), government astronaut, or space flight participant, if any, for reentry; and (2) the conduct of a reentry.

[7] The zones in the COTP Jacksonville AOR are Jacksonville, Daytona, and Cape Canaveral, FL. And, the zones in the COTP St. Petersburg AOR are Tampa and Tallahassee, FL.

The MSIB would include the geographic coordinates of the activated safety zone, a map identifying the location of the activated safety zone, and information related to potential hazards associated with a reentry vehicle splashdown and recovery operations associated with space activities, including marine environmental and public health hazards, such the release of hydrazine and other potential oil or hazardous substances.

When the safety zone is activated, the District Commander, COTP, or designated representative would be able to restrict U.S.-flagged vessel movement including but not limited to transiting, anchoring, or mooring within the safety zone to protect vessels from hazards associated with space activities. The activated safety zone would ensure the protection of vessels and waterway users from the potential hazards created by reentry vehicle splashdowns and recovery operations. This includes protection during the recovery of a reentry vehicle, and the protection of personnel involved in reentry services and space support vessels.[8]

After a reentry vehicle splashdown, the District Commander, COTP, or designated representative would grant general permission to come no closer than 3 NM within the activated safety zone from any reentry vehicle or space support vessel engaged in the recovery operations. The recovery operations are expected to last approximately one hour. That should allow for sufficient time to let any potential toxic materials clear the reentry vehicle, recovery of the reentry vehicle by the space support vessel, and address any potential medical evacuations for any personnel involved in reentry services that were onboard the reentry vehicle.

Once a reentry vehicle and any personnel involved in reentry services are removed from the water and secured onboard a space support vessel, the District Commander, COTP, or designated representative would issue a BNM on VHF–FM channel 16 announcing the activated safety zone is no longer subject to enforcement. A photograph of a reentry vehicle and space support vessel expected to use the reentry sites are available in the docket.

IV. Regulatory Analyses

We developed this proposed 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 NPRM has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration, and scope of the temporary safety zones. The temporary safety zones are limited in size and location to only those areas where reentry vehicles splashdown and recovery operations occur. The safety zones are limited in scope, as vessel traffic would be able to safely transit around the activated safety zone which will only impact a small part of the U.S. EEZ within the Atlantic Ocean and Gulf of Mexico. The proposed rule involves the establishment of five temporary safety zones which would be activated two days before a reentry vehicle splashdown and recovery operations. Twenty-four hours before a reentry vehicle splashdown, the Coast Guard would inform the public whether any of the five temporary safety zones would remain activated. If one of the safety zones remains activated, the safety zone would be enforced for four hours prior to a reentry vehicle splashdown and remain activated until announced by Broadcast Notice to Mariners on VHF–FM channel 16, and/or Marine Safety Information Bulletin (as appropriate) that the safety zone is no longer subject to enforcement. After the reentry vehicle splashdown, general permission would be granted to come no closer than 3 NM within the activated safety zone. There is a danger associated with fumes from the reentry vehicle after it has splashed down. Once a reentry vehicle and any personnel involved in reentry services are removed from the water and secured onboard a space support vessel, the activated safety zone would no longer be subject to enforcement. The activated safety zone would ensure the protection of vessels and waterway users from the potential hazards created by a reentry vehicle splashdown and recovery operations and the recovery of a reentry vehicle, personnel involved in reentry services, and space support vessel.

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 proposed rule would not have a significant economic impact on a substantial number of small entities.

The safety zones are only expected to last a few hours from reentry vehicle splashdown to recovery. Vessels will be able to transit around the activated safety zone location during these recoveries. We do not anticipate any significant economic impact resulting from activation of the safety zones.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity, and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

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 proposed rule. If the proposed 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. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

C. Collection of Information

This proposed rule would 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 proposed rule under that Order and

[8] *Space Support Vessel* means any vessel engaged in the support of space activities. These vessels are typically approximately 170 feet in length, have a forward wheelhouse, and are equipped with a helicopter pad and lifting crane.

have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this proposed 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 made a preliminary determination 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 proposed rule involves the establishment of five temporary safety zones which would be activated two days before a reentry vehicle splashdown and recovery operations. Twenty-four hours before a reentry vehicle splashdown, one of the five temporary safety zones would remain activated. If one of the safety zones remains activated, the safety zone will be enforced four hours prior to a reentry vehicle splashdown and remain activated until announced by Broadcast Notice to Mariners on VHF–FM channel 16, and/or Marine Safety Information Bulletin (as appropriate) that the safety zone is no longer subject to enforcement. After a reentry vehicle splashdown, general permission would be granted to come no closer than 3 NM within the activated safety zone. Once a reentry vehicle and any personnel involved in reentry services are removed from the water and secured onboard a space support vessel, the activated safety zone would no longer be subject to enforcement. Normally such actions are 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 preliminary 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. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

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.

V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

Submitting comments. We encourage you to submit comments through the Federal Decision Making Portal at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2022–0806 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

Viewing material in docket. To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select ''Supporting & Related Material'' in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the *https://www.regulations.gov* Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

Personal information. We accept anonymous comments. Comments we post to *https://www.regulations.gov* will include any personal information you have provided. For more about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

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 is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

Authority: 46 U.S.C. 70034, 70051; section 8343 of Pub. L. 116–283, 134 Stat. 3388, 4710; 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.T07–0806 to read as follows:

§ 165.T07–0806 Safety Zones in Reentry Sites; Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida.

(a) *Location.* The coordinates used in this paragraph are based on the World Geodetic System (WGS) 1984. The following areas are safety zones:

(1) *Jacksonville Site.* All waters from surface to bottom encompassed within a line connecting the following points: Point 1, thence to Point 2, thence to Point 3, thence to Point 4, and then back to Point 1.

Point 1	31°06′28″ N	080°15′00″ W
Point 2	30°55′01″ N	080°01′40″ W
Point 3	30°43′30″ N	080°15′00″ W
Point 4	30°55′01″ N	080°28′19″ W

(2) *Daytona Site.* All waters from surface to bottom encompassed within a line connecting the following points: Point 1, thence to Point 2, thence to Point 3, thence to Point 4, and then back to Point 1.

Point 1	29°59′27″ N	080°40′01″ W

Point 2	29°48′00″ N	080°26′52″ W
Point 3	29°36′32″ N	080°40′01″ W
Point 4	29°48′00″ N	080°53′09″ W

(3) *Cape Canaveral Site.* All waters from surface to bottom encompassed within a line connecting the following points: Point 1, thence to Point 2, thence to Point 3, thence to Point 4, and then back to Point 1.

Point 1	29°02′27″ N	080°13′48″ W
Point 2	28°51′00″ N	080°00′46″ W
Point 3	28°39′32″ N	080°13′48″ W
Point 4	28°51′00″ N	080°26′49″ W

(4) *Tampa Site.* All waters from surface to bottom encompassed within a line connecting the following points: Point 1, thence to Point 2, thence to Point 3, thence to Point 4, and then back to Point 1.

Point 1	28°17′27″ N	083°54′00″ W
Point 2	28°06′00″ N	083°41′02″ W
Point 3	27°54′32″ N	083°54′00″ W
Point 4	28°06′00″ N	084°06′57″ W

(5) *Tallahassee Site.* All waters from surface to bottom encompassed within a line connecting the following points: Point 1, thence to Point 2, thence to Point 3, and then back to Point 1.

Point 1	29°22′38″ N	084°05′20″ W
Point 2	29°16′58″ N	083°58′55″ W
Point 3	29°06′20″ N	084°11′12″ W

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

District Commander means Commander of the Seventh Coast Guard District.

Captain of the Port means the Captain of the Port of Jacksonville or the Captain of the Port of St. Petersburg.

Designated representative means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel; Coast Guard Representatives in the Merrill Operations Center; and other officers designated by the District Commander of the Seventh Coast Guard District or cognizant COTP.

Reentry Services means (1) activities involved in the preparation of a reentry vehicle and payload, crew (including crew training), government astronaut, or space flight participant, if any, for reentry; and (2) the conduct of a reentry.

Reentry vehicle means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from Earth orbit or outer space to Earth, substantially intact.

Space Support Vessel means any vessel engaged in the support of space activities. These vessels are typically approximately 170 feet in length, have a forward wheelhouse, and are equipped with a helicopter pad and lifting crane.

Splashdown means the landing of a reentry vehicle into a body of water.

(c) *Regulations.* (1) Because the safety zones described in paragraph (a) of this section are within the U.S. Exclusive Economic Zone, only U.S.-flagged vessels are subject to enforcement. All foreign-flagged vessels are encouraged to remain outside the safety zones.

(2) In accordance with the general regulations in 33 CFR part 165, subpart C, no U.S.-flagged vessel may enter the safety zones described in paragraph (a) of this section unless authorized by the District Commander, COTP, or designated representative, except as provided in paragraph (d)(3) of this section.

(d) *Notification of Enforcement.* (1) To the extent feasible, the District Commander, COTP, or designated representative will inform the public of the activation of the five safety zones described in paragraph (a) of this section by Notice of Enforcement published in the **Federal Register** at least two days before the splashdown.

(2) To the extent possible, twenty-four hours before a reentry vehicle splashdown, the District Commander, COTP, or designated representative will inform the public if one of the five safety zones described in paragraph (a) of this section will remain activated until announced by Broadcast Notice to Mariners on VHF–FM channel 16, and/or Marine Safety Information Bulletin (as appropriate) that the safety zone is no longer subject to enforcement.

(3) After a reentry vehicle splashdown, the District Commander, COTP, or designated representative will grant general permission to come no closer than 3 nautical miles of any reentry vehicle or space support vessel engaged in the recovery operations, within the activated safety zone described in paragraph (a) of this section.

(4) Once a reentry vehicle, and any personnel involved in reentry service, are removed from the water and secured onboard a space support vessel, the District Commander, COTP, or designated representative will issue a Broadcast Notice to Mariners on VHF–FM channel 16 announcing the activated safety zone is no longer subject to enforcement.

(e) *Effective period.* This section is effective from January 1, 2023 through February 4, 2024.

Dated: October 17, 2022.

Tina J. Pena,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

[FR Doc. 2022–22972 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 111

Removal of Sacks—USPS Marketing Mail and Periodicals Flats

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service™ proposes to revise *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM®) to remove references to sacks as a handling unit for USPS Marketing Mail® and Periodicals Flats.

DATES: Submit comments on or before November 21, 2022.

ADDRESSES: Mail or deliver written comments to the manager, Product Classification, U.S. Postal Service®, 475 L'Enfant Plaza SW, Room 4446, Washington, DC 20260–5015. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza SW, 11th Floor N, Washington, DC by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday by calling 1–202–268–2906 in advance. Email comments, containing the name and address of the commenter, may be sent to: *ProductClassification@usps.gov,* with a subject line of ''Network Redesign—Removal of Sacks.'' Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy at (202) 268–6592 or Doriane Harley at (202) 268–2537.

SUPPLEMENTARY INFORMATION: As part of its network redesign efforts, the Postal Service is proposing to eliminate the use of sacks as containers for Flats acceptance/entry but will continue to allow Flat trays as acceptable containers for acceptance and entry along with bundles on pallets for USPS Marketing Mail and Periodicals Flat Mail. The exception to this proposal is that carrier route, 5-digit scheme carrier routes and 5-digit carrier routes flat mail will continue to be allowed to use sacks as a handling unit.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the

Postal Service invites public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations. *See* 39 CFR 111.1.

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is proposed to be amended as follows:

PART 111—[AMENDED.]

■ 1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (DMM) as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

* * * * *

200 Commercial Letters, Cards, Flats, and Parcels

* * * * *

203 Basic Postage Statement, Documentation, and Preparation Standards

* * * * *

3.0 Standardized Documentation for First-Class Mail, Periodicals, USPS Marketing Mail, and Flat-Size Bound Printed Matter

* * * * *

3.4 Sortation Level

* * * * *

Sortation level	Abbreviation
* * * * * * *	
[Revise the item beginning with "Merged 5–Digit" to read as follows:]	
Merged 5—Digit [flat trays and pallets (Periodicals and USPS Marketing Mail flats); sacks and pallets (irregular parcels)]	M5D
[Revise the item beginning with "Merged 5–Digit Scheme" to read as follows:]	
Merged 5—Digit Scheme [flat trays and pallets (Periodicals and USPS Marketing Mail flats); sacks and pallets (irregular parcels)].	M5DS
* * * * * * *	
[Revise the item beginning with "Merged 3-Digit" to read as follows:]	
Merged 3-Digit [flat trays (Periodicals flats); sacks (irregular parcels)]	M3D
* * * * * * *	
[Revise the item beginning with "SCF" to read as follows:]	
SCF [flat trays and pallets (Periodicals flats and USPS Marketing Mail); sacks and pallets (Bound Printed Matter and irregular parcels less than 6 ounces)]	SCF

* * * * *

4.0 Bundles

* * * * *

[Revise the title of 4.4 to read as follows:]

4.4 Exception to Bundle Preparation—Full Letter and Flat Trays

* * * * *

4.6 Address Visibility for Flats and Parcels

* * * * *

[Revise the items 4.6b and 4.6c to read as follows:]

b. Bundles placed in or on 5-digit or 5-digit scheme (L001) flat trays or pallets.

c. Bundles placed in carrier route and 5-digit carrier routes flat trays or sacks.

* * * * *

[Revise the title of 4.8 to read as follows:]

4.8 Preparing Bundles in Sacks and Flat Trays

[Revise the introductory text of 4.8 to read as follows:]

In addition to the standards in 4.5 through 4.7, mailers must prepare bundles placed in flat trays and sacks as follows:

* * * * *

[Revise the title of 4.10 to read as follows:]

4.10 Additional Standards for Unsacked/Untrayed Bundles Entered at DDU Facilities

[Revise the introductory text of 4.10 to read as follows:]

Mailers may enter unsacked, untrayed, or nonpalletized bundles of carrier route, Periodicals, or USPS Marketing Mail flats and unsacked bundles of Bound Printed Matter (BPM) flats or irregular parcels (BPM only) at destination delivery units (DDUs) if all the following conditions are met:

* * * * *

4.11 Pieces With Simplified Address

[Revise the last sentence of the introductory text of 4.11 to read as follows:]

* * * Bundles must be secure and stable subject to weight limits in 705.8.0 if placed on pallets, and weight and height limits in 4.8 if placed in flat trays.

* * * * *

5.0 Letter and Flat Trays

5.1 General Standards

[Revise the last sentence of the introductory text of 5.1 to read as follows:]

* * * Periodicals and USPS Marketing Mail flat-size mailings must be prepared in flat trays with green lids under 207.22.7, 207.25.5, 245.8.7, and 245.10.4.3 (see also 5.6.2j).

* * * * *

5.6.2 Preparation for Flats in Flat Trays

* * * * *

[Add an item (j) to read as follows:]

j. Flat trays used in a Periodicals or USPS Marketing Mail flat-size mailing may be nested into each other on a pallet without lids and the pallet then shrink-wrapped.

* * * * *

204 Barcode Standards

* * * * *

3.0 Standards for Barcoded Tray Labels, Sack Labels, and Container Labels

* * * * *

3.2 Specifications for Barcoded Tray and Sack Labels

* * * * *

3.2.4 3-Digit Content Identifier Numbers

* * * * *

Exhibit 3.2.4 3-Digit Content Identifier Numbers

* * * * *

[Revise Exhibit 3.2.4 to read as follows:]

Class and mailing	CIN	Human-readable content line
* * * * *	*	*
[Revise the text of ''Per Flats—Carrier Route,'' ''Per Flats—Barcoded,'' ''Per Flats—Nonbarcoded,'' ''Per Flats—Cosacked Barcoded and Nonbarcoded,'' and ''Per Flats—Merged Carrier Route, Barcoded, and Nonbarcoded'' to read as follows:]		
PER Flats—Carrier Route:		
car. rt. sacks or flat trays—saturation	387	PER FLTS WSS [1]
car. rt. sacks or flat trays—high density	388	PER FLTS WSH [1]
car. rt. sacks or flat trays—basic	385	PER FLTS CR [1]
5-digit carrier routes sacks or flat trays	386	PER FLTS 5D CR-RTS
5-digit scheme carrier routes sacks or flat trays	371	PER FLTS CR-RTS SCH
3-digit carrier routes flat trays	351	PER FLTS 3D CR-RTS
PER Flats—Barcoded:		
5-digit flat trays	372	PER FLTS 5D BC
5-digit scheme flat trays	372	PER FLTS 5D SCH BC
3-digit flat trays	373	PER FLTS 3D BC
SCF flat trays	377	PER FLTS SCF BC
ADC flat trays	374	PER FLTS ADC BC
mixed ADC flat trays	375	PER FLTS BC WKG
Origin mixed ADC flat trays	381	PER FLTS WKG W FCM
PER Flats—Nonbarcoded:		
5-digit scheme flat trays	378	PER FLT 5D SCH NON BC
5-digit flat trays	378	PER FLTS 5D NON BC
3-digit flat trays	379	PER FLTS 3D NON BC
SCF flat trays	384	PER FLTS SCF NON BC
ADC flat trays	380	PER FLTS ADC NON BC
mixed ADC flat trays	382	PER FLTS NON BC WKG
origin mixed ADC flat trays	381	PER FLTS WKG W FCM
PER Flats—Co-trayed Barcoded and Nonbarcoded:		
5-digit scheme flat trays	321	PER FLT 5D SCH BC/NBC
5-digit flat trays	321	PER FLTS 5D BC/NBC
3-digit flat trays	322	PER FLTS 3D BC/NBC
SCF flat trays	329	PER FLTS SCF BC/NBC
ADC flat trays	331	PER FLTS ADC BC/NBC
mixed ADC flat trays	332	PER FLTS BC/NBC WKG
origin mixed ADC flat trays	381	PER FLTS WKG W FCM
PER Flats—Merged Carrier Route, Barcoded, and Nonbarcoded:		
merged 5-digit sacks or flat trays	339	PER FLTS CR/5D
merged 5-digit scheme sacks or flat trays	349	PER FLTS CR/5D SCH
merged 3-digit flat trays	352	PER FLTS CR/5D/3D
* * * * *	*	*
[Revise the text of ''NEWS Flats—Carrier Route,'' ''NEWS Flats—Barcoded,'' ''NEWS Flats—Nonbarcoded,'' ''NEWS Flats—Cosacked Barcoded and Nonbarcoded,'' and ''NEWS Flats—Merged Carrier Route, Barcoded and Nonbarcoded'' to read as follows:]		
NEWS Flats—Carrier Route:		
car. rt. sacks or flat trays—saturation	487	NEWS FLTS WSS [1]
car. rt. sacks or flat trays—high density	488	NEWS FLTS WSH [1]
car. rt. sacks or flat trays—basic	485	NEWS FLTS CR [1]
5-digit carrier routes sacks or flat trays	486	NEWS FLTS 5D CR–RTS
5-digit scheme carrier routes sacks or flat trays	471	NEWS FLTS CR–RTS SCH

Class and mailing	CIN	Human-readable content line
3-digit carrier routes flat trays	451	NEWS FLTS 3D CR–RTS
NEWS Flats—Barcoded:		
5-digit flat trays	472	NEWS FLTS 5D BC
5-digit scheme flat trays	472	NEWS FLTS 5D SCH BC
3-digit flat trays	473	NEWS FLTS 3D BC
SCF flat trays	477	NEWS FLTS SCF BC
ADC flat trays	474	NEWS FLTS ADC BC
mixed ADC flat trays	475	NEWS FLTS BC WKG
origin mixed ADC flat trays	481	NEWS FLTS WKG W FCM
NEWS Flats—Nonbarcoded:		
5-digit scheme flat trays	478	NEWS FLT 5D SCH NON BC
5-digit flat trays	478	NEWS FLTS 5D NON BC
3-digit flat trays	479	NEWS FLTS 3D NON BC
SCF flat trays	484	NEWS FLTS SCF NON BC
ADC flat trays	480	NEWS FLTS ADC NON BC
mixed ADC flat trays	482	NEWS FLTS NON BC WKG
origin mixed ADC flat trays	481	NEWS FLTS WKG W FCM
NEWS Flats—Co-trayed Barcoded and Nonbarcoded:		
5-digit scheme flat trays	421	NEWS FLT 5D SCH BC/NBC
5-digit flat trays	421	NEWS FLTS 5D BC/NBC
3-digit flat trays	422	NEWS FLTS 3D BC/NBC
SCF and origin/entry SCF flat trays	429	NEWS FLTS SCF BC/NBC
ADC flat trays	431	NEWS FLTS ADC BC/NBC
mixed ADC flat trays	432	NEWS FLTS BC/NBC WKG
origin mixed ADC flat trays	481	NEWS FLTS WKG W FCM
NEWS Flats—Merged Carrier Route, Barcoded, and Nonbarcoded:		
merged 5-digit	439	NEWS FLTS CR/5D
merged 5-digit scheme	449	NEWS FLTS CR/5D SCH
merged 3-digit flat trays	452	NEWS FLTS CR/5D/3D
* * * * * * *		

[Revise the text of ''Enhanced Carrier Route Flats—Nonautomation,'' ''MKT Flats—Cosacked Automation and Nonautomation,'' ''MKT Flats—Merged Carrier Route, Automation, and Presorted,'' ''MKT Flats—Automation,'' ''MKT Flats—Nonautomation,'' and ''MKT Flats—Residual Pieces Subject to FCM Single-Piece Prices'' to read as follows:]

Enhanced Carrier Route Flats—Nonautomation:		
saturation price sacks or flat trays	587	MKT FLTS ECRWSS [1]
high density or high density plus price sacks or flat trays.	588	MKT FLTS ECRWSH [1]
basic price sacks or flat trays	589	MKT FLTS ECRLOT [1]
5-digit carrier routes sacks or flat trays	586	MKT FLTS CR–RTS
5-digit scheme car. rts. sacks or flat trays	529	MKT FLTS CR–RTS SCH
MKT Flats—Co-trayed Automation and Nonautomation:		
5-digit scheme flat trays	521	MKT FLT 5D SCH BC/NBC
5-digit flat trays	521	MKT FLTS 5D BC/NBC
3-digit and origin/entry 3-digit flat trays	522	MKT FLTS 3D BC/NBC
ADC flat trays	531	MKT FLTS ADC BC/NBC
mixed ADC flat trays	532	MKT FLTS BC/NBC WKG
MKT Flats—Merged Carrier Route, Automation, and Presorted:		
merged 5-digit	539	MKT FLTS CR/5D

Class and mailing	CIN	Human-readable content line
merged 5-digit scheme	549	MKT FLTS CR/5D SCH
MKT Flats—Automation:		
5-digit flat trays	572	MKT FLTS 5D BC
5-digit scheme flat trays	572	MKT FLTS 5D SCH BC
3-digit flat trays	573	MKT FLTS 3D BC
ADC flat trays	574	MKT FLTS ADC BC
mixed ADC flat trays	575	MKT FLTS BC WKG
MKT Flats—Nonautomation:		
5-digit scheme flat trays	578	MKT FLT 5D SCH NON BC
5-digit flat trays	578	MKT FLTS 5D NON BC
3-digit flat trays	579	MKT FLTS 3D NON BC
ADC flat trays	580	MKT FLTS ADC NON BC
mixed ADC flat trays	582	MKT FLTS NON BC WKG
MKT Flats—Residual Pieces Subject to FCM Single-Piece Prices:		
residual flat trays	582	MKT FLTS WKG
* * * * * * *		
PACKAGE SERVICES		
* * * * * * *		
BPM Flats—Co-sacked Barcoded and Presorted:		
[Revise the text of "BPM—Co-sacked Barcoded and Presorted" to read as follows:]		
5-digit scheme sacks	648	PSVC FLTS 5D SCH BC/NBC
5-digit sacks	648	PSVC FLTS 5D BC/NBC
3-digit sacks	661	PSVC FLTS 3D BC/NBC
SCF sacks	667	PSVC FLTS SCF BC/NBC
ADC sacks	668	PSVC FLTS ADC BC/NBC
mixed ADC sacks	669	PSVC FLTS BC/NBC WKG

* * * * *

207 Periodicals

* * * * *

12.0 Nonbarcoded (Presorted) Eligibility

* * * * *

12.3 Prices—In-County

12.3.1 Five-Digit Prices

* * * * *

[Revise the text of 12.3.1b to read as follows:]

b. Nonletter-size pieces in 5-digit scheme bundles and 5-digit bundles of six or more addressed pieces each, placed in 5-digit scheme flat trays, or 5-digit flat trays, or palletized under 705.8.0 or 705.10.0, 705.12.0, or 705.13.0.

* * * * *

12.3.2 Three-Digit Prices

* * * * *

[Revise the text of 12.3.2b to read as follows:]

b. Nonletter-size pieces in 5-digit scheme, 5-digit, 3-digit scheme, and 3-digit bundles of six or more addressed pieces each, placed in 3-digit flat trays; or 3-digit scheme and 3-digit bundles of six or more addressed pieces each, prepared under 705.8.0 or 705.10.0, 705.12.0, or 705.13.0.

* * * * *

13.0 Carrier Route Eligibility

* * * * *

13.2 Sorting

13.2.1 Basic Standards

* * * * *

[Revise the text of 13.2.1b(2) and 13.2.1b(3) to read as follows:]

2. Bundles in carrier route, 5-digit scheme carrier routes, 5-digit carrier routes sacks/flat trays, or 3-digit carrier routes flat trays under 23.0. Sacks/flat trays may be palletized under 705.8.0.

3. Unsacked/untrayed bundles entered at a destination delivery unit under 23.4.2 and 29.6.5.

* * * * *

18.0 General Mail Preparation

* * * * *

18.4 Mail Preparation Terms

* * * * *

[Revise the text of 18.4j to read as follows:]

j. A *5-digit scheme carrier routes sort for carrier route Periodicals flats prepared in sacks/flat trays and irregular parcels prepared in sacks or as bundles on pallets* yields a 5-digit scheme carrier routes sack/flat tray or pallet for those 5-digit ZIP Codes listed in L001 and 5-digit carrier routes sacks/flat trays or pallets for other areas. The 5-digit ZIP Codes in each scheme are treated as one presort destination. Sacks/flat trays or pallets prepared for a 5-digit scheme carrier routes destination that contain carrier route bundles for only one of the schemed 5-digit areas are still considered to be sorted to 5-digit scheme carrier routes. Preparation of 5-digit scheme carrier routes sacks/flat trays or pallets must be done for all 5-digit scheme destinations.

* * * * *

[Revise the text of 18.4s to read as follows:]

s. An *origin/entry SCF flat tray* contains all 5-digit and 3-digit bundles (regardless of quantity) for the SCF in whose service area the mail is verified. At the mailer's option, such a flat tray

may be prepared for the SCF area of each entry Post Office. This presort level applies only to nonletter-size Periodicals prepared in flat trays.

* * * * *

[Revise the text of 18.4y to read as follows:]

y. A ''*logical*'' *presort destination* represents the total number of pieces that are eligible for a specific presort level based on the required sortation, but which might not be contained in one bundle or in one container (flat tray, sack or pallet) due to preparation requirements or the piece size. For example, there may be 42 mailpieces for ZIP Code 43112 forming a ''logical'' 5-digit bundle, and they are prepared in three physical 5-digit bundles because of the weight and height restrictions on bundles.

* * * * *

20.0 Sacks and Trays

20.1 Basic Standards

20.1.1 General

Mailings must be prepared in letter trays (letters), flat trays (flats) under 22.7 and 25.5, or sacks (carrier route, 5-digit scheme cr-rt and 5-digit cr-rt flats and all periodicals parcels). Palletized mail is subject to 705.8.0. See 203.5.0 and 203.6.0 for tray and sack standards.

* * * * *

22.0 Preparing Nonbarcoded (Presorted) Periodicals

* * * * *

22.4 Bundles With Fewer Than Six Pieces

* * * * *

[Revise the text of 22.4a to read as follows:]

a. Place bundles in only 5-digit, 3-digit, and SCF flat trays that contain at least 24 pieces, or in origin/entry SCF flat trays, as appropriate.

* * * * *

[Revise the title of 22.5 to read as follows:]

22.5 Letter Tray Preparation—Letter-Size Pieces

* * * * *

[Revise the title of 22.6 to read as follows:]

22.6 Sack Preparation—Parcels

For mailing jobs that also contain a barcoded mailing, see *22.1.2.* For other mailing jobs, preparation sequence, sack size, and labeling:

[Delete item 22.6a in its entirety and renumber the remaining items as (a) through (g) respectively; revise the new items a through g to read as follows:]

a. *5-digit,* required at 72 pieces, optional at 24 pieces minimum.

1. Line 1: use city, state, and 5-digit ZIP Code on mail (see *21.0* for overseas military mail).

2. Line 2: ''PER'' or NEWS'' as applicable; followed by ''IRREG'' as applicable; followed by ''5D''.

b. *3-digit,* required at 72 pieces, optional at 24 pieces minimum.

1. Line 1: use *L002,* Column A.

2. Line 2: ''PER'' or ''NEWS'' as applicable; followed by ''IRREG'' as applicable; followed by ''3D'.

c. *SCF,* required at 72 pieces, optional at 24 pieces minimum.

1. Line 1: use *L002,* Column C.

2. Line 2: ''PER'' or ''NEWS'' as applicable; followed by ''IRREG'' as applicable; followed by ''SCF'.

d. *Origin/entry SCF,* required for the SCF of the origin (verification) office, optional for the SCF of an entry office other than the origin office, (no minimum); for Line 1 use *L002,* Column C.

1. Line 1: use *L002,* Column C.

2. Line 2: ''PER'' or ''NEWS'' as applicable; followed by ''IRREG'' as applicable; followed by ''SCF'.

e. *ADC,* required at 72 pieces, optional at 24 pieces minimum.

1. Line 1: use *L004,* Column B.

2. Line 2: ''PER'' or ''NEWS'' as applicable; followed by or ''IRREG'' as applicable; followed by ''ADC'.

f. *Origin mixed ADC,* required; no minimum; for any remaining bundles for destinations in *L201,* Column B, corresponding to the origin ZIP Code in Column A.

1. Line 1: Use *L201,* Column C.

2. Line 2: ''PER'' or ''NEWS'' as applicable, followed by ''IRREG'' as applicable, followed by ''WKG W FCM.''

g. *Mixed ADC,* required (no minimum).

1. Line 1: Use *L009,* Column B.

2. Line 2: ''PER'' or ''NEWS'' as applicable; followed by ''IRREG'' as applicable; followed by ''WKG'' for irregular parcels.

[Revise the title of 22.7 to read as follows:]

22.7 Tray Preparation—Flat-Size Pieces

[Revise the Introductory text of 22.7 to read as follows:]

Mailers must place flat sized pieces in flat trays (see 203.5.6) instead of sacks unless prepared as direct carrier route, 5-digit scheme carrier route, or 5-digit carrier route (see 23.4.1 *and* 705.9.0 *or* 705.10.0). Mailers also may prepare nonmachinable (see 26.0) flats in flat trays. Bundling is not permitted unless a bundle is more finely presorted than the tray's presort destination. The trays are subject to a container charge, and any bundles are subject to a bundle charge. Tray preparation, sequence, and labeling: * * *

* * * * *

23.0 Preparing Carrier Route Periodicals

* * * * *

23.6 Bundles With Fewer Than Six Pieces

[Revise the text of 23.6a to read as follows:]

* * * * *

a. Place bundles in only 5-digit scheme carrier routes and 5-digit carrier routes sacks/flat trays that contain at least 24 pieces, or 3-digit carrier routes or merged 3-digit flat trays that contain at least one six-piece carrier route bundle.

* * * * *

23.7 Multi-Box Section Bundles—Optional Preparation

[Revise the text of 23.7e to read as follows:]

e. Place bundles in existing carrier-route flat trays, 5-Digit scheme carrier routes, or 5-Digit carrier routes sacks/flat trays.

* * * * *

25.0 Preparing Flat-Size Barcoded (Automation) Periodicals

25.1 Basic Standards

* * * * *

25.1.7 Exception—Barcoded and Nonbarcoded Flats on Pallets

* * * * *

[Revise the text of 25.1.7b and 25.1.7c to read as follows:]

b. Mailing jobs prepared entirely in flat trays and claiming this exception must be cobundled under 705.11.0.

c. As an alternative to 705.9.0 through 705.13.0, if a portion of the job is prepared as palletized barcoded flats, the nonbarcoded portion may be prepared as palletized flats and paid at nonbarcoded machinable and carrier route prices. The nonbarcoded price pieces that cannot be placed on ADC or finer pallets may be prepared as flats in flat trays and paid at the nonbarcoded prices.

25.1.8 Bundles With Fewer Than Six Pieces

* * * * *

[Revise the text of 25.1.8a to read as follows:]

a. Place 5-digit and 3-digit bundles in only 5-digit scheme, 5-digit, 3-digit, and SCF flat trays, as appropriate, that contain at least 24 pieces, or in merged

3-digit flat trays that contain at least one six-piece carrier route bundle, or in origin/entry SCF flat trays.

* * * * *

[Revise the text of 25.1.8c to read as follows:]

c. Place 5-digit scheme and 3-digit scheme bundles in only 5-digit scheme, 3-digit, and SCF flat trays, as appropriate, that contain at least 24 pieces, or in merged 3-digit flat trays that contain at least one six-piece carrier route bundle, or in origin/entry SCF flat trays.

* * * * *

[Revise the title of 25.1.9 to read as follows:]

25.1.9 Cotraying and Cobundling With Nonbarcoded and Carrier Route Price Mail

* * * * *

[Revise the text of 25.1.9b and 25.1.9c to read as follows:]

b. If the mailing job contains a machinable barcoded and nonbarcoded mailing, then it must be prepared under the cotraying standards in 705.9.0. Machinable barcoded and nonbarcoded pieces may be cobundled under the standards in 705.11.0.

c. If the mailing job contains a carrier route mailing and a machinable barcoded mailing, then it must be separately trayed under 23.0 and 25.0 or prepared using the merged flat tray option under 705.10.0.

* * * * *

240 Commercial Mail USPS Marketing Mail

243 Prices and Eligibility

* * * * *

5.0 Additional Eligibility Standards for Nonautomation USPS Marketing Mail Letters, Flats, and Presorted USPS Marketing Mail Parcels

* * * * *

5.6 Nonautomation Price Application—Flats

5.6.1 5-Digit Prices for Flats

[Revise item a to read as follows:]

In a 5-digit/scheme bundle of 10 or more pieces, or 15 or more pieces, as applicable; properly placed in a 5-digit/scheme flat tray (see full flat tray 245.1.4).

* * * * *

[Revise item c to read as follows:]

c. In a 5-digit bundle of 10 or more pieces, or 15 or more pieces, as applicable; properly placed in a merged 5-digit/scheme or 5-digit flat tray under 705.10.0.

5.6.2 3-Digit Prices for Flats

[Revise item a to read as follows:]

a. In a 5-digit/scheme bundle of 10 or more pieces, or 15 or more pieces, as applicable, or in a 3-digit/scheme bundle of 10 or more pieces; properly placed in a 3-digit flat tray (see full flat tray 245.1.4).

5.6.3 ADC Prices for Flats

[Revise items a and b to read as follows:]

a. In a 5-digit/scheme, 3-digit/scheme, or ADC bundle of 10 or more pieces properly placed in an ADC flat tray (see full flat tray 245.1.4).

b. In an optional 3-digit/scheme origin/entry flat tray.

* * * * *

5.6.4 Mixed ADC Prices for Flats

[Revise the text of 5.6.4 to read as follows:]

[Mixed ADC prices apply to flat-size pieces in bundles that do not qualify for 5-digit, 3-digit, or ADC prices; placed in mixed ADC flat trays or on ASF, NDC, or mixed NDC pallets under 705.8.0.

* * * * *

6.3 Basic Price Enhanced Carrier Route Standards

* * * * *

6.3.4 Basic Carrier Route Bundles on a 5-Digit/Direct Container (Basic-CR Bundles/Container) Price Eligibility—Flats

[Revise the text of 6.3.4 to read as follows:]

The Basic-CR Bundles/Container discount applies to each piece in a carrier route bundle of 10 or more pieces that are palletized under 705.8.0, 705.10.0, 705.12.0, or 705.13.0 on a 5-digit carrier route or 5-digit scheme carrier route pallet entered at an Origin (None), DNDC, DSCF, or DDU entry or in a carrier route sack or flat tray under 245.9.7a or 203.5.8 and entered at the DDU.

* * * * *

6.5 High Density and High Density Plus (Enhanced Carrier Route) Standards—Flats

* * * * *

6.5.3 High Density Carrier Route Bundles on a 5-Digit/Direct Container (High Density-CR Bundles/Container Discount Eligibility)—Flats

[Revise the text of 6.5.3 to read as follows:]

The High Density-CR Bundles/Container discount applies to 125 or more High Density-eligible pieces that are palletized under 705.8.0, 705.10.0, 705.12.0, or 705.13.0 on a 5-digit carrier route, 5-digit carrier routes, or 5-digit scheme carrier route pallet entered at an Origin (None), DNDC, DSCF, or DDU entry or in a carrier route sack or flat tray under 245.9.7a or 203.5.8 and entered at the DDU.

6.5.4 High Density Plus Carrier Route Bundles on a 5-Digit/Direct Container (High Density Plus-CR Bundles/Container Discount Eligibility)—Flats

[Revise the text of 6.5.4 to read as follows:]

The High Density Plus-CR Bundles/Container discount applies to 300 or more High Density Plus-eligible pieces that are palletized under 705.8.0, 705.10.0, 705.12.0, or 705.13.0 on a 5-digit carrier route, 5-digit carrier routes, or 5-digit scheme carrier route pallet entered at an Origin (None), DNDC, DSCF, or DDU entry or in a carrier route sack or flat tray under 245.9.7a or 203.5.8 and entered at the DDU.

* * * * *

6.7 Saturation Enhanced Carrier Route Standards—Flats

* * * * *

6.7.2 Saturation Prices for Flats

* * * * *

[Revise item c to read as follows:]

c. Placed in a merged 5-digit scheme or merged 5-digit flat tray.

[Add new item d to read as follows:]

d. Placed in a 5-digit scheme carrier routes or 5-digit carrier routes sack/flat tray.

6.7.3 Saturation—(Including EDDM) Carrier Route Bundles on a 5-Digit/Direct Container (Saturation-CR Bundles/Container Discount Eligibility)—Flats

[Revise the text of 6.7.3 to read as follows:]

The Saturation-CR Bundles/Container discount applies to at least 90 percent or more of the active residential addresses or 75 percent or more of the total number of active possible delivery addresses on each carrier route that are palletized under 705.8.0, 705.10.0, 705.12.0, or 705.13.0 on a 5-digit carrier route, 5-digit carrier routes, or 5-digit scheme carrier route pallet entered at an Origin (None), DNDC, DSCF, or DDU entry or in a carrier route sack or flat tray under 245.9.7a or 203.5.8 and entered at the DDU.

* * * * *

245 Mail Preparation

* * * * *

1.0 General Information for Mail Preparation

* * * * *

1.3.2 Flats

* * * * *

[Revise item c. to read as follows:]

c. *5-digit scheme (bundles and flat trays) for flats meeting the automation-compatibility standards in* 201.4.0: the ZIP Code in the delivery address on all pieces is one of the 5-digit ZIP Code areas processed by the USPS as a single scheme, as shown in L007.

* * * * *

[Revise item e. to read as follows:]

e. *Merged 5-digit flat trays:* the carrier route bundles and/or automation price 5-digit bundles and/or Presorted price 5-digit bundles in a flat tray are all for a 5-digit ZIP Code that has an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product that allows combining carrier route price bundles with automation price 5-digit bundles and Presorted price 5-digit bundles in the same 5-digit container.

* * * * *

[Revise item g. to read as follows:]

g. *Merged 5-digit scheme flat tray:* the 5-digit ZIP Codes on pieces in carrier route bundles and/or automation price 5-digit bundles and/or Presorted price 5-digit bundles in a flat tray are all for 5-digit ZIP Codes that are part of a single scheme as shown in L001, and the automation price 5-digit bundles and/or the Presorted price 5-digit bundles also are for 5-digit ZIP Codes that have an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product that allows combining carrier route bundles with automation price 5-digit bundles and Presorted price 5-digit bundles in the same 5-digit container.

* * * * *

[Revise item q. to read as follows:]

q. *Residual pieces/bundles/flat trays:* contain material remaining after completion of a presort sequence. Residual mail lacks the volume set by standard to require or allow preparation to a particular destination, and usually does not qualify for a presort price.

* * * * *

1.4 Preparation Definitions and Instructions

* * * * *

[Add new item (e) to read as follows; renumber current items (e) through (y) as (f) through (z):]

e. A full flat tray is one that is physically full. Although a specific minimum volume is required (at least a single stack of mail lying flat on the bottom of the tray and filling the tray to the bottom of the handholds) before a tray may or must be prepared to the corresponding presort destination, trays must be filled with additional available pieces (up to the reasonable capacity of the tray) when standards require preparation of full trays.

[Revise new item f. to read as follows:]

f. A full sack is defined in the standards for the class and price claimed.

* * * * *

[Revise new item h. to read as follows:]

h. *A 5-digit scheme sort for flats meeting the automation-compatibility standards in* 201.3.0 yields 5-digit scheme bundles for those 5-digit ZIP Codes identified in L007 and 5-digit bundles for other ZIP Codes. When standards require 5-digit/scheme sort, mailers must prepare all possible 5-digit scheme bundles and flat trays of flats, then prepare all possible 5-digit bundles and flat trays. The 5-digit ZIP Codes in each scheme are treated as a single presort destination subject to a single minimum volume, with no further separation required. Bundles prepared for a 5-digit scheme destination that contain pieces for only one of the schemed 5-digit ZIP Codes are still considered 5-digit scheme sorted and are labeled accordingly. Bundles must be labeled using an optional endorsement line (OEL) under 203.7.0 or with a red ''5 SCH'' bundle label. Bundles are placed in appropriate containers using the OEL ''label to'' 5-digit ZIP Code or using L007 column B.

* * * * *

[Revise new items k. through m. to read as follows:]

k. A *merged 5-digit sort for USPS Marketing Mail flats prepared in flat trays* yields merged 5-digit flat trays that contain carrier route bundles and/or automation price 5-digit bundles, and/or Presorted price 5-digit bundles that are all for a 5-digit ZIP Code that has an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product that allows combining carrier route bundles, automation price 5-digit bundles, and Presorted price 5-digit bundles in the same 5-digit flat tray or pallet. The merged 5-digit sort is optional for USPS Marketing Mail flats prepared in flat trays. Flat trays prepared for a merged 5-digit destination that contain only a single price level of bundle(s) (only carrier route bundle(s) or only automation price 5-digit bundle(s) or only Presorted price 5-digit bundle(s)) or that contain only two price levels of bundle(s) are still considered to be merged 5-digit sorted and are labeled accordingly. If preparation of merged 5-digit flat trays is performed, it must be done for all 5-digit ZIP Code destinations with an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product that allows combining carrier route bundles, automation price 5-digit bundles, and Presorted price 5-digit bundles in the same 5-digit container.

l. *A merged 5-digit sort for USPS Marketing Mail flats prepared as bundles on pallets* yields merged 5-digit pallets that contain carrier route bundles and noncarrier route 5-digit bundles (automation price 5-digit bundles and/or Presorted price 5-digit bundles). The merged 5-digit sort is optional for USPS Marketing Mail flats prepared in flat trays under 705.10.0. Flat trays or pallets prepared for a merged 5-digit destination that contain only a single price level of bundle(s) (only carrier route bundle(s) or only automation price 5-digit bundle(s) or only Presorted price 5-digit bundle(s)) or only two price levels of bundle(s) are still considered to be merged 5-digit sorted and must be labeled accordingly.

m. *A merged 5-digit scheme sort for USPS Marketing Mail flats prepared in flat trays under* 705.10.0 yields merged 5-digit scheme flat trays that contain carrier route bundles and noncarrier route 5-digit bundles (automation price 5-digit bundles and/or Presorted price 5-digit bundles) for those 5-digit ZIP Codes that are part of a single scheme as shown in L001. Flat trays prepared for a merged 5-digit scheme destination that contain only a single price level of bundle(s) (only carrier route bundle(s) or only automation price 5-digit bundle(s) or only presorted price 5-digit bundle(s)), or only two price levels of bundle(s), or bundles for only one of the schemed 5-digit ZIP Codes are still considered to be merged 5-digit scheme sorted and must be labeled accordingly. If preparation of merged 5-digit scheme flat trays is performed, it must be done for all 5-digit scheme destinations in L001.

* * * * *

[Revise new item y. to read as follows:]

y. A ''*logical*'' *presort destination* represents the total number of pieces that are eligible for a specific presort level based on the required sortation, but which might not be contained in a single bundle or in a single container (flat tray, sack, or pallet) due to applicable preparation requirements or the size of the individual pieces. For example, there may be 42 mailpieces for ZIP Code 43112 forming a USPS Marketing Mail ''logical'' 5-digit bundle,

and they are prepared in three physical 5-digit bundles because of the applicable weight and height restrictions on bundles. For pallets, 2,800 pounds of mail may be destined to an SCF destination, and these would form the ''logical'' SCF pallet, but the mail is placed on two physical SCF pallets each weighing 1,400 pounds because of the 2,200 pound maximum pallet weight requirement.

* * * * *

3.0 Letter Trays, Flat Trays, and Sacks

[Revise the second sentence of 3.0 to read as follows:]

* * * Flat mailings must be prepared in flat trays or sacks (carrier route, 5-digit scheme carrier route and 5-digit carrier route only) except when permitted to be prepared in letter trays under other applicable standards in this section. * * *

* * * * *

8.0 Preparing Nonautomation Flats

* * * * *

8.1 Basic Standards

* * * * *

[Revise the text of 8.1b2 to read as follows:]

2. Unless excepted by standard, all pieces must be in the flat-size processing category and must be prepared in flat trays, sacks or on pallets. Certain flat-size pieces may be prepared in letter trays under 3.0.

8.4 Loose Packing

[Revise the text to read as follows:]

District managers may authorize loose packing of unbundled pieces in flat trays if no pieces in a flat tray would be more finely sorted if bundled. Pieces must be faced and packed to remain oriented in transit. Requests for loose packing must be made in advance through the Post Office of mailing.

8.5 Required Traying

[Revise the text of 8.5 to read as follows:]

Except as provided in 8.6, a flat tray, or a letter tray under 3.0, must be prepared when the quantity of mail for a required presort destination reaches a full flat tray (up to the handholds), 125 pieces or 15 pounds of pieces, subject to these conditions: * * *

[Revise the text of 8.5b(2) to read as follows:]

2. The actual piece count or mail weight for each tray is used, if documentation can be provided with the mailing that shows for each tray the number of pieces and the total weight.

* * * * *

[Revise the title of 8.7 to read as follows:]

8.7 Traying, and Labeling

[Revise the introductory sentence to read as follows:]

Preparation sequence, flat tray and labeling:

* * * * *

[Revise items 8.7a to read as follows:]

a. 5-digit/scheme (required); scheme sort required (before 5-digit sort), only for pieces meeting the automation flats criteria in 201.6.0, see definition in 1.4j; full flat tray, 125-piece, or 15-pound minimum; labeling: * * *

[Revise items 8.7a(1) and 8.7a(2) to read as follows:]

1. Line 1: For 5-digit scheme flat trays use L007, Column B. For 5-digit flat trays, use city, state, and 5-digit ZIP Code destination on pieces. (See 203.5.11 for overseas military mail).

2. Line 2: For 5-digit scheme flat trays, ''STD FLT 5D SCH NON BC.'' For 5-digit flat trays, ''STD FLTS 5D NON BC.''

[Revise items 8.7b to read as follows:]

b. 3-digit (required); full flat tray, 125-piece, or 15 pound minimum; labeling: * * *

* * * * *

[Revise items 8.7d to read as follows:]

d. ADC (required); full flat tray, 125-piece, or 15 pound minimum; labeling: * * *

* * * * *

8.8 Cotraying and Cobundling Flats With Automation Mail

* * * * *

[Revise items b, c, and d to read as follows:]

b. If the mailing job contains an automation mailing and a nonautomation mailing, then it must be prepared under the cotrayed standards in 705.9.0.

c. If the mailing job contains a carrier route mailing and a nonautomation mailing, then it must be separately sacked or trayed under 5.0 and 9.0 or prepared using the merged sacking/traying option in 705.10.0.

d. If the mailing job contains a carrier route mailing and an automation mailing, then it must be separately sacked or trayed under 9.0 and 10.0 or prepared using the merged sacking/traying option in 705.10.0.

* * * * *

8.9 Merged Containerization of Carrier Route, Automation, and Nonautomation Flats

[Revise the text of 8.9 to read as follows:]

Under the optional preparation in 705.10.0, nonautomation 5-digit bundles prepared under 5.2 through 8.8 are cotrayed with carrier route bundles prepared under 9.0 and with automation 5-digit bundles prepared under 10.0 in merged 5-digit scheme flat trays and merged 5-digit flat trays. Under the optional preparation in 705.10.0, 705.12.0, or 705.13.0, nonautomation 5-digit bundles are copalletized with carrier route bundles prepared under 9.0 and with automation 5-digit bundles prepared under 10.0 on merged 5-digit scheme pallets and merged 5-digit pallets. See 8.8a for information on when preparation under 705.10.0 may be required.

8.10 Residual Pieces

[Revise the introductory text of 8.10 to read as follows:]

Mailers entering USPS Marketing Mail residual pieces that do not qualify for USPS Marketing Mail prices, and paying the First-Class Mail prices (but prepared ''as is'' under 244.5.0), must separately bundle and flat tray residual pieces from the automation and presort pieces. Mailers must label flat trays under 204.3.0 using the CIN code 582 for use with residual flat trays. Label flat trays as follows: * * *

* * * * *

9.0 Preparing Enhanced Carrier Route Flats

* * * * *

9.6 Required Flat Tray/Sack Minimums

[Revise the introductory text of 9.6 to read as follows:]

When traying/sacking is required, mailers must prepare a flat tray/sack when the quantity of mail for a required presort destination reaches either up to the handholds (see full flat tray 245.1.4), 125 pieces or 15 pounds of pieces (sacks), whichever occurs first. The following conditions apply:

* * * * *

[Revise item c. to read as follows:]

c. Less than full flat trays (see 245.1.4) and sacks with fewer than 125 pieces or less than 15 pounds of pieces may be prepared to a carrier route when the saturation price is claimed for the contents and the applicable density standard is met.

* * * * *

9.8 Merged Containerization of Carrier Route, Automation, and Presorted Price Flats

[Revise the first sentence of 9.8 to read as follows:]

Under the optional preparation in 705.10.0, carrier route price bundles prepared under 9.3 and 9.4 are cotrayed

with Presorted price 5-digit bundles prepared under 8.0 and with automation price 5-digit bundles prepared under 10.0 in merged 5-digit scheme flat trays and merged 5-digit flat trays. * * *

* * * * *

10.0 Preparing Automation Flats

[Revise the last sentence of 10.1 to read as follows:]

10.1 Basic Standards

* * * Flat trays must bear the appropriate barcoded container labels under 4.0.

* * * * *

[Revise the title of 10.4 to read as follows:]

10.4 USPS Marketing Mail Bundle and Flat Tray Preparation

* * * * *

[Revise the title of 10.4.2 to read as follows:]

10.4.2 Required Traying

[Revise the introductory text of 10.4.2 to read as follows:]

A flat tray or a letter tray under 3.0, must be prepared when the quantity of mail for a required presort destination reaches either a full flat tray (1.4e), 125 pieces, or 15 pounds of pieces, whichever occurs first, subject to these conditions:

* * * * *

[Revise the text of 10.4.2b to read as follows:]

b. For nonidentical-weight pieces, mailers must either use the minimum that applies to the average piece weight for the entire mailing (divide the net weight of the mailing by the number of pieces; the resulting average single-piece weight determines whether the 125-piece or 15-pound minimum applies) or tray by the actual piece count or mail weight for each flat tray, if documentation can be provided with the mailing that shows (specifically for each flat tray) the number of pieces and their total weight.

[Revise the title of 10.4.3 to read as follows:]

10.4.3 Traying and Labeling

[Revise the first sentence of 10.4.3 to read as follows:]

Preparation sequence, flat tray size, and labeling:

* * * * *

[Revise the text of items 10.4.3a, 10.4.3a(1) and 10.4.3a(2) to read as follows:]

a. 5-digit/scheme (required); scheme sort required before 5-digit sort; see definition in 1.4g.; full flat tray, 125-piece, or 15-pound minimum, labeling:

1. Line 1: For 5-digit scheme flat trays use L007, Column B. For 5-digit flat trays use city, state, and 5-digit ZIP Code on mail (see 203.5.11 for overseas military mail).

2. Line 2: For 5-digit scheme flat trays, ''STD FLTS 5D SCH BC.'' For 5-digit flat trays, ''STD FLTS 5D BC.''

[Revise the text of items 10.4.3b to read as follows:]

b. 3-digit (required); full flat tray, 125-piece, or 15-pound minimum; labeling:

* * *

* * * * *

[Revise the text of items 10.4.3d to read as follows:]

d. ADC (required); full flat tray, 125-piece, or 15-pound minimum; labeling:

* * * * *

700 Special Standards

* * * * *

705 Advanced Preparation and Special Postage Payment Systems

* * * * *

8.0 Preparing Pallets

* * * * *

8.5 General Preparation

* * * * *

8.5.3 Minimum Load

* * * * *

[Revise the text of 8.5.3a(1) to read as follows:]

1. In a single mailing, the minimum load per pallet is 250 pounds of bundles, parcels, or sacks, except as provided in items 2 through 4 below. When preparing letter trays on pallets, the minimum load is 36 linear feet or three layers of trays, except as provided in items 2 and 4 below. When preparing flat trays on pallets, the minimum load is 24 linear feet or three layers of flat trays, except as provided in items 2 and 4 below.

* * * * *

8.10 Pallet Presort and Labeling

* * * * *

8.10.2 Periodicals—Bundles, Sacks, Letter, or Flat Trays

* * * * *

[Revise the text of 8.10.2f to read as follows:]

f. *5-digit,* required, except for letter trays; permitted for bundles, sacks, and trays. Pallet must contain only automation price and/or Presorted price mail for the same 5-digit ZIP Code or the same 5-digit scheme under L007 (for automation-compatible flats only under 201.6.0). Five-digit scheme bundles are assigned to pallets according to the ''label to'' 5-digit ZIP Code in L007. Labeling: * * *

* * * * *

[Revise the text of 8.10.2h to read as follows:]

h. *SCF,* required, permitted for bundles, sacks, and trays. Pallet may contain carrier route, automation price, and/or Presorted price mail for the 3-digit ZIP Code groups in *L005.* Mailers may place origin mixed ADC (OMX) sacks (parcels only) or flat trays on origin SCF pallets. Labeling: * * *

* * * * *

[Revise the text of 8.10.2j to read as follows:]

j. *Origin Mixed ADC (OMX), optional for sacks and trays;* allowed with no minimum and required at 100 pounds of mail for bundles of flats. Bundles of flats totaling less than 100 pounds in weight must be trayed if not palletized. Pallet may contain carrier route, automation price, and presorted price mail. Labeling: * * *

[Revise the text of 8.10.2k to read as follows:]

k. Mixed ADC, optional for sacks and trays; allowed with no minimum and required at 100 pounds of mail for bundles of flats. Bundles of flats totaling less than 100 pounds in weight must be trayed if not palletized. Pallet may contain carrier route, automation price, or presorted price mail. Pallets must not contain sacks, trays or bundles that should be properly placed on the origin mixed ADC (OMX) pallet. Labeling: * * *

* * * * *

8.10.3 USPS Marketing Mail or Parcel Select Lightweight—Bundles, Sacks, or Trays

* * * * *

[Revise the text of 8.10.3f to read as follows:]

f. *ASF,* required unless bundle reallocation used under *8.13,* permitted for bundles, sacks, and trays. Pallet may contain carrier route, automation price, and/or Presorted price mail for the 3-digit ZIP Code groups in *L602.* ADC bundles, sacks, or trays are assigned to pallets according to the ''label to'' ZIP Code in *L004* as appropriate. AADC trays are assigned to pallets according to the ''label to'' ZIP Code in *L801.* At the mailer's option, appropriate mixed ADC bundles and trays of flats; and mixed ADC and mixed AADC trays of letters, may be sorted to ASF pallets according to the ''label to'' ZIP Code in *L010.* All mixed ADC bundles, sacks, and trays and mixed AADC trays must contain only pieces destinating within the ASF as shown in *L602.* Labeling: * * *

[Revise the text of 8.10.3g to read as follows:]

g. *NDC,* required, permitted for bundles, sacks, and trays. Pallet may contain carrier route, automation price, and/or Presorted price mail for the 3-digit ZIP Code groups in *L601.* ADC bundles, sacks, or trays are assigned to pallets according to the ''label to'' ZIP Code in *L004* as appropriate. AADC trays are assigned to pallets according to the ''label to'' ZIP Code in *L801.* At the mailer's option, appropriate mixed ADC bundles and trays of flats; and mixed ADC trays and mixed AADC trays of letters, may be sorted to NDC pallets according to the ''label to'' ZIP Code in *L010.* All mixed ADC bundles, sacks, and trays and mixed AADC trays must contain only pieces destinating within the NDC as shown in *L601.* Labeling:
* * *

[Revise the text of 8.10.3h to read as follows:]

h. Mixed NDC, optional, permitted for sacks and trays only; allowed with no minimum and required at 100 pounds of mail for bundles of flats. Bundles of flats totaling less than 100 pounds in weight must be trayed if not palletized. Pallet may contain carrier route, automation, and/or Presorted mail. Mailers must place trays and sacks containing pieces paid at the single-piece price on the mixed NDC pallet (unless required to be presented separately by special postage payment authorization). Labeling: * * *
* * * * *

8.11 Bundle Reallocation To Protect SCF Pallet for Periodicals Flats and Irregular Parcels and USPS Marketing Mail Flats on Pallets

* * * * *

8.11.3 Reallocation of Bundles If Optional 3-Digit Pallets Are Prepared

* * * * *

[Revise the text of 8.11.3d to read as follows:]

d. If no single 5-digit level pallet within the SCF service area contains an adequate volume of mail to allow reallocation of a portion of the mail on a pallet as described in *8.11.3c,* then no bundles will be reallocated and an SCF pallet will not be prepared; the mail that falls beyond the SCF pallet level must be placed on the next appropriate pallet (ADC, ASF, NDC or MNDC) or in the next appropriate sack (irregular parcels) or flat tray.

8.11.4 Reallocation of Bundles If Optional 3-Digit Pallets Are Not Prepared

* * * * *

[Revise the text of 8.11.4b to read as follows:]

b. If no single 5-digit level pallet within the SCF service area contains an adequate volume of mail to allow reallocation of a portion of the mail on a pallet as described in *8.11.4a,* then no bundles will be reallocated and a SCF pallet will not be prepared; the mail that falls beyond the SCF pallet level must be placed on the next appropriate pallet (ADC, ASF, NDC, or MNDC) or in the next appropriate sack (irregular parcels) or flat tray.

* * * * *

8.12 Bundle Reallocation To Protect ADC Pallet for Periodicals Flats and Irregular Parcels on Pallets

8.12.1 Basic Standards

[Revise the text of 8.12.1 to read as follows:]

Bundle reallocation to protect the ADC pallet is an optional preparation method authorized for mailers using PAVE-certified presort software and may be used to create pallets under the standards in *8.12.2* and 8.12.3. Presort software determines if mail for an ADC service area falls beyond the ADC level if all finer level pallets are prepared. Reallocation is performed only when there is mail for the ADC service area that falls beyond the ADC pallet level (*e.g.,* to sacks or flat trays). Reallocate only the minimum number of bundles necessary to create an ADC pallet at the minimum required weight.

* * * * *

[Revise the title of 705.9.0 to read as follows:]

9.0 Combining Bundles of Automation and Nonautomation Flats in Flat Trays

* * * * *

9.2 Periodicals

9.2.1 Basic Standards

[Revise the text of the introductory paragraph of 9.2.1 to read as follows:]

Bundles of flat-size pieces in a machinable barcoded (automation) price mailing must be cotrayed with bundles of flat-size pieces in a machinable nonbarcoded price mailing under the following conditions:

* * * * *

[Revise the text of 9.2.1b through 9.2.1f to read as follows:]

b. The machinable barcoded price mailing must meet the eligibility criteria in *207.14.0,* except that the traying and documentation criteria in *9.2.1, 9.2.3,* and *9.2.4* must be met rather than the traying and documentation criteria in *207.25.0.*

c. The machinable nonbarcoded price mailing must meet the eligibility criteria in *207.12.0,* except that the traying and documentation criteria in *9.2.1, 9.2.3,* and *9.2.4* must be met rather than the traying and documentation criteria in *207.25.0.*

d. The bundles prepared from the machinable barcoded price mailing and the bundles prepared from the machinable nonbarcoded price mailing must be sorted into the same flat trays as described in *9.2.3* and *9.2.4.*

e. A complete, signed, appropriate postage statement(s), using the correct USPS form or an approved facsimile, must accompany each mailing job prepared under these procedures. In addition to the applicable postage statement, documentation produced by PAVE-certified software or standardized documentation under *203.3.0* must be submitted with each cotrayed mailing job that describes for each flat tray sortation level the number of pieces qualifying for each applicable price.

f. Barcoded tray labels under *204.3.0* must be used to label flat trays.

* * * * *

9.2.3 Bundles With Fewer Than Six Pieces

[Revise the text of 9.2.3 to read as follows:]

5-digit and 3-digit bundles prepared under *207.22.0* and *207.25.0* may contain fewer than six pieces when the publisher determines that such preparation improves service. These low-volume bundles may be placed in 5-digit, 3-digit, and SCF flat trays that contain at least 24 pieces or on 5-digit, 3-digit, or SCF pallets. Pieces in low-volume bundles must claim the applicable mixed ADC price (Outside-County) or basic price (In-County).

[Delete section 9.2.4 in its entirety and renumber 9.2.5 as 9.2.4:]

* * * * *

[Revise the title of the new section 9.2.4 to read as follows:]

9.2.4 Flat Tray Preparation—Flat-Size Machinable Pieces

[Revise the introductory text of the new 9.2.4 to read as follows:]

See 207.20.0 for use of flat trays. Machinable pieces meeting the criteria in 201.6.0—Mailers must either bundle or group all pieces as specified in 207.25.0 and 207.22.0 for each 5-digit scheme, 5-digit, 3-digit scheme, 3-digit, SCF, and ADC destination. Bundling is not permitted unless it achieves a finer presort than the presort destination of the tray. The trays are subject to a container charge, and any bundles are subject to a bundle charge. Tray preparation, sequence, and labeling:***

* * * * *

9.3 USPS Marketing Mail

9.3.1 Basic Standards

[Revise the introductory text of 9.3.1 to read as follows:]

Bundles of flats in an automation price mailing must be cotrayed with bundles of flats in a Presorted price mailing under the following conditions:

* * * * *

[Revise the text of 9.3.1c through 9.3.1i to read as follows:]

c. The automation price mailing must meet the eligibility criteria in *243.7.0,* except that the traying and documentation criteria in *9.3.1, 9.3.4,* and *9.3.5* must be met rather than the traying and documentation criteria in *245.7.0.*

d. The Presorted price mailing must meet the eligibility criteria in *243.2.0* and *243.3.0,* except that the traying and documentation criteria in *9.3.1, 9.3.4,* and *9.3.5* must be met rather than the traying and documentation criteria in *245.5.0.*

e. The prices for pieces in the automation price mailing are applied based on the number of pieces in the bundle and the level of bundle to which they are sorted under *243.7.0.* The prices for pieces in the Presorted price mailing are based on the number of pieces in the bundle and the level of flat tray in which they are placed under *243.3.6* and *243.3.7.*

f. The pieces must be marked according to *202.*

g. The bundles prepared from the automation price mailing and the bundles prepared from the Presorted price mailing must be sorted into the same flat trays as described in *9.3.4* and *9.3.5.*

h. A complete, signed postage statement(s), using the correct USPS form or an approved facsimile, must accompany each mailing job prepared under these procedures. In addition to the applicable postage statement, documentation produced by PAVE-certified software or standardized documentation under *203.3.0* must be submitted with each cotrayed mailing job that describes for each flat tray sortation level the number of pieces qualifying for each applicable automation price and the number of pieces qualifying for each applicable Presorted price.

i. Barcoded tray labels under *204.3.0* must be used to label the flat trays.

* * * * *

[Revise the title of 9.3.4 to read as follows:]

9.3.4 Traying Rules—Less Than Full Flat Trays

[Revise the text of 9.3.4 to read as follows:]

When full trays are specified for a flat tray sortation level in *9.3.5,* the provisions of *245.7.4* (letters) and 245.1.4e (flats) apply.

[Revise the title of 9.3.5 to read as follows:]

9.3.5 Flat Tray Preparation and Labeling

[Revise the introductory text of 9.3.5 to read as follows:]

Presorted price and automation price bundles prepared under *9.3.2* and *9.3.3* must be presorted together into flat trays (cotrayed) in the sequence listed below. Flat trays must be labeled using the following information for Lines 1 and 2, and *245.4.0* for other flat tray label criteria.

* * * * *

[Revise items 9.3.5a(1) and 9.3.5a(2) to read as follows:]

1. Line 1: For 5-digit scheme flat trays, use *L007,* Column B. For 5-digit flat trays, use city, state, and 5-digit ZIP Code destination on pieces.

2. Line 2: For 5-digit scheme flat trays, ''STD FLT 5D SCH BC/NBC''; for 5-digit flat trays, ''STD FLT 5D BC/NBC.''

[Revise item 9.3.5b to read as follows:]

b. 3-digit, required, full flat tray, 125-piece, or 15-pound minimum; labeling:* * *

* * * * *

[Revise item 9.3.5d to read as follows:]

d. *ADC,* required, full flat tray, 125-piece, or 15-pound minimum; use L004 to determine ZIP Codes served by each ADC; labeling:* * *

* * * * *

[Revise the title of 9.3.6 to read as follows:]

9.3.6 Letter Tray Preparation and Labeling

* * * * *

10.0 Merging Bundles of Flats Using the City State Product

10.1 Periodicals

10.1.1 Basic Standards

[Revise the introductory text of 10.1.1 to read as follows:]

Carrier route bundles in a carrier route mailing may be placed in the same flat trays or on the same pallet as 5-digit bundles from machinable (barcoded or nonbarcoded) price mailings (including pieces cobundled under *11.0*) under the following conditions:

[Revise the text of 10.1.1a to read as follows:]

a. A carrier route mailing must be part of the mailing job, unless cobundled under *11.0* using 5-digit scheme (*L007*) or 3-digit scheme (*L008*) bundle preparation, and trayed under *10.1.4.*

* * * * *

[Revise the text of 10.1.1c to read as follows:]

c. Pieces in the machinable price mailing must meet the flats criteria in *201.6.0;* pieces that meet the flats criteria in *207.26.0* also may be trayed under this option. Pieces in the machinable nonbarcoded price mailing and the carrier route mailing must be flat-size.

* * * * *

[Revise the text of 10.1.1e through 10.1.1j to read as follows:]

e. Carrier route bundles may be cotrayed or copalletized with machinable barcoded price 5-digit bundles, machinable nonbarcoded price 5-digit bundles, and cobundled 5-digit bundles only for those 5-digit ZIP Codes that have an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product indicating eligibility for such cotraying or copalletization. Containers of mail sorted in this manner are called ''merged 5-digit'' flat trays or pallets. Containers of mail sorted in this manner for which scheme (*L001*) sortation is also performed are called ''merged 5-digit scheme'' flat trays or pallets. Pieces in 5-digit scheme (*L007*) bundles may not be placed in merged 5-digit containers.

f. If sortation under this section is performed, merged 5-digit flat trays or pallets must be prepared for all 5-digit ZIP Codes with an ''A'' or ''C'' indicator in the City State Product that permits such preparation when there is enough volume for the 5-digit ZIP Code to prepare such a flat tray under *10.1.4* or such a pallet under *10.1.5.* In addition, all possible merged 5-digit scheme flat trays must be prepared under *10.1.4,* or all possible merged 5-digit scheme and 5-digit scheme pallets must be prepared under *10.1.5.*

g. For mailings prepared in flat trays, mailers may not combine firm bundles and 5-digit scheme pieces in 5-digit scheme bundles or in 5-digit scheme flat trays. Firm bundles must be placed in a separate individual 5-digit flat tray under *10.1.4g* to maintain 5-digit price eligibility. Mailers may combine firm bundles with 5-digit scheme, 3-digit scheme, and other presort destination bundles in carrier route, 5-digit, 3-digit, SCF, ADC, and mixed ADC flat trays. Only an In-County firm bundle can contribute toward the six-piece minimum for price eligibility.

h. The bundles from each separated mailing must be sorted together into flat trays (cotrayed) under *10.1.4* or on

pallets (copalletized) under *10.1.5* using presort software that is PAVE-certified.

i. A complete, signed postage statement(s), using the correct USPS form or an approved facsimile, must accompany each mailing job prepared under these procedures. In addition to the postage statement(s), documentation prepared by PAVE-certified software must be submitted with each cotrayed or copalletized mailing job that describes for each flat tray sortation level and flat tray, or each pallet sortation level and pallet, the number of pieces qualifying for each applicable price.

j. Barcoded tray labels under *204.3.0* must be used to label flat trays.

* * * * *

10.1.3 Bundles With Fewer Than Six Pieces

[Revise the introductory text of 10.1.3 to read as follows:]

Carrier route, 5-digit scheme, 5-digit, 3-digit scheme, and 3-digit bundles may contain fewer than six pieces when the publisher determines that such preparation improves service. Pieces in these low-volume bundles must be claimed at the applicable mixed ADC price (Outside-County) or basic price (In-County). Low-volume bundles are permitted only when they are sacked (as applicable), trayed, or prepared on pallets as follows:

* * * * *

[Revise the text of items 10.1.3a(1) through 10.1.3a(3) to read as follows:]

1. Carrier route, merged 5-digit scheme, 5-digit scheme carrier routes, merged 5-digit, 5-digit carrier routes, 5-digit, 3-digit, and SCF sacks (5-digit scheme carrier routes and 5-digit carrier routes only) or flat trays that contain at least 24 pieces.

2. Merged 3-digit flat trays that contain at least one six-piece carrier route bundle.

3. Origin/entry SCF flat trays.

* * * * *

[Revise the text of 10.1.3b to read as follows:]

b. Place low-volume 5-digit scheme bundles in only 5-digit scheme, 3-digit, and SCF flat trays that contain at least 24 pieces, or in origin/entry SCF flat trays, or on 3-digit or SCF pallets, as appropriate.

[Revise the title of 10.1.4 to read as follows:]

10.1.4 Sack and Flat Tray Preparation and Labeling

[Revise the introductory text of 10.1.4 to read as follows:]

All carrier route bundles must be placed in sacks/flat trays under *10.1.4a* through *10.1.4e* and *10.1.4h* as described below. When sorting is performed under this section, mailers must prepare merged 5-digit scheme sacks (irregular parcels) or flat trays, 5-digit scheme carrier routes sacks/flat trays, and merged 5-digit sacks (irregular parcels) or flat trays for all possible 5-digit schemes or 5-digit ZIP Codes as applicable, using *L001* (merged 5-digit scheme and 5-digit scheme carrier routes sort only) and the Carrier Route Indicators field in the City State Product when there is enough volume for the 5-digit scheme or 5-digit ZIP Code to prepare such sacks (irregular parcels) or flat trays under *10.1.4.* Mailers must label sacks/flat trays according to the Line 1 and Line 2 information listed below and under *207.20.1.* If, due to the physical size of the mailpieces, the barcoded pieces are considered flat-size under *207.26.0,* and the carrier route pieces and nonbarcoded pieces are considered irregular parcels under *201.7.6,* ''FLTS'' must be shown as the processing category on the sack/tray label. If a mailing job does not contain barcoded price pieces and the carrier route pieces and the nonbarcoded pieces are irregular parcel shaped, use ''IRREG'' for the processing category on the contents line of the label. Mailers must prepare sacks/flat trays containing carrier route and 5-digit bundles from the carrier route, barcoded, and nonbarcoded mailings in the mailing job in the following manner and sequence:

* * * * *

[Revise the text of item 10.1.4b to read as follows:]

b. *Merged 5-digit scheme,* required at 72 pieces, optional at 24 pieces minimum. Must contain at least one 5-digit ZIP Code in the scheme with an ''A'' or ''C'' indicator in the City State Product. May contain carrier route bundles for any 5-digit ZIP Code(s) in a single scheme listed in *L001* as well as machinable barcoded price 5-digit bundles and machinable nonbarcoded price 5-digit bundles for those 5-digit ZIP Codes in the schemes that have an ''A'' or ''C'' indicator in the City State Product. For 5-digit ZIP Code(s) in a scheme that has a ''B'' or ''D'' indicator in the City State Product, prepare sack(s) (irregular parcels only) or flat tray(s) under *10.1.4g* and *10.1.4h.* For 5-digit ZIP Codes not included in a scheme, prepare sacks (irregular parcels only) or flat trays under *10.1.4d* through *10.1.4h.* Labeling: * * *

* * * * *

[Revise the text of item 10.1.4h to read as follows:]

h. *Merged 3-digit.* Required for carrier route, 5-digit, and 5-digit scheme bundles remaining after preparing sacks (irregular parcels only) or flat trays under *10.1.4a* through *10.1.4g,* and any 3-digit and 3-digit scheme bundles with a minimum of 24 pieces for a 3-digit area. Labeling: * * *

* * * * *

10.2 USPS Marketing Mail

10.2.1 Basic Standards

[Revise the introductory text of 10.2.1 and item 10.2.1a to read as follows:]

Carrier route bundles from a carrier route price mailing may be placed in the same flat tray or on the same pallet as 5-digit bundles from an automation price mailing and 5-digit bundles from a Presorted price mailing (including pieces cobundled under *11.0*) under the following conditions:

a. A carrier route mailing must be part of the mailing job, unless cobundled under *11.0* utilizing 5-digit scheme (*L007*) or 3-digit scheme (*L008*) bundle preparation and trayed under *10.1.4.*

* * * * *

[Revise the text of items 10.2.1e through 10.2.1g to read as follows:]

e. Carrier route bundles may be cotrayed or copalletized with automation price 5-digit bundles, Presorted price 5-digit bundles, and cobundled 5-digit bundles only for those 5-digit ZIP Codes that have an ''A'' or ''C'' indicator in the Carrier Route Indicators field in the City State Product indicating eligibility for such cotraying or copalletization. Containers of mail sorted in this manner are called ''merged 5-digit'' flat trays or pallets. Containers of mail sorted in this manner for which scheme (*L001*) sortation is also performed are called ''merged 5-digit scheme'' flat trays or pallets. Pieces in 5-digit scheme (*L007*) bundles may not be placed in merged 5-digit containers.

f. If sortation under this section is performed, merged 5-digit flat trays or pallets must be prepared for all 5-digit ZIP Codes with an ''A'' or ''C'' indicator in the City State Product that permits such preparation when there is enough volume for the 5-digit ZIP Code to prepare that flat tray or pallet.

g. For trayed mailings, the prices for pieces in the carrier route mailing are based on the criteria in *243.6.0,* the prices for pieces in the automation price mailing are applied based on the number of pieces in the bundle and the level of bundle to which they are sorted under *243.7.0,* and the prices for pieces in the Presorted price mailing are based on the number of pieces in the bundle

and the level of flat tray to which they are sorted under *243.5.0.*

* * * * *

[Revise the text of 10.2.1j to read as follows:]

j. The bundles from each separate mailing must be sorted together into flat trays (cotrayed) under *10.2.3* and *10.2.4* or on pallets (copalletized) under *10.2.5* using presort software that is PAVE-certified.

* * * * *

[Revise the text of items 10.2.1l and 10.2.1m to read as follows:]

l. In addition to the applicable postage statement, documentation produced by PAVE-certified software must be submitted with each cotrayed or copalletized mailing job that describes for each sack/flat tray sortation level and flat tray, or each pallet sortation level and pallet, the number of pieces qualifying for each applicable carrier route price, each applicable automation price, and each applicable Presorted price.

m. Barcoded tray labels under *204.3.0* must be used to label flat trays.

* * * * *

10.2.4 Sack/Flat Tray Preparation and Labeling

[Revise the introductory text of 10.2.4 to read as follows:]

Mailers must prepare sacks/flat trays in the following manner and sequence. All carrier route bundles must be placed in sacks/flat trays under *10.2.4a* through *10.2.4e* as described below. Mailers must prepare all merged 5-digit scheme flat trays, 5-digit scheme carrier routes sacks/flat trays, and merged 5-digit flat trays that are possible in the mailing based on the volume of mail to the destination using *L001* and the Carrier Route Indicators field in the City State Product. Mailers must label sacks/flat trays according to the Line 1 and Line 2 information listed below and under *245.4.0.*

* * * * *

[Revise the text of 10.2.4b to read as follows:]

b. *Merged 5-digit scheme,* required and permitted only when there is at least one 5-digit ZIP Code in the scheme with an ''A'' or ''C'' indicator in the City State Product. May contain carrier route bundles for any 5-digit ZIP Code(s) in a single scheme listed in *L001* as well as automation price 5-digit bundles and Presorted price 5-digit bundles for those 5-digit ZIP Codes in the scheme with an ''A'' or ''C'' indicator in the City State Product. When preparation of this flat tray level is permitted, a flat tray must be prepared if there are any carrier route bundle(s) for the scheme. If there is not at least one carrier route bundle for any 5-digit destination in the scheme, preparation of this flat tray is required when there is at least a full flat tray (245.1.4), 125 pieces or 15 pounds of pieces in 5-digit bundles for any of the 5-digit ZIP Codes in the scheme that have an ''A'' or ''C'' indicator in the City State Product (smaller volume not permitted). For a 5-digit ZIP Code(s) in a scheme with a ''B'' or ''D'' indicator in the City State Product, prepare flat tray(s) for the automation price and Presorted price bundles under *10.2.4g* and *10.2.4h.* For 5-digit ZIP Codes not included in a scheme, prepare flat trays under *10.2.4d* through *10.2.4h.*

Labeling: * * *

* * * * *

[Revise the text of 10.2.4d to read as follows:]

d. *Merged 5-digit,* required. Must be prepared only for those 5-digit ZIP Codes that are not part of a scheme and that have an ''A'' or ''C'' indicator in the City State Product. May contain carrier route bundles, automation price 5-digit bundles, and Presorted price 5-digit bundles. Must be prepared if there are any carrier route bundles for the 5-digit destination. If there is not at least one carrier route bundle for the 5-digit destination, must be prepared when there is at least a full flat tray (245.1.4), 125 pieces or 15 pounds of pieces in 5-digit bundles for the same 5-digit destination (smaller volume not permitted). Labeling: * * *

[Revise the text of 10.2.4h to read as follows:]

h. *3-digit through Mixed ADC flat trays.* Any 5-digit scheme and 5-digit bundles remaining after preparing flat trays under *10.2.4a* through *10.2.4g,* and all 3-digit, ADC, and Mixed ADC bundles, must be trayed and labeled according to the applicable requirements under *9.3* for cosacking/cotraying of automation price and Presorted price bundles, except if there are no automation price bundles in the mailing job, tray and label under *245.5.0,* or, if there are no Presorted price bundles in the mailing job, tray and label under *245.7.4.*

10.2.5 Pallet Preparation and Labeling

* * * * *

[Add a new item (j) to read as follows:]

j. Mixed NDC, use 8.10.3h, as applicable, to prepare and label Mixed NDC pallets.

* * * * *

11.0 Combining Automation Price and Nonautomation Price Flats in Bundles

* * * * *

11.2 Periodicals

11.2.1 Basic Standards

[Revise the third sentence of the introductory text of 11.2.1 to read as follows:]

* * * Mailing jobs (for flats meeting the criteria in *201.6.0*) prepared using the 5-digit scheme and/or the 3-digit scheme bundle preparation must be trayed under *9.0* or *10.0* or palletized under *10.0, 12.0,* or *13.0.* * * *

* * * * *

[Revise the text of 11.2.1b to read as follows:]

b. Mailings prepared in flat trays must meet the basic standards in *9.0* or *10.0.*

* * * * *

11.2.3 Bundles With Fewer Than Six Pieces

[Revise the last sentence of the introductory text of 11.2.3 to read as follows:]

* * * Low-volume bundles are permitted only when they are trayed or prepared on pallets as follows:

[Revise the text of items 11.2.3a and 11.2.3b to read as follows:]

a. Place low-volume 5-digit and 3-digit bundles in only 5-digit scheme, 5-digit, 3-digit, and SCF flat trays that contain at least 24 pieces; or in origin/entry SCF flat trays; or on merged 5-digit scheme, 5-digit scheme, merged 5-digit, 5-digit, 3-digit, or SCF pallets, as appropriate.

b. Place low-volume 5-digit scheme and 3-digit scheme bundles in only 5-digit scheme, 3-digit, and SCF flat trays that contain at least 24 pieces, or in origin/entry SCF flat trays, or on 3-digit or SCF pallets, as appropriate.

11.3 USPS Marketing Mail

11.3.1 Basic Standards

[Revise the introductory text of 11.3.1 to read as follows:]

Mailers may choose to cobundle (see *245.1.4u.*) automation price and nonautomation price flat-size pieces as an option to the basic bundling requirements in *245.5.0* and *245.7.0.* All pieces in the same bundle must meet the standards in *201.6.0.* 5-digit scheme and 3-digit scheme bundles must meet the additional standards in *245.1.4f.* and *245.1.4m.* Mailing jobs prepared using the 5-digit scheme and/or 3-digit scheme bundle preparation (for flats meeting the criteria in *201.6.0*) must be trayed under *10.0* or palletized under *10.0, 12.0,* or *13.0.* All bundles are subject to the following conditions:

* * * * *

[Revise the text of 11.3.1b to read as follows:]

b. Mailings prepared in flat trays must meet the basic standards in *9.0* or *10.0.*

* * * * *

12.0 Merging Bundles of Flats on Pallets Using a 5% Threshold

12.1 Periodicals

12.1.1 Basic Standards

* * * * *

[Revise the text of 12.1.1g to read as follows:]

g. Portions of the mailing job that cannot be palletized must be prepared in sacks/flat trays.

* * * * *

12.2 USPS Marketing Mail

12.2.1 Basic Standards

* * * * *

[Revise the text of 12.2.1l to read as follows:]

l. Portions of the mailing job that cannot be palletized must be prepared in flat trays.

* * * * *

12.2.3 Pallet Preparation and Labeling

* * * * *

[Add a new item (j) to read as follows:]

j. Mixed NDC, use 8.10.3h, as applicable, to prepare and label Mixed NDC pallets.

* * * * *

13.0 Merging Bundles of Flats on Pallets Using the City State Product and a 5% Threshold

13.1 Periodicals

13.1.1 Basic Standards

* * * * *

[Revise the text of 13.1.1h to read as follows:]

h. Portions of the mailing job that cannot be palletized must be prepared in flat trays.

* * * * *

13.2 USPS Marketing Mail

13.2.1 Basic Standards

* * * * *

[Revise the text of 13.2.1m to read as follows:]

a. Portions of the mailing job that cannot be palletized must be prepared in flat trays.

* * * * *

13.2.4 Pallet Preparation and Labeling

[Add a new item (j) to read as follows:]

j. Mixed NDC, use 8.10.3h, as applicable, to prepare and label Mixed NDC pallets

* * * * *

Sarah Sullivan,

Attorney, Ethics & Legal Compliance.

[FR Doc. 2022–22958 Filed 10–19–22; 11:15 am]

BILLING CODE P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 22–1096; MB Docket No. 22–337; RM–11930; FR ID 109925]

Radio Broadcasting Services; Dennison, Ohio

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a Petition for Rule Making filed by Western Radio Group, proposing to amend the FM Table of Allotments, by allotting Channel 272A at Dennison, Ohio, as the community's first local service. A staff engineering analysis indicates that Channel 272A can be allotted to Dennison, Ohio, consistent with the minimum distance separation requirements of the Commission's rules, with a site restriction of 2.7 km (1.7 miles) west of the community. The reference coordinates are 40–23–54 NL and 81–21–33 WL.

DATES: Comments must be filed on or before December 8, 2022, and reply comments on or before December 23, 2022.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the counsel to petitioner as follows: Mark N. Lipp, Esq., Fletcher, Heald & Hildreth PLC, 1300 N 17th Street, Suite 1100, Arlington, Virginia 22209.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Federal Communications Commission's (Commission) Notice of Proposed Rule Making, MB Docket No. 22–337, adopted October 17, 2022, and released October 17, 2022. The full text of this Commission decision is available online at *https://apps.fcc.gov/ecfs.* The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at *https://www.fcc.gov/edocs.* This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden ''for small business concerns with fewer than 25 employees,'' pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of l980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. *See* 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, *see* 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.202(b), amend the Table of FM Allotments under Ohio, by adding an entry for ''Dennison'' to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) Table of FM Allotments

TABLE 1 TO PARAGRAPH (b)

U.S. States	Channel No.
Ohio	
Dennison	272A

* * * * *

[FR Doc. 2022–22902 Filed 10–20–22; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 87, No. 203
Friday, October 21, 2022

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

Submission for OMB Review; Comment Request

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

Comments regarding this information collection received by November 21, 2022 will be considered. 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.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Rural Business-Cooperative Service

Title: Agriculture Innovation Centers.

OMB Control Number: 0570–0045.

Summary of Collection: USDA's Rural Business-Cooperative Service (RBCS) administers the Agriculture Innovation Center Demonstration (AIC) Program. The primary objective of this program is to provide funds to Agriculture Innovation Centers (Centers) which provide agricultural producers with technical and business development assistance. RBCS collects information from applicants to confirm eligibility for the program and to evaluate the quality of the applications. Recipients of awards are required to submit reporting and payment request information to facilitate monitoring of the award and disbursement of funds.

The Farm Security and Rural Investment Act of 2002 (Pub. L. 107–171) authorized the Secretary of the U.S. Department of Agriculture (USDA) to award grant funds to Centers. The Food, Conservation, and Energy Act of 2008 reauthorized the program through September 30, 2012. The Agricultural Act of 2014 (Pub. L. 113–79) reauthorized the program through September 30, 2018. The Agriculture Improvement Act of 2018 reauthorized the program through FY 2023.

Need and Use of the Information: Information is collected by RBCS, with the assistance of Rural Development State and Area Staff, as needed. The application information is used to confirm that the applicant and use of funds meet the eligibility requirements for the program as well as to assess the quality of the proposed project. The recipients are required to submit financial status and performance reports to confirm funds are being expended as approved and requests for advance or reimbursement to request payment. RBCS also uses the information to create data entries in its financial management system, the Guaranteed Loan System (GLS), to track application status and to obligate awards.

Description of Respondents: Not-for-profit institutions; business or other for-profit; farms.

Number of Respondents: 34.

Frequency of Responses: Annually.

Total Burden Hours: 1,465.

Rural Housing Service

Title: Socially-Disadvantaged Groups Grant Program.

OMB Control Number: 0570–0052.

Summary of Collection: The SDGG program was authorized by the Federal Agriculture Improvement and Reform Act of 2006 (section 2744), and further updated by the Federal Agricultural Improvement and Reform Act of 2009 (section 310B(e)) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932). The Act enables the Secretary of Agriculture to make grants to cooperatives, groups of cooperatives, and cooperative development centers where a majority of the board of directors or governing board is comprised of individuals who are members of socially disadvantaged groups and whose primary focus is to provide assistance to socially-disadvantaged groups.

Need and Use of the Information: This information collection is vital for RB–CS to make decisions regarding eligibility of applicants and selection priority among competing applicants to ensure compliance with applicable laws and regulations and to evaluate the program. RB–CS, its Program Management Division, and its staff will be the primary users of the information collected. The public can request a majority of the data requested of the grantees by RB–CS, except data that is confidential under the Freedom of Information Act. RB–CS will release only limited data during the processing of an application up until the grant is closed.

Description of Respondents: Not-for-profit institutions.

Number of Respondents: 40.

Frequency of Responses: Recordkeeping; reporting: semi-annually; annually.

Total Burden Hours: 668.

Rural Business-Cooperative Service

Title: Bio-refinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program.

OMB Control Number: 0570–0065.

Summary of Collection: The Rural Business-Cooperative Service (RBCS or the Agency) is a Rural Development agency of the U.S. Department of Agriculture and administers The Biorefinery, Renewable Chemical, and Biobased Product Manufacturing Assistance Program (Program). The

Program was established under section 9003 of the 2008 Farm Bill and assists in the development, construction, and retrofitting of new and emerging technologies for the development of advanced biofuels by providing loan guarantees of up to $250 million. The Program's authority was continued in the Agricultural Acts of 2014 and 2018. This collection of information is necessary for Rural Development to identify projects eligible for loan guarantees under the Program. In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35), Rural Development is submitting this information collection package to the Office of Management and Budget (OMB) for review and clearance.

Need and Use of the Information: The Agency will use various forms and written evidence to collect needed information to determine lender and borrower eligibility for loan guarantees, and to ensure the lender protects the government's financial interests. Lenders provide the Agency with quarterly construction progress reports demonstrating that engineering and financial criteria used in the review and approval of the application continue to be met during the construction phase of the project. Post-construction information will be collected demonstrating that the bio-refineries are operating and meeting all financial criteria projected during the application phase. If the information were not collected, the Agency would not be able to make prudent credit decisions nor monitor the lenders servicing activities.

Description of Respondents: Business or other for-profit.

Number of Respondents: 26.

Frequency of Responses: Recordkeeping; reporting: on occasion; annually.

Total Burden Hours: 8,005.

Rural Business Cooperative Service

Title: Guaranteed Loanmaking and Servicing Regulations.

OMB Control Number: 0570–0069.

Summary of Collection: The Business and Industry (B&I) program was legislated in 1972 under section 310B of the Consolidated Farm and Rural Development Act, as amended. The purpose of the program is to improve, develop, or finance businesses, industries, and employment and improve the economic and environmental climate in rural communities. This purpose is achieved through bolstering the existing private credit structure through the guaranteeing of quality loans made by lending institutions, thereby providing lasting community benefits. Beginning October 1, 2020, B&I guaranteed loans are made and serviced under 7 CFR 5001, '' Guaranteed Loans.'' 7 CFR 5001 made no provision to transfer servicing responsibility of the existing loan portfolio, therefore all loans made prior to October 1, 2020, are still serviced under 7 CFR 4287 subpart B.

Need and Use of the Information: The collected information will be used to determine applicant/borrower eligibility, project feasibility, and to ensure borrowers operate on a sound basis and use loan funds for authorized purposes. Failure to collect proper information could result in improper determinations of eligibility, improper use of funds, and/or unsound loans.

Description of Respondents: Business or other for profit, not-for-profit institutions.

Number of Respondents: 2,800.

Frequency of Responses: Reporting: annually.

Total Burden Hours: 19,842.

Rural Business Cooperative Service

Title: Meat and Poultry Intermediary Lending Program (MPILP).

OMB Control Number: 0570–0080.

Summary of Collection: Section 751 of the Consolidated Appropriations Act of 2021 authorizes the Secretary of Agriculture to ''. . . to prevent, prepare for, and respond to coronavirus by providing support for agricultural producers, growers, and processors impacted by coronavirus.'' Given this authority, and appropriations provided for this purpose in section 751, up to $200 million in budget authority is being made available for the Meat and Poultry Intermediary Lending Program. Pursuant to this authority, the Rural Business-Cooperative Service (RBCS or Agency), a Rural Development (RD) Agency of the United States Department of Agriculture (USDA), has developed requirements for the Meat and Poultry Intermediary Lending Program (MPILP). The Agency has made grant funding available to facilitate financing to qualified Ultimate Recipients and projects for the start-up or expansion of meat or poultry processors to increase financing and processing capacity and help create a more resilient, diverse, and secure U.S. food supply chain.

Need and Use of the Information: RD, through its respective Specialty Programs Division in Washington, DC, and its staff located in 47 State Offices throughout the United States will be the primary user of the information collected. Under the Freedom of Information Act, the general public can request the majority of the data requested of the intermediaries by RD except data that is confidential. The Agency will release only limited data during the processing of an application up to the period of time the grant is closed. Based on projected funding levels, it is estimated that an average of approximately 75 entities will apply for an MILP grant and an average of 25 entities will be approved per year.

Description of Respondents: Business or other for profit, not-for-profit institutions.

Number of Respondents: 75.

Frequency of Responses: Reporting: annually.

Total Burden Hours: 8,021.

Levi S. Harrell,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–22845 Filed 10–20–22; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS–2022–0031]

Public Meeting; National Advisory Committee on Microbiological Criteria for Foods

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Notice of public meeting.

SUMMARY: This notice is announcing that the National Advisory Committee on Microbiological Criteria for Foods (NACMCF) will hold a public meeting of the full Committee on November 15, 2022. The Committee will discuss and vote on adopting the following report: Enhancing *Salmonella* Control in Poultry Products. An update on the *Cyclospora cayetanensis* charge will also be provided and the Food and Drug Administration (FDA) will issue an additional work charge on *Cronobacter* spp. in Powdered Infant Formula to the Committee.

DATES: The full Committee will hold an open meeting on Tuesday, November 15, 2022, from 10 a.m. to 12 p.m. Submit comments on or before November 15, 2022.

ADDRESSES: The Committee meeting will be held virtually using Zoom. Attendees must pre-register at *https://ems8.intellor.com/?do=register&t=1&p=845409* to receive a join link, dial-in number, access code, and unique Attendee ID for the event. Persons interested in providing comments at the November 15 plenary session should indicate so when registering.

The NACMCF document for adoption will be available at *https://*

*www.fsis.usda.gov/wps/portal/fsis/topics/regulations/federal-register/*federal-register-notices. FSIS invites interested persons to submit comments on the meeting document. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field on this web page or attach a file for lengthier comments. Go to *https://www.regulations.gov.* Follow the on-line 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, Room 1258, Washington, DC 20250–3700.
- *Hand- Or Courier-Delivered Submittals:* Deliver to 1400 Independence Avenue SW, Jamie L. Whitten Building, Room 350–E, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2022–0031. 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) 720–5627 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

Agenda: FSIS will finalize an agenda on or before the meeting date and post it on the FSIS web page at *https://www.fsis.usda.gov/wps/portal/fsis/newsroom/meetings.*

Please note that the meeting agenda is subject to change due to the time required for reviewing and adopting the reports; thus, sessions could end earlier or later than anticipated. Please plan accordingly if you would like to attend this meeting or participate in the public comment period. Also, the official transcript of the November 15, 2022 Committee meeting, when it becomes available, will also be posted on FSIS' website at *https://www.fsis.usda.gov/wps/portal/fsis/topics/data-collectionand-reports/nacmcf/meetings/nacmcfmeetings.*

FOR FURTHER INFORMATION CONTACT: John Jarosh, USDA, FSIS, Office of Public Health Science, 1400 Independence Avenue SW, Room 1131, Washington, DC 20250; Email: *NACMCF@usda.gov.*

Persons requiring a sign language interpreter or other special accommodations should notify Mr. Jarosh by October 31, 2022.

SUPPLEMENTARY INFORMATION:

Background

The NACMCF was established in 1988, in response to a recommendation of the National Academy of Sciences for an interagency approach to microbiological criteria for foods, and in response to a recommendation of the U.S. House of Representatives Committee on Appropriations, as expressed in the Rural Development, Agriculture, and Related Agencies Appropriation Bill for fiscal year 1988. The charter for the NACMCF is available for viewing at *https://www.fsis.usda.gov/policy/advisory-committees/national-advisory-committee-microbiological-criteria-foods-nacmcf.* The NACMCF provides scientific advice and recommendations to the Secretary of Agriculture and the Secretary of Health and Human Services on public health issues relative to the safety and wholesomeness of the U.S. food supply, including development of microbiological criteria and review and evaluation of epidemiological and risk assessment data and methodologies for assessing microbiological hazards in foods. The Committee also provides scientific advice and recommendations to the Departments of Commerce and Defense. The Committee reports to the Secretary of Agriculture through the Under Secretary for Food Safety, the Committee's Chair, and to the Secretary of Health and Human Services through the Assistant Secretary for Health, the Committee's Vice-Chair. Currently, Ms. Sandra Eskin, Deputy Under Secretary for Food Safety, USDA, is the Committee Chair; Dr. Susan T. Mayne, Director of the Food and Drug Administration's Center for Food Safety and Applied Nutrition (CFSAN), is the Vice-Chair; and Mr. John J. Jarosh, FSIS, is the Director of the NACMCF Secretariat and Designated Federal Officer.

NACMCF documents and comments posted on the FSIS website are electronic conversions from a variety of source formats. In some cases, document conversion may result in character translation or formatting errors. The original document is the official, legal copy. To meet the electronic and information technology accessibility standards in Section 508 of the Rehabilitation Act, NACMCF may add alternate text descriptors for non-text elements (graphs, charts, tables, multimedia, etc.). These modifications only affect the internet copies of the documents. Copyrighted documents will not be posted on FSIS' website but will be available for inspection in the FSIS Docket Room.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication through the FSIS website located at: *https://www.fsis.usda.gov/policy/federal-register-rulemaking/federal-register-notices.* FSIS also will make copies of this publication available 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 is able to 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/news-events/news-press-releases/news-feeds-subscriptions.* 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's Non-Discrimination Statement

In accordance with Federal civil rights law and USDA civil rights regulations and policies, USDA, its Mission Areas, agencies, staff offices, 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.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (*e.g.,* Braille, large print, audiotape, American Sign Language)

should contact the responsible Mission Area, agency, or staff office; the USDA TARGET Center at (202) 720–2600 (voice and TTY); or the Federal Relay Service at (800) 877–8339.

To file a program discrimination complaint, a complainant should complete a Form AD–3027, *USDA Program Discrimination Complaint Form,* which can be obtained online at *https://www.ocio.usda.gov/document/ad-3027,* from any USDA office, by calling (866) 632–9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD–3027 form or letter must be submitted 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; or

(2) *Fax:* (833) 256–1665 or (202) 690–7442; or

(3) *Email: program.intake@usda.gov*

USDA is an equal opportunity provider, employer, and lender.

Dated: October 18, 2022.

Cikena Reid,

Committee Management Officer, United States Department of Agriculture.

[FR Doc. 2022–22926 Filed 10–20–22; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Special Census Program

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 May 25, 2022, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: U.S. Census Bureau, Department of Commerce.

Title: Special Census Program.

OMB Control Number: 0607–0368.

Form Number(s): SC–Q, SC–Q(S), SC–CQ, SC–CQ(S), SC–Q–TL, SC–Q–TL(S), SC–CQ–TL, SC–CQ–TL(S), SC–Q–GE, SC–Q–GE(S), SC–RQ, SC–RQ(S), SC–900.

Type of Request: Regular submission, Request for Reinstatement, with Change, of a Previously Approved Collection.

Number of Respondents: 357,080 (annual estimate). The number of respondents was incorrectly listed as 340,000 on the 60-day **Federal Register** Notice. The number has been updated to account for quality control reinterview and Governmental Units requesting a Cost Estimate.

Average Hours per Response: Approximately 10 minutes for the Special Census data collection and 45 minutes for the Governmental Unit Cost Estimate Request form.

Burden Hours: 59,560 (annual estimate). The number of burden hours was incorrectly listed as 56,667 on the 60-day **Federal Register** Notice. The number has been updated to account for quality control reinterview and Governmental Units requesting a Cost Estimate.

Needs and Uses: A Special Census is a basic enumeration of population, housing units, group quarters, and units at transitory locations, conducted by the Census Bureau at the request of a Governmental Unit. Title 13, United States Code, section 196 authorizes the Census Bureau to conduct Special Censuses on a cost reimbursable basis for the government of any state, county, city, or other political subdivision. This includes the District of Columbia, American Indian Reservations, Alaska Native villages, Puerto Rico, the U.S. Island Areas, and other Governmental Units that require current population data between decennial censuses.

A full Special Census is a basic enumeration of population, housing units, group quarters, and units at transitory locations for an area entirely within the jurisdiction of a local Governmental Unit requesting the Special Census. A partial Special Census is conducted using the same methodologies and procedures as a regular or full Special Census, but it is for a subset of areas within the jurisdiction of the local Governmental Unit. The areas requested in a partial Special Census must contain at least one full tract that is completely within the jurisdiction of the Governmental Unit and can contain additional contiguous tracts or blocks. For example, Governmental Units may choose to conduct a partial Special Census with just those tracts that might have experienced a large population growth or a boundary change.

Local officials frequently request a Special Census when there has been a significant population change in their community due to annexation, boundary changes, growth, or the addition of new group quarters facilities. Communities may also consider a Special Census if there was a significant number of vacant housing units during the previous decennial census that are now occupied. Many states use Special Census population statistics to determine the distribution of state funds to local jurisdictions. Local jurisdictions may use the data to plan new schools, transportation systems, housing programs, or water treatment facilities.

The 2020 Special Census Program will accept requests for cost estimates from Governmental Units starting in March 2023 and continuing through May 2027; data collection will start no earlier than January 2024 and will continue through September 2028. Governmental Units will complete a Cost Estimate Request form (SC–900) to request a Special Census. Additional information will be announced on the Census Bureau website.

A Cost Estimate Request form (SC–900) will be available on the Census Bureau website by February 2023. Governmental Units will submit this form to the Census Bureau. Once this form has been reviewed by the Census Bureau, the Governmental Unit and the Census Bureau will coordinate to identify the exact geographic boundaries for the Special Census. Then the Special Census Program will coordinate within the Census Bureau to determine a cost estimate and timeline for the Special Census and will present them to the Governmental Unit. The cost of a Special Census varies depending on the Governmental Unit's housing and population counts and whether a Governmental Unit requests a full or partial Special Census. The cost estimate outlines the anticipated costs to the sponsoring Governmental Unit for staffing, materials, data processing and tabulation. Included with the cost estimate is a Memorandum of Agreement. Once a signed Memorandum of Agreement and initial payment are transmitted to the Census Bureau, the Special Census process will begin.

For the 2020 Special Census Program, the Census Bureau will use an internet self-response instrument for

respondents to self-respond to the Special Census questionnaire. Respondents will have a number of weeks to respond to the Special Census questionnaire using the internet self-response instrument. At the start of the Special Census, the Census Bureau will send an invitation letter to known housing units in the Governmental Unit's Special Census area with information needed to respond online. Reminder letters and postcards will be sent to each known housing unit to encourage self-response and provide information needed to do so.

After the end of the Special Census self-response period, the Census Bureau will conduct follow-up operations in the field to enumerate housing units that did not respond using the internet self-response instrument as well as housing units that did not receive mailed materials. These housing units will be contacted by a field representative who will conduct a Special Census interview using a paper questionnaire. The field operations will also enumerate group quarters and transitory locations in the Governmental Unit's Special Census area using a paper questionnaire. During the field operations, Special Census field representatives will conduct listing to verify the current address lists for the Special Census area and add, delete, or update the addresses of living quarters as needed, based on their observation of housing units, transitory locations, and group quarters. The Special Census questionnaires will collect the same information that was gathered during the 2020 Census.

Several quality assurance measures will be implemented for each Special Census to ensure that high-quality data are gathered using the most efficient and cost-effective procedures. These include edits incorporated into the online questionnaire and the ability to validate potentially erroneous responses in the field. Independent quality assurance checks, such as initial field representative observation and review of completed questionnaires, will be conducted by field supervisors and office staff. Quality control field supervisors will conduct the Dependent Quality Check to verify that production field representatives performed all listing and mapping tasks completely and accurately. Reinterview of a sample of field questionnaires will also be implemented by a quality control field representative to ensure the quality of the data collected in the field.

The 2020 Census disclosure avoidance methodology will be used with a few changes for the Special Census Program. The minimum statistical area for which any partial Special Censuses can be conducted is a 2020 Census tabulation tract. This is different from the 2010 Special Census Program where partial Special Censuses were done by block. Due to this change in methodology, only Governmental Units whose jurisdictions encompass one or more 2020 Census tracts will be able to request a partial Special Census. Furthermore, this methodological change necessitates that a block or tract can only be included in a Special Census one time between 2023 and 2028. A Governmental Unit may request multiple partial Special Censuses, but they cannot be of overlapping areas. Finally, the geography included in the Special Census will impact which data products the Governmental Units receive based on disclosure avoidance considerations. Some Governmental Units will not receive the full suite of data products; however, for those impacted Governmental Units, the Census Bureau will define the allowable data products that the Governmental Unit will receive prior to signing the Memorandum of Agreement.

Governmental Units that request a Special Census will receive the data files by email once data processing and disclosure avoidance have been completed for the Special Census. The data will also be posted at *data.census.gov* for public use. These data will not be used to update official 2020 Census data products and apportionment counts, but they may be used to update data in the Census Bureau's Population Estimates Program.

Changes from the 60-day **Federal Register** Notice include the change in the estimated number of respondents and respondent burden hours. In addition, the application fee has been eliminated; the Special Census Program will no longer require Governmental Units to pay a fee when submitting a Special Census Cost Estimate Request form.

As the Census Bureau develops automated tools and methods for data collection and listing for the 2030 Decennial Census, the Special Census Program may incorporate this additional automation throughout the decade. Updates to the operational design will be implemented no earlier than 2026. The incorporation of additional automation may increase data collection quality and efficiency, resulting in a cost savings for Governmental Units, but the extent of those cost savings is currently unknown.

Affected Public: Individuals or households; State, Local, or Tribal government.

Frequency: As requested by Government Units. Each tract or block can only be enumerated one time during the 2020 Special Census Program (between 2023 and 2028).

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C. 196.

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 0607–0368.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Department of Commerce.

[FR Doc. 2022–22951 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket # 221017–0220]

Bureau of Economic Analysis Advisory Committee Meeting

AGENCY: Bureau of Economic Analysis, U.S. Department of Commerce.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, the Bureau of Economic Analysis (BEA) announces a meeting of the Bureau of Economic Analysis Advisory Committee (BEAAC or the Committee). The meeting will address proposed improvements, extensions, and research related to BEA's economic accounts. In addition, the meeting will include an update on recent statistical developments.

DATES: November 18, 2022. The meeting begins at 10 a.m. and adjourns at 3 p.m. (ET).

ADDRESSES: This meeting will be a hybrid event. Committee members and presenters will have the option to join the meeting in person or via video conference technology. All outside attendees will be invited to attend via video conference technology only. The meeting is open to the public via video conference technology. Contact Gianna Marrone at (301) 278–9282 or *gianna.marrone@bea.gov* by November

10, 2022 to RSVP. The call-in number, access code, and presentation link will be posted 24 hours prior to the meeting on *https://www.bea.gov/about/bea-advisory-committee.*

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Program Analyst, U.S. Department of Commerce, Bureau of Economic Analysis, Suitland, MD, 20746; phone (301) 278–9282; email *gianna.marrone@bea.gov.*

SUPPLEMENTARY INFORMATION: The Committee was established September 2, 1999 in accordance with the Federal Advisory Committee Act (5 U.S.C. app. section 2). The Committee advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, with a focus on new and rapidly growing areas of the U.S. economy. The Committee provides recommendations from the perspectives of the economics profession, business, and government.

The Committee aims to have a balanced representation among its members, considering such factors as geography, age, sex, race, ethnicity, technical expertise, community involvement, and knowledge of programs and/or activities related to BEAAC. Individual members are selected based on their expertise in or representation of specific areas as needed by BEAAC.

This meeting is open to the public. The meeting is accessible to people with disabilities. Requests for foreign language interpretation or other auxiliary aids should be directed to Gianna Marrone at (301) 278–9282 or *gianna.marrone@bea.gov* by November 10, 2022. Persons with extensive questions or statements must submit them in writing by November 10, 2022, to Gianna Marrone, *gianna.marrone@bea.gov.* Persons with extensive questions or statements must submit them in writing by November 10, 2022., to Gianna Marrone, *gianna.marrone@bea.gov.*

Authority: Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. app.

Dated: October 13, 2022.

Ryan Noonan,

Designated Federal Officer, Bureau of Economic Analysis.

[FR Doc. 2022–22893 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

[Docket No. 221017–0221]

Solicitation of Nominations To Serve on the BEA Advisory Committee

AGENCY: Bureau of Economic Analysis, Department of Commerce.

ACTION: Notice of solicitation of nominations.

SUMMARY: The Director of the Bureau of Economic Analysis (BEA) requests nominations of individuals to the Bureau of Economic Analysis Advisory Committee (BEAAC or Committee) to fill upcoming vacancies. The Director of BEA will consider nominations received in response to this notice, as well as from other sources.

DATES: Nominations for the BEAAC will be accepted on an ongoing basis and will be considered as and when vacancies arise.

ADDRESSES: Please submit nominations by email to *Gianna.Marrone@bea.gov* (subject line ''BEAAC Nomination'').

FOR FURTHER INFORMATION CONTACT: Gianna Marrone, Committee Management Official, Department of Commerce, Bureau of Economic Analysis, telephone: 301–278–9282, email: *Gianna.Marrone@bea.gov.*

SUPPLEMENTARY INFORMATION:

Background

The BEAAC was established September 2, 1999, and advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, with a focus on new and rapidly growing areas of the U.S. economy. The BEAAC functions solely as an advisory committee to the Director of BEA, in accordance with the Federal Advisory Committee Act (title 5, United States Code, appendix 2) (FACA), and advises BEA on topics selected by BEA in consultation with the Committee chairperson. The BEAAC provides recommendations from the perspectives of the economics profession, business, and government as well as recommendations for current and proposed BEA projects. This is a highly effective means of obtaining valuable feedback on new data products and improvements to BEA's existing statistics.

Description of BEAAC Membership and Duties

The BEACC will consist of approximately 15 members who are appointed by and serve at the discretion of the Director of BEA. The Committee chairperson will be selected by the Director of BEA. Members will be selected on a clear, standardized basis, in accordance with applicable Department of Commerce guidance. Committee members will be from business, academia, research, government, and international organizations, and they must be acknowledged experts in relevant fields, such as economics, statistics, and economic accounting. Committee members will be considered ''special government employees'' (SGEs) and will be subject to the ethical standards applicable to SGEs.

Committee members will serve for a term up to three years. All members will be reevaluated at the conclusion of the term with the prospect of renewal for an additional term. Active attendance and participation in meetings and activities (*e.g.,* conference calls and assignments) will be factors considered when determining term renewal or membership continuance. Members may be appointed for no more than three consecutive terms. Appointments may be for one, two, or three years to provide for staggered terms.

The BEACC meets once or twice a year, budget permitting. Additional meetings may be held as deemed necessary by the Director of BEA or the Designated Federal Official. All meetings are open to the public in accordance with FACA the Freedom of Information Act, 5 U.S.C. 552.

Members shall not reference or otherwise utilize their BEAAC membership in connection with public statements made in their personal capacities without a disclaimer that the views expressed are their own and do not represent the views of the BEACC, BEA, or the Department of Commerce. Committee members shall serve without compensation, but may, upon request, be reimbursed travel expenses, including per diem, as authorized by 5 U.S.C. 5701 *et seq.* Because Committee members will not have access to classified information, no security clearances are required.

Solicitation of Nominations

The Committee is currently filling one or more positions on the BEAAC. The Director will consider nominations of all qualified individuals to ensure that the Committee includes the areas of experience noted above. Individuals may nominate themselves or other individuals, and professional associations and organizations may nominate one or more qualified persons for membership on the Committee.

Nominations shall state that the nominee is willing to serve as a member and carry out the duties of the Committee. A nomination package should include the following information for each nominee:

1. A letter of nomination stating the name, affiliation, and contact information for the nominee, the basis for the nomination (*i.e.,* what specific attributes recommend him/her for service in this capacity), and the nominee's field(s) of experience;

2. A biographical sketch of the nominee;

3. A copy of his/her curriculum vitae; and

4. The name, return address, email address, and daytime telephone number at which the nominator can be contacted.

The Committee aims to have a balanced representation among its members, considering such factors as geography, age, sex, race, ethnicity, technical expertise, community involvement, and knowledge of programs and/or activities related to BEAAC. Individuals will be selected based on their expertise in or representation of specific areas as needed by BEAAC.

All nomination information should be provided in a single, complete package. Interested applicants should send their nomination package to Gianna Marrone, Committee Management Official, at *Gianna.Marrone@bea.gov* (subject line ''BEAAC Nomination'').

Authority: Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. app.

Dated: October 13, 2022.

Ryan Noonan,

Bureau of Economic Analysis, Designated Federal Official, Bureau of Economic Analysis Advisory Committee.

[FR Doc. 2022–22896 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–823]

Silicomanganese From India: Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: In response to request for a changed circumstances review (CCR), the U.S. Department of Commerce (Commerce) is initiating a CCR of the antidumping duty (AD) order on silicomanganese from India. Additionally, Commerce preliminary determines that NAVA Limited (NAVA) is the successor-in-interest to Nava Bharat Ventures Limited (NBVL). Interested parties are invited to comment on these preliminary results.

DATES: Applicable October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Daniel Alexander, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4313.

SUPPLEMENTARY INFORMATION:

Background

On May 23, 2002, Commerce published the AD order on silicomanganese from India.[1] On September 1, 2022, NAVA, an Indian producer and exporter of subject merchandise, requested that Commerce conduct an expedited CCR of the *Order* to determine that NAVA is the successor-in-interest to NBVL, and publish the preliminary results of the review simultaneously with the initiation of the CCR.[2] In its submission, NAVA addressed the basic factors Commerce analyzes with respect to successor-in-interest determinations in the AD context and provided supporting documentation.[3] No interested parties filed comments opposing the CCR request.

Scope of the Order

The merchandise covered by the *Order* is all forms, sizes, and compositions of silicomanganese, except low-carbon silicomanganese, including silicomanganese briquettes, fines and slag. Silicomanganese is a ferroalloy composed principally of manganese, silicon, and iron, and normally contains much smaller proportions of minor elements, such as carbon, phosphorous and sulfur. Silicomanganese is sometimes referred to as ferrosilicon manganese. Silicomanganese is used primarily in steel production as a source of both silicon and manganese. Silicomanganese generally contains by weight not less than 4 percent iron, more than 30 percent manganese, more than 8 percent silicon and not more than 3 percent phosphorous. Silicomanganese is properly classifiable under subheading 7202.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Some silicomanganese may also be classified under HTSUS subheading. This scope covers all silicomanganese, regardless of its tariff classification. Although the HTSUS subheadings are provided for convenience and U.S. Customs and Border Protection purposes, our written description of the scope remains dispositive.

The low-carbon silicomanganese excluded from this scope is a ferroalloy with the following chemical specifications: minimum 55 percent manganese, minimum 27 percent silicon, minimum 4 percent iron, maximum 0.10 percent phosphorus, maximum 0.10 percent carbon and maximum 0.05 percent sulfur. Low-carbon silicomanganese is used in the manufacture of stainless steel and special carbon steel grades, such as motor lamination-grade steel, requiring a very low carbon content. It is sometimes referred to as ferromanganese-silicon. Low-carbon silicomanganese is classifiable under HTSUS subheading 7202.99.8040.

Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), when Commerce receives information concerning, or a request from an interested party for a review of, a final affirmative determination that resulted in an AD order, which shows changed circumstances sufficient to warrant a review of an order, Commerce shall conduct a changed circumstances review of the order.[4] In accordance with 19 CFR 351.216(d), Commerce determines that the information submitted by NAVA, supporting its claim that it is successor-in-interest to NBVL, demonstrates changed circumstances sufficient to initiate a review of the *Order*.[5]

The information submitted by NAVA demonstrates that its request is based solely on a change in the name of the company from ''Nava Bharat Ventures Limited'' to ''NAVA Limited,'' approved by its board of directors on May 16, 2022.[6] Moreover, the evidence submitted by NAVA demonstrates that it is still otherwise the same business

[1] *See Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Orders: Silicomanganese from India, Kazakhstan, and Venezuela,* 67 FR 36149 (May 23, 2002) (*Order*).

[2] *See* NAVA's Letter, ''Silicomanganese from India: NAVA Limited request for Successor-in-Interest CCR and Simultaneous Affirmative Preliminary Determination,'' dated September 1, 2022 (NAVA's CCR Request).

[3] *Id.*

[4] *See* 19 CFR 351.216(d).

[5] *See* NAVA's CCR Request.

[6] *Id.* at 1–2.

entity as NBVL, with no changes made in the companies' structure, operations, key personnel, production facilities, suppliers, or customers as a result of the name change.[7] Therefore, in accordance with the regulation referenced above, Commerce is initiating a CCR to determine whether NAVA is the successor-in-interest to NBVL.

Preliminary Results

Commerce is permitted by 19 CFR 351.221(c)(3)(ii) to combine the notice of initiation of a CCR and the preliminary results if Commerce concludes that expedited action is warranted. In this instance, because the record contains information necessary to make a preliminary finding, we find that expedited action is warranted and have combined the notice of initiation and the preliminary results.

Accordingly, pursuant to section 751(b) of the Act, we have conducted a successor-in-interest analysis in response to NAVA's request. In making a successor-in-interest determination in an AD CCR, Commerce examines several factors, including, but not limited to, changes in the following: (1) management and ownership; (2) production facilities; (3) supplier relationships; and (4) customer base.[8] While no single factor or combination of factors will necessarily provide a dispositive indication of a successor-in-interest relationship, generally, Commerce will consider the new company to be the successor to the previous company if the new company's resulting operations are not materially dissimilar to that of its predecessor.[9] Thus, if the evidence demonstrates that, with respect to the production and sales of the subject merchandise, the new company operates as essentially the same business entity as the former company, Commerce will assign the new company the cash deposit rate of its predecessor.[10]

In its CCR request, NAVA provided evidence demonstrating that its operations are not materially dissimilar from those of NBVL. Based on the record, we preliminarily determine that NAVA is the successor-in-interest to NBVL, as the change in the business' name was not accompanied by significant changes to its management and ownership, production, facilities, supplier relationships, or customer base. Thus, we preliminarily determine that NAVA operates as essentially the same business entity as NBVL, NAVA is the successor-in-interest to NVBL, and NAVA should receive the same AD cash deposit rate with respect to subject merchandise as its predecessor, NVBL. For a complete discussion of the information that NAVA provided, and the complete successor-in-interest analysis, *see* the Preliminary Decision Memorandum.[11] A list of topics discussed in the Preliminary Decision Memorandum is included as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Should our final results remain unchanged from these preliminary results, we will instruct U.S. Customs and Border Protection to assign entries of subject merchandise exported by NAVA the AD cash deposit rate applicable to NBVL. Commerce will issue its final results of the review in accordance with the time limits set forth in 19 CFR 351.216(e).

Public Comment

Any interested party may request a hearing within 14 days of publication of this notice, in accordance with 19 CFR 351.310(c).[12] In accordance with 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 14 days after the date of publication of this notice.[13] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the case briefs.[14] Parties who submit case briefs or rebuttal briefs in this CCR are requested to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[15] All submissions must be filed electronically using ACCESS.[16] An electronically-filed document must be received successfully in its entirety by ACCESS, by 5:00 p.m. Eastern Time on the date it is due.[17] Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[18]

Unless extended, Commerce will issue the final results of this CCR in accordance with the time limits set forth in 19 CFR 351.216(e).

Notification to Interested Parties

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: October 14, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Initiation and Preliminary Results of the Changed Circumstances Review
V. Successor-in-Interest Determination
VI. Recommendation

[FR Doc. 2022–22873 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–DS–P

[7] *Id.* at 5–6.

[8] *See, e.g., Certain Frozen Warmwater Shrimp from India: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review,* 83 FR 37784 (August 2, 2018), unchanged in *Certain Frozen Warmwater Shrimp from India: Notice of Final Results of Antidumping Duty Changed Circumstances Review,* 83 FR 49909 (October 3, 2018).

[9] *Id.*

[10] *See, e.g., Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp from India,* 77 FR 64953 (October 24, 2012), unchanged in *Final Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp from India,* 77 FR 73619 (December 11, 2012); *see also Notice of Initiation and Preliminary Results of Changed Circumstances Reviews: Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China,* 85 FR 5193 (January 29, 2020), unchanged in *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Final Results of Changed Circumstances Reviews,* 85 FR 14638 (March 13, 2020).

[11] *See* Memorandum, ''Silicomanganese from India: Initiation and Preliminary Results of Changed Circumstances Review,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[12] Commerce is exercising its discretion under 19 CFR 351.310(c) to alter the time limit for requesting a hearing.

[13] Commerce is exercising its discretion under 19 CFR 351.309(c)(1)(ii) to alter the time limit for the filing of case briefs.

[14] Commerce is exercising its discretion under 19 CFR 351.309(d)(1) to alter the time limit for the filing of rebuttal briefs.

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] *See generally* 19 CFR 351.303.

[17] *See* 19 CFR 351.303(b)

[18] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

DEPARTMENT OF COMMERCE

International Trade Administration

[C–122–858]

Certain Softwood Lumber Products From Canada: Notice of Amended Final Results of Countervailing Duty Administrative Review; 2020; Correction

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On October 11, 2022, the U.S. Department of Commerce (Commerce) published a notice in the **Federal Register**, in which Commerce amended its notice of final results for the 2020 administrative review of the countervailing duty (CVD) order on certain softwood lumber products (softwood lumber) from Canada. This notice inadvertently contained an incorrect rate applicable to companies not selected for individual examination in the 2020 administrative review (non-selected companies).

DATES: Applicable October 21, 2022.

FOR FURTHER INFORMATION CONTACT: John Hoffner, 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) 482–3315.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of October 11, 2022, in FR Doc 2022–22001, on page 61291, in the first and second columns, Commerce listed an incorrect subsidy rate of 3.38 percent applicable to non-selected companies subject to the 2020 review in the paragraphs ''Background'' and ''Cash Deposit Rates.'' [1] The correct subsidy rate applicable to non-selected companies subject to the 2020 administrative review is 3.83 percent.

Background

On August 9, 2022, Commerce published the final results of the 2020 administrative review of the CVD order on softwood lumber from Canada.[2] October 11, 2022, Commerce issued an amendment to the final results to confirm that the following companies are included among the firms subject to the CVD administrative review covering the 2020 period of review and are among the non-selected companies subject to a subsidy rate: Coast Clear Wood Ltd.; Coulson Manufacturing Ltd.; Halo Sawmill, a division of Delta Cedar Specialties Ltd.; Mainland Sawmill, a division of Terminal Forest Products Ltd.; and Pine Ideas Ltd.[3] In the *Amended Final Results,* Commerce incorrectly listed the subsidy rate for non-selected companies as 3.38 percent, while the correct rate is 3.83 percent.[4] This notice serves as a notification of, and correction to, this inadvertent error. With the issuance of this notice of correction, we confirm that the subsidy rate for non-selected companies as a result of the 2020 administrative review is 3.83 percent.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i) of the Tariff Act of 1930, as amended.

Dated: October 17, 2022.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations.

[FR Doc. 2022–22856 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Certain Softwood Lumber Products from Canada: Notice of Amended Final Results of Countervailing Duty Administrative Review; 2020,* 87 FR 61290, 61291 (October 11, 2022) (*Amended Final Results*).

[2] *See Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review, 2020,* 87 FR 48455, 48458–59 (August 9, 2022).

[3] *See Amended Final Results,* 87 FR at 61290.

[4] *Id.,* 87 FR at 61291.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–127]

Certain Non-Refillable Steel Cylinders From the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty (CVD) order on certain non-refillable steel cylinders (non-refillable cylinders) from the People's Republic China (China), covering the period August 28, 2020, though December 31, 2021.

DATES: Applicable October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Kristen Johnson, 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) 482–4793.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2022, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the CVD order on non-refillable cylinders from China, covering the period August 28, 2020, though December 31, 2021.[1] On May 31, 2022, Ningbo Eagle Machinery & Technology Co., Ltd. (Ningbo Eagle), Sanjiang Kai Yuan Co. Ltd (SKY), Wuyi Xilinde Machinery Manufacture Co., Ltd. (Wuyi Xilinde), and Zhejiang KIN–SHINE Technology Co., Ltd (KIN–SHINE) timely requested that Commerce conduct an administrative review.

On July 14, 2022, Commerce published in the **Federal Register** a notice of initiation of an administrative review with respect to KIN–SHINE, Ningbo Eagle, SKY, and Wuyi Xilinde, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[2] Also on July 14, 2022, Commerce released U.S. Customs and Border Protection (CBP) entry data for the POR to all interested parties.[3] On August 17, 2022, Commerce notified interested parties of its intent to rescind the review of KIN–SHINE because the company did not have a reviewable, suspended entry of subject merchandise during the POR.[4] Commerce provided parties an opportunity to submit comments, including factual information, to demonstrate whether there were reviewable entries during the POR for KIN–SHINE.[5] No party submitted comments to Commerce.

On August 26 and 30, 2022, Wuyi Xilinde and SKY, respectively, timely withdrew their requests for administrative review.[6] On September 9, 2022, Ningbo Eagle timely withdrew

[1] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List,* 87 FR 25619 (May 2, 2022).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 42144, 42155 (July 14, 2022).

[3] *See* Memorandum, ''Countervailing Duty Order on Certain Non-Refillable Steel Cylinders from the People's Republic of China; First Administrative Review; Release of U.S. Customs and Border Protection Query,'' dated July 14, 2022.

[4] *See* Memorandum, ''Administrative Review of the Countervailing Duty Order on Certain Non-Refillable Steel Cylinders from the People's Republic of China: Notice of Intent to Rescind Review, In Part,'' dated August 17, 2022.

[5] *Id.*

[6] *See* Wuyi Xilinde's Letter, ''Non-refillable Steel Cylinders from the People's Republic of China: Withdrawal of Request for Administrative Review and Request Suspension of Deadlines,'' dated August 26, 2022; *see also* SKY's Letter, ''Certain Non-Refillable Steel Cylinders from China; C–570–127; Withdrawal of Request for Administrative Review,'' dated August 30, 2022.

its request for an administrative review.[7]

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. Ningbo Eagle, SKY, and Wuyi Xilinde withdrew their requests for review within the 90-day deadline. No other interested party requested an administrative review of Ningbo Eagle, SKY, and Wuyi Xilinde. We, therefore, are rescinding this administrative review for Ningbo Eagle, SKY, and Wuyi Xilinde.

Additionally, pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of a CVD order where it concludes that there were no reviewable entries of subject merchandise during the POR for an exporter or producer.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD assessment rate for the review period.[9] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated CVD assessment rate for the review period.[10] As noted above, there were no entries of subject merchandise from KIN–SHINE during the POR. Accordingly, in the absence of reviewable, suspended entries of subject merchandise during the POR, we are rescinding this administrative review for KIN–SHINE, in accordance with 19 CFR 351.213(d)(3).

Assessment

Commerce will instruct CBP to assess countervailing duties on all appropriate entries. Because Commerce is rescinding this review in its entirety, the entries to which this administrative review pertained shall be assessed at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the **Federal Register**.

Notification Regarding Administrative Protective Order

This notice 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, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of the APO materials, or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(l) of the Act, and 19 CFR 351.213(d)(4).

Dated: October 17, 2022.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2022–22903 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–DS–P

[7] See Ningbo Eagle's Letter, ''Certain Non-Refillable Steel Cylinders from the People's Republic of China: Withdrawal of Request for Administrative Review,'' dated September 9, 2022.

[8] *See, e.g., Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review, 2020,* 87 FR 48455 (August 9, 2022).

[9] *See* 19 CFR 351.212(b)(2).

[10] *See* 19 CFR 351.213(d)(3).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–084, C–570–085]

Certain Quartz Surface Products From the People's Republic of China: Final Scope Ruling on Malaysian Processed Quartz Slab and Recission of the Circumvention Inquiry

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that imports of quartz slab manufactured in the People's Republic of China (China) and processed in Malaysia are covered by the scope of the antidumping duty (AD) and countervailing duty (CVD) orders on certain quartz surface products from China.

DATES: Applicable October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Ajay Menon or Paul Gill, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0208 or (202) 482–5673, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 7, 2022, Commerce published a notice self-initiating scope and circumvention inquiries to determine whether imports of quartz surface products completed in Malaysia using inputs manufactured in China are covered by the AD and CVD orders on certain quartz surface products from China.[1] For a complete description of the events that followed the initiation, *see* the Final Scope Memorandum.[2]

Scope of the Orders

The products covered by the *Orders* include certain quartz surface products from China.[3] Products subject to the *Orders* are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 6810.99.0010. Subject merchandise may also enter under subheadings 6810.11.0010, 6810.11.0070, 6810.19.1200, 6810.19.1400, 6810.19.5000, 6810.91.0000, 6810.99.0080, 2506.10.0010, 2506.10.0050, 2506.20.0010, 2506.20.0080, and 7016.90.1050. Although the HTSUS subheading are provided for convenience and U.S. Customs purposes, the written description of the scope is dispositive.

Merchandise Subject to the Scope Inquiry

This scope inquiry covers imports of quartz surface products processed in Malaysia using quartz slab manufactured in China.

Methodology and Final Scope Ruling

Commerce conducted this scope inquiry in accordance with 19 CFR 351.225(k)(1). Specifically, as discussed in the Final Scope Memorandum, we find that, because the scope of the *Orders* explicitly covers quartz slab manufactured in China and finished, packaged, or otherwise fabricated in a third country, the Chinese quartz slab processed in Malaysia subject to this scope inquiry is covered by the scope of the *Orders* pursuant to 19 CFR 351.225(k)(1). A complete list of the

[1] *See Quartz Surface Products from the People's Republic of China: Initiation of Scope and Circumvention Inquiries of the Antidumping Duty and Countervailing Duty Orders,* 87 FR 6844 (February 7, 2022) (*Initiation Notice*); *see also Certain Quartz Surface Products from the People's Republic of China: Antidumping and Countervailing Duty Orders,* 84 FR 33053 (July 11, 2019) (*Orders*).

[2] *See* Memorandum, ''Quartz Surface Products from the People's Republic of China: Final Scope Ruling,'' dated concurrently with, and hereby adopted by, this notice (Final Scope Memorandum).

[3] For a complete description of the scope of the *Orders, see* the Final Scope Memorandum.

issues discussed in the Final Scope Memorandum is contained in Appendix I.

Adverse Facts Available

Because certain interested parties did not cooperate to the best of their abilities in responding to Commerce's requests for information, we are basing part of our final determination on the facts available, with adverse inferences, pursuant to sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act). Specifically, the following companies did not respond to Commerce's requests for information in this scope inquiry: Bada Industries SDN BHD (Bada Industries); Ever Stone World SDN BHD (Ever Stone); Karina Stone; MSI Building Supply SDN (MSI); Principal Safwa (M) SDN (Principal); Resstone Manufacturing (Resstone); SCLM Services SDN BHD (SCLM); Unique Stone SDN BHD (Unique Stone); and Universal Quartz. Therefore, in accordance with sections 776(a) and (b) of the Act, we find that these companies are exporting to the United States certain quartz surface products processed in Malaysia containing quartz slab manufactured China. Moreover, as discussed further below, we deem these companies ineligible to participate in the scope certification process, we are establishing as part of this scope ruling. For a complete description of our AFA determination, *see* the Final Scope Memorandum.[4]

Scope Certification Process

Evidence on the record indicates that the companies which have fully participated in this scope inquiry have not used Chinese quartz slab as an input in the production of Malaysian quartz surface products. However, as noted above, certain companies failed to respond to Commerce's requests for information. Therefore, pursuant to 19 CFR 351.228, Commerce is implementing a certification requirement for all imports of quartz surface products from Malaysia. For further discussion, *see* the Final Scope Memorandum.

We determine that the following companies are not eligible for the scope certification process because, as noted above, they did not fully participate in the proceeding: Bada Industries; Ever Stone; Karina Stone; MSI; Principal; Resstone; SCLM; Unique Stone; and Universal Quartz. However, these ineligible companies may request reconsideration of their exclusion from the certification process in a future segment of the proceeding (*i.e.,* either through a changed circumstances review or an administrative review).[5]

Continuation of Suspension of Liquidation

As stated above, Commerce has found that imports of quartz surface products processed in Malaysia using quartz slab manufactured in China is merchandise covered by the scope of the *Orders.* As a result of this determination, and consistent with 19 CFR 351.225(l)(3), we intend to direct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of Chinese quartz slab processed in Malaysia and to require a cash deposit of estimated AD and CVD duties at the applicable rates on unliquidated entries of merchandise subject to this inquiry that are entered, or withdrawn from warehouse, for consumption on or after November 4, 2021, the effective date of the *Final Rule.*[6] These suspension of liquidation and cash deposit requirements do not apply to imports of quartz surface products from Malaysia which are not produced from Chinese quartz slab, subject to the certification and documentation requirements described in Appendices II, III, and IV.

Specifically, if an importer of quartz surface products from Malaysia claims that the quartz surface products were not produced using Chinese quartz slab, to not be subject to cash deposit requirements the importer must meet the certification and documentation requirements described in Appendix II. An exporter of quartz surface products in Malaysia claiming its quartz surface products were not produced using Chinese quartz slab must prepare and maintain an Exporter Certification and documentation supporting the Exporter Certification (*see* Appendix IV). In addition, importers of such quartz surface products must prepare and maintain an Importer Certification (*see* Appendix III) and documentation supporting the Importer Certification. In addition to the Importer Certification, the importer must also maintain a copy of the Exporter Certification (*see* Appendix IV) and relevant supporting documentation from its exporter of quartz surface products that do not contain Chinese-origin quartz slab.

If it is determined that the certification and/or documentation requirements in a certification have not been met (*e.g.,* where the importer/exporter cannot support its claim that the imported merchandise was produced from quartz slab that did not originate in China) or companies are not eligible for the certification process, Commerce will instruct CBP to suspend liquidation and require cash deposits for such entries. For AD cash deposits, Commerce will instruct CBP to require AD cash deposits equal to the China-wide rate, unless the importer/exporter can support its claim that the quartz slab was exported by a Chinese manufacturer with a company-specific separate rate. In that instance, the cash deposit rate will be the rate of the Chinese supplier of the quartz slab that has its own rate. For CVD cash deposits, Commerce will instruct CBP to require CVD cash deposits equal to the all-others rate, unless the importer/exporter can support its claim that the quartz slab was produced and/or exported by a Chinese manufacturer with a company-specific rate. In that instance, the cash deposit rate will be the rate of the Chinese supplier of the quartz slab that has its own rate. These suspension of liquidation and cash deposit requirements will remain in effect until further notice.

Finally, for quartz surface products produced from Chinese-origin quartz slab processed in Malaysia, Commerce has established third country case numbers in the Automated Commercial Environment (ACE). For quartz surface products exported from Malaysia that is merchandise covered by the scope of the AD/CVD *Orders* on quartz surface products from China, where the country-of-origin changes for CBP's reporting purposes, importers should report such entries under the following third country case numbers: A–557–084 and C–557–085. The importer, producer, or exporter of quartz surface products in Malaysia using Chinese-origin slab should file a request in Enforcement and Compliance's electronic system, ACCESS, and on the record of the applicable administrative review proceeding, asking Commerce to establish a case number in the Automated Commercial Environment (ACE) for China that is specific to the Chinese supplier of quartz slab. CBP may also submit a request through the ACE AD/CVD Portal Inquiry System, for

[4] *See* Final Scope Memorandum at 3.

[5] *See, e.g., Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China: Final Affirmative Determination of Circumvention of the Antidumping Duty Order,* 84 FR 29164 (June 21, 2019), and accompanying Issues and Decision Memorandum, at 21–22; *see also Diamond Sawblades and Parts Thereof from the People's Republic of China: Preliminary Affirmative Determination of Circumvention,* 84 FR 58130 (October 30, 2019), and accompanying Preliminary Decision Memorandum, at 6, unchanged in *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Determination of Anti-Circumvention Inquiry,* 85 FR 9737 (February 20, 2020).

[6] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300, 52377 (September 20, 2021) (*Final Rule*).

Commerce to establish company-specific third country case numbers for China.

Rescission of the Circumvention Inquiry

Pursuant to 19 CFR 351.226(f)(6)(ii), Commerce may rescind a circumvention inquiry where it has been determined that the merchandise at issue in the circumvention inquiry is covered by the scope of the AD or CVD order. Commerce in the *Initiation Notice* stated that it would first determine if the merchandise at issue is covered by the scope of the *Orders* before considering whether this merchandise is circumventing the *Orders*.[7] Because we have now determined that the scope of the *Orders* covers imports of quartz surface products completed in Malaysia using quartz slab manufactured in China, we are rescinding the circumvention inquiry.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to the 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). 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

We are issuing and publishing this notice in accordance with sections 781(a) and 777(i) of the Act, 19 CFR 351.225(f)(6), and 19 CFR 351.226(f)(6).

Dated: October 14, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Final Scope Memorandum

I. Summary
II. Background
III. Scope of the Orders
IV. Scope Ruling
V. Establishment of the Scope Certification Process and Application of Adverse Facts Available (AFA)
VI. Circumvention Inquiry Recission
VII. Analysis of Comments
Comment 1: Companies Eligible for the Certification Process
Comment 2: The Submission of Importer and Exporter Certifications
VIII. Recommendation

Appendix II

Certification Eligibility and Requirements

A. Eligibility for the Certification

Importers and exporters of quartz surface products exported from Malaysia using quartz slab other than that manufactured in the People's Republic of China (China) are eligible for the certification process detailed below, with the exception of certain companies. The following companies are not eligible to participate in the certification process: Bada Industries SDN BHD; Ever Stone World SDN BHD; Karina Stone; MSI Building Supply SDN; Principal Safwa (M) SDN; Resstone Manufacturing; SCLM Services SDN BHD; Unique Stone SDN BHD; and Universal Quartz.

B. Certification Requirements for Importers and Exporters of Quartz Surface Products Exported From Malaysia Using Quartz Slab Not Manufactured in China

To import quartz surface products from Malaysia and declare them as exempt from the scope of the *Orders* and hence free of AD/CVD duties, the importer and the exporter must complete and maintain certifications, along with proof of where the quartz slab was manufactured. The importer, or the importer's agent, must upload *both the importer's certification and the exporter's certification* into the document imaging system (DIS) in the Automated Commercial Environment (ACE). The importer is required to complete and maintain the importer certification, attached as Appendix III, and retain all supporting documentation (*e.g.,* invoice, purchase order, production records, etc.). Where the importer uses a broker to facilitate the entry process, it should obtain and retain the entry summary number from the broker. Although agents of the importer, such as brokers, may upload the certification on behalf of the importer, they are not permitted to make this certification on behalf of the importer.

The exporter is required to complete and maintain the exporter certification, attached as Appendix IV, and is further required to provide the importer a copy of that certification and all supporting documentation (*e.g.,* invoice, purchase order, production records, etc.). The party that made the sale to the United States should fill out the exporter certification.

For shipments and/or entries from November 4, 2021, through the date of publication of this notice in the **Federal Register**, importers and exporters should complete the required certification(s) no later than 60 days after the publication of this notice in the **Federal Register**. Accordingly, where appropriate, the relevant bullet in the certification should be edited to reflect that the certification was completed within the time frame specified above. For example, the bullet in the importer certification that reads, ''This certification was completed at or prior to the time of Entry Summary,'' could be edited as follows: ''The imports referenced herein entered before {insert day after the date of publication of the final scope ruling in the **Federal Register**}. This certification was completed on mm/dd/yyyy {add date}, within 60 days of the **Federal Register** notice publication of the final determination of scope inquiry.'' For such entries/shipments, importers and exporters each have the option to complete a blanket certification covering multiple entries/shipments, individual certifications for each entry/shipment, or a combination thereof. Entry summaries that were filed prior to the publication of the **Federal Register** notice must be amended to include these certifications to U.S. Customs and Border Protection (CBP) by uploading them into the DIS in ACE.

For any unliquidated entries (and entries for which liquidation has not become final) of quartz surface products exported from Malaysia that entered as non-AD/CVD type (*e.g.,* type 01) that were shipped and/or entered, or withdrawn from warehouse, for consumption in the United States after November 4, 2021, and that are ineligible for certification or that do not meet the certification requirements, importers should file a Post Summary Correction with CBP, in accordance with CBP's regulations, regarding conversion of such entries from non-AD/CVD type entries to AD/CVD type entries (*e.g.,* type 01 to type 03). Importers should report those AD/CVD type entries of merchandise under the AD/CVD case numbers for the *Orders* on quartz surface products, A–570–084/C–570–085 or A–557–084/C–557–085. The importer must pay cash deposits on those entries consistent with the regulations governing post summary corrections that require payment of additional duties.

For shipments and/or entries suspended pursuant to the final determination of this scope inquiry that were shipped and/or entered, or withdrawn from warehouse, for consumption within 60 days of the date of publication of the final scope determination in the **Federal Register**, for which certifications are required, importers and exporters should complete the required certification, as soon as practicable but not later than 60 days after the publication of the final determination in the **Federal Register**. Accordingly, where appropriate, the relevant bullet in the certification should be edited to reflect that the certification was completed within this time frame. Specifically, exporters should complete the language in Paragraph I in the Exporter Certification that reads: This certification was completed on mm/dd/yyyy, within 60 days of the date on which Commerce published its final scope finding in the **Federal Register**.'' For such entries/shipments, importers and exporters each have the option to complete a blanket certification covering multiple entries/shipments, individual certifications for each entry/shipment, or a combination thereof. The Exporter Certifications should be maintained by both the importer and exporter and should be provided to CBP or Commerce only upon request by the respective agency. The exporter must provide the importer a copy of the Exporter Certification within 60 days of the publication of the final scope determination in the **Federal Register**.

For shipments and/or entries on or after 60 days from the publication of the **Federal Register** notice for which certifications are required, importers should complete the required certification at, or prior to, the date

[7] *See Initiation Notice,* 87 FR at 6845.

of entry summary and exporters should complete the required certification and provide it to the importer at, or prior to, the date of shipment.

The importer and exporter are also required to maintain sufficient documentation supporting their certifications (*e.g.,* invoice, purchase order, production records, *etc.*). The importer is required to submit the certifications to U.S. CBP as part of the entry process by uploading them into the DIS in ACE. Among other requirements detailed below, importers are required to maintain copies of certifications, as well as sufficient documentation supporting the certification for the later of: (1) a period of five years from the date of entry; or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries. Additionally, the claims made in the certifications and any supporting documentation are subject to verification by Commerce and/or CBP.

In the situation where no certification is provided for an entry of quartz surface products, for AD cash deposits, Commerce will instruct CBP to require AD cash deposits equal to the China-wide rate, unless the importer/exporter can demonstrate the quartz slab was exported by a Chinese manufacturer with a company-specific separate rate. In that instance, the cash deposit rate will be the rate of the Chinese exporter of the quartz slab that has its own rate. For CVD cash deposits, Commerce will instruct CBP to require CVD cash deposits equal to the all-others rate, unless the importer/exporter can demonstrate that the quartz slab was produced and/or exported by a Chinese manufacturer with a company-specific rate. In that instance, the cash deposit rate will be the rate of the Chinese supplier of the quartz slab that has its own rate.

Quartz surface products not produced from Chinese slab are not subject to this inquiry and are not included within the scope of the *Orders* as a result of this affirmative final scope determination. Therefore, the suspension of liquidation and cash deposit requirements do not apply to such merchandise subject to the following certification requirements: An importer of quartz surface product from Malaysia claiming that its quartz surface products were produced from non-Chinese quartz slab must meet the certification and documentation requirements described in Appendices III and IV.

Appendix III

Importer Certification

I hereby certify that:

(A) My name is {INSERT COMPANY OFFICIAL'S NAME} and I am an official of {INSERT NAME OF IMPORTING COMPANY}, located at {ADDRESS OF IMPORTING COMPANY}.

(B) I have direct personal knowledge of the facts regarding the importation into the Customs territory of the United States of the quartz surface products exported from Malaysia that entered under entry summary number(s), identified below, and which are covered by this certification. ''Direct personal knowledge'' refers to facts the certifying party is expected to have in its own records. For example, the importer should have ''direct personal knowledge'' of the importation of the product (*e.g.,* the name of the exporter) in its records.

(C) I have personal knowledge of the facts regarding the production of the imported products covered by this certification. ''Personal knowledge'' includes facts obtained from another party, (*e.g.,* correspondence received by the importer (or exporter) from the producer regarding the country of the quartz slab used to produce the imported products);

(D) The quartz surface products exported from Malaysia do not contain quartz slab manufactured in China, regardless of whether sourced directly from a Chinese producer or from a downstream supplier;

(E) This certification applies to the following entries (repeat this block as many times as necessary):

Entry Summary #:
Entry Summary Line Item #:
Foreign Seller:
Foreign Seller's address:
Foreign Seller's Invoice #:
Foreign Seller's Invoice Line Item #:
Country of origin for QSP slab:
Name of slab producer:
Address of slab producer:

(F) I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or Commerce;

(G) I understand that failure to maintain the required certification and supporting documentation, failure to substantiate the claims made herein, and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a *de facto* determination that all entries to which this certification applies are within the scope of the antidumping (AD)/countervailing duty (CVD) orders on quartz surface products from China. I understand that such a finding will result in:

(i.) suspension of liquidation of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met;

(ii.) the requirement that the importer post applicable AD and CVD cash deposits (as appropriate) equal to the rates determined by Commerce;

(iii.) the revocation of {NAME OF IMPORTING COMPANY}'s privilege to certify future imports of quartz surface products from Malaysia as not manufactured using quartz slab from China.

(H) I understand that agents of the importer, such as brokers, are not permitted to make this certification;

(I) This certification was completed by the time of filing the entry summary; and

(J) I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make materially false statements to the U.S. government.

Signature
{NAME OF COMPANY}
{OFFICIAL TITLE}
{DATE}

Appendix IV

Exporter Certification

I hereby certify that:

(A) My name is {INSERT COMPANY OFFICIAL'S NAME HERE} and I am an official of {INSERT NAME OF EXPORTING COMPANY}, located at {ADRESS OF EXPORTING COMPANY}.

(B) I have direct personal knowledge of the facts regarding the production and exportation into the Customs territory of the United States of the quartz surface products exported from Malaysia identified below. ''Direct personal knowledge'' refers to facts the certifying party is expected to have in its own books and records. For example, an exporter should have ''direct personal knowledge'' of the producer's identity and location.

(C) The quartz surface products exported to the United States from Malaysia do not contain quartz slab manufactured in China, regardless of whether sourced directly from a Chinese producer or from a downstream supplier.

(D) This certification applies to the following sales to {NAME OF U.S. CUSTOMER}, located {ADDRESS OF U.S. CUSTOMER} (repeat this block as many times as necessary):

Foreign Seller's Invoice # to U.S. Customer:
Foreign Seller's Invoice to U.S. Customer Line item #:
Country of origin for QSP slab:
Name of slab producer:
Address of slab producer:
Producer's Invoice # to Foreign Seller: (If the foreign seller and the producer are the same party, put NA here.)

(E) The quartz surface products covered by this certification were shipped to {NAME OF U.S. PARTY TO WHOM MERCHANDISE WAS SHIPPED}, located at {U.S. ADDRESS TO WHICH MERCHANDISE WAS SHIPPED}.

(F) I understand that {INSERT NAME OF EXPORTING COMPANY} must provide this Exporter Certification to the U.S. importer by the time of shipment.

(G) I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or Commerce;

(H) I understand that failure to maintain the required certification and supporting documentation, failure to substantiate the claims made herein, and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a *de facto* determination that all entries to which this certification applies are within the scope of the antidumping (AD)/countervailing duty (CVD) orders on quartz surface products from China. I understand that such a finding will result in:

(i.) suspension of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met; and

(ii.) the requirement that the importer post applicable AD and CVD cash deposits (as appropriate) equal to the rates as determined by Commerce;

(iii.) the revocation of {NAME OF IMPORTING COMPANY}'s privilege to

certify future imports of quartz surface products from Malaysia as not manufactured using quartz slab from China.

(I) This certification was completed at or prior to the date of shipment.

(J) I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make materially false statements to the U.S. government.

Signature
{NAME OF COMPANY}
{OFFICIAL TITLE}
{DATE}

[FR Doc. 2022–22857 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–878, C–580–879, A–580–881, C–580–882]

Certain Cold-Rolled Steel Flat Products and Certain Corrosion-Resistant Steel Products From the Republic of Korea: Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On August 30, 2022, the U.S. Department of Commerce (Commerce) published the notice of initiation and preliminary results of changed circumstances reviews (CCR) of the antidumping duty (AD) and countervailing duty (CVD) orders on certain cold-rolled steel flat products (cold-rolled steel) and certain corrosion-resistant steel products (CORE) from the Republic of Korea (Korea). For these final results, Commerce continues to find that KG Steel Corporation (dba KG Dongbu Steel Co., Ltd.) (KG Steel) is the successor-in-interest to KG Dongbu Steel Co., Ltd. (KG Dongbu Steel) in the context of the AD and CVD orders on cold-rolled steel and CORE from Korea. Furthermore, KG Steel is entitled to KG Dongbu Steel's AD and CVD cash deposit rates with respect to entries of subject merchandise in each of the above-referenced proceedings.

DATES: Applicable October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Natasia Harrison, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1240.

SUPPLEMENTARY INFORMATION:

Background

On August 30, 2022, Commerce published the *Initiation and Preliminary Results,* finding that KG Steel is the successor-in-interest to KG Dongbu Steel, and should be assigned the same AD and CVD cash deposit rates assigned to KG Dongbu Steel in each of the above-referenced proceedings.[1] In the *Initiation and Preliminary Results,* interested parties were provided an opportunity to comment and request a public hearing regarding our preliminary findings. KG Steel submitted comments agreeing with our preliminary findings, and we received no other comments from interested parties.[2] Additionally, we received no requests for a public hearing from interested parties.

Scope of the Orders

The products covered by these CCRs are cold-rolled steel and CORE from Korea. For full descriptions of the scope of each of the respective orders, *see* the *Initiation and Preliminary Results* and accompanying Preliminary Decision Memorandum.[3]

Final Results of the Changed Circumstances Reviews

For the reasons stated in the *Initiation and Preliminary Results,* and because we received no comments from interested parties to the contrary, Commerce continues to find that KG Steel is the successor-in-interest to KG Dongbu Steel for AD and CVD purposes. As a result of this determination, KG Steel is entitled to the same AD and CVD cash deposit rates as KG Dongbu Steel with respect to entries of subject merchandise in the above-noted proceedings.[4]

Commerce will instruct U.S. Customs and Border Protection to suspend liquidation of all shipments of subject merchandise produced or exported by KG Steel and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register** at the current AD and CVD cash deposit rates on cold-rolled steel and CORE in effect for KG Dongbu Steel. These cash deposit requirements shall remain in effect until further notice.

Notification to Interested Parties

This notice is published in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Tariff Act of 1930, as amended, and 19 CFR 351.216(e), 351.221(b), and 351.221(c)(3).

Dated: October 12, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022–22858 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Certain Cold-Rolled Steel Flat Products and Certain Corrosion-Resistant Steel Products from the Republic of Korea: Notice of Initiation and Preliminary Results of Antidumping Duty and Countervailing Duty Changed Circumstances Reviews,* 87 FR 52905 (August 30, 2022) (*Initiation and Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* KG Steel's Letter, ''Certain Corrosion-Resistant Steel Products and Certain Cold-Rolled Steel Flat Products from the Republic of Korea, Case Nos. A–580–878, A–580–881: KG Steel Corporation's Case Brief,'' dated September 6, 2022.

[3] *See Initiation and Preliminary Results* PDM.

[4] In accordance with this **Federal Register** notice, KG Steel Corporation and KG Dongbu Steel Co., Ltd. will receive the AD and CVD cash deposit rates assigned to KG Dongbu Steel Co., Ltd. under the AD and CVD orders on cold-rolled steel and CORE from Korea.

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; NIST Diversity, Equity, Inclusion and Accessibility Information Collections

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites 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. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before December 20, 2022.

ADDRESSES: Interested persons are invited to submit written comments by mail to Elizabeth Reinhart, Management Analyst, National Institute of Standards and Technology, *PRAcomments@doc.gov.* Please reference OMB Control Number 0693–xxxx in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or

specific questions related to collection activities should be directed to Jeanita Pritchett, Acting Director, Diversity, Equity, and Inclusivity Office (DEIO), NIST, 100 Bureau Drive, Gaithersburg, MD 20899, or email *NISTDEIA@nist.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

The NIST mission and vision is rooted in driving innovation and industry through measurement science and standards to improve quality of life. NIST recognizes that to improve quality of life, it must cultivate a culture that is diverse, equitable, inclusive, and accessible. One of NIST's core values is inclusivity, which captures a commitment to work collaboratively to harness the diversity of people and ideas, both inside and outside of NIST, to attain the best solutions to multidisciplinary challenges. Under Executive Orders 14035 and 13985, the Federal Government is tasked with advancing equity within the Federal Government workforce (E.O. 14035) and advancing racial equity and support for underserved communities through the Federal Government (E.O. 13985).

In support of this core value, and in recognition that the NIST workforce is its most critical asset, the *FY20–FY25 NIST Strategic Plan* embraced a strategic goal to build a ''One NIST'' culture where everyone feels engaged and empowered. In addition, the recently released *NIST Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, FY22–FY24,* outlines the tactical steps needed for NIST to harness the diverse lived experiences of its workforce and customers in bringing a One NIST culture to reality.

Data collection is a key element of the *NIST DEIA Strategic Plan, FY22–FY24,* as NIST is taking a quantitative approach to measuring and tracking progress on plan implementation. This approach is supported by the June 25, 2021, Executive Order 14035 on ''Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce,'' which calls for a whole-of-government approach to cultivating DEIA across the Federal Government. Additionally, Executive Order 13985 on ''Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,'' released on January 25, 2021, tasked agencies with advancing equitable service delivery through expanded outreach and data collection. Moreover, the *FY22 Government-Wide Strategic Plan to Advance DEIA in the Federal Workforce,* released November 23, 2021, outlines a set of priorities for advancing and embedding DEIA throughout the Federal Government that includes data collection as critical to integrating DEIA in all ways of working.

The purpose of this generic clearance is to allow for easily deployable, repeated DEIA climate surveys and focus groups to capture periodic snapshots of NIST's progress toward building a One NIST culture through the various lived experiences of the NIST workforce and its stakeholders. Importantly, NIST is unique in that about half of the NIST workforce is non-Federal, including guest researchers, contractors, and other external collaborators. In fact, some organizational units within NIST consider non-Federal collaborators to be their mission. It is therefore imperative to capture the full range of experiences within NIST.

While initial collections will be conducted across the organization by the NIST Diversity, Equity, and Inclusivity Office (DEIO), organizational units and managers across NIST will be able to quickly deploy their own DEIA data collections under this generic. DEIO provides NIST-wide consultation on the integration of DEIA across all aspects of NIST mission delivery. The office serves as the focal point for all NIST-wide DEIA-related efforts, including the implementation of the *NIST DEIA Strategic Plan, FY22–FY24.* The office conducts NIST-wide assessments and audits to evaluate the advancement of DEIA-related goals. The ability to collect climate data through the lens of DIEA in this generic will be critical for establishing baselines on the current climate and tracking progress on advancing DEIA in support of building a welcoming, inclusive culture at NIST.

II. Method of Collection

NIST will collect this information electronically and through interviews. Electronic data collection methods will be conducted on NIST-approved software with appropriate protections for the data being collected. In addition, NIST will collect data by mail, fax, telephone, technical discussions, and in-person interviews, where feasible and appropriate. NIST may also utilize observational techniques to collect this information. Data storage will comply with NIST policies for storing sensitive and non-sensitive data, as applicable.

III. Data

OMB Control Number: New collection.

Form Number(s): None.

Type of Review: Regular submission; new collection.

Affected Public: Individuals or households; private sector; Federal Government.

Estimated Number of Respondents: 30,000.

Estimated Time per Response: Varies, dependent upon the data collection method.

Estimated Total Annual Burden Hours: 15,000.

Estimated Total Annual Cost to Public: $0.

Respondent's Obligation: Voluntary.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. 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 may 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.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–22952 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–13–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; Natural Resource Damage Assessment Restoration Project Information Sheet

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 August 16th, 2022 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: Natural Resource Damage Assessment Restoration Project Information Sheet.

OMB Control Number: 0648–0497.

Form Number(s): None.

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

Number of Respondents: 100.

Average Hours per Response: Reports 20 minutes, updates 10 minutes.

Burden Hours: 107.

Needs and Uses: This request is for renewal of a currently approved information collection. The purpose of this information collection is to assist state and federal Natural Resource Trustees in more efficiently carrying out the restoration planning phase of Natural Resource Damage Assessments (NRDA), in compliance with the National Environmental Policy Act of 1969, 42 U.S.C. 4321–4370d; 40 CFR 1500–1500 and other federal and local statutes and regulations as applicable. The NRDA Restoration Project Information Sheet is designed to facilitate the collection of information on existing, planned, or proposed restoration projects. This information will be used by the Natural Resource Trustees to develop potential restoration alternatives for natural resource injuries and service losses requiring restoration, during the restoration planning phase of the NRDA process. This information is provided by the public on a voluntary basis. The information provided benefits the public by informing the NRDA restoration process. However, there are no individual benefits that depend on the submission of information. Individuals can update the information as needed, but there is no required update frequency.

Affected Public: State, local, or tribal governments; Individuals or Households; Business or other For-Profits organizations; Not-For-Profit institutions; Farms; and the Federal Government.

Frequency: Annually and on occasion.

Respondent's Obligation: Voluntary.

Legal Authority: None.

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 0648–0497.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022–22957 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC479]

Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of a seminar series presentation via webinar.

SUMMARY: The South Atlantic Fishery Management Council (Council) will host a presentation on a citizen-science approach to characterize shark depredation in recreational fisheries via webinar November 8, 2022. The presentation is part of an on-going seminar series hosted by the Council on scientific studies relevant to fisheries in federal waters off the South Atlantic U.S. coast.

DATES: The webinar presentation will be held on Tuesday, November 8, 2022, from 1 p.m. until 2:30 p.m.

ADDRESSES: The presentation will be provided via webinar. The webinar is open to members of the public. Information, including a link to webinar registration will be posted on the Council's website at: *https://safmc.net/safmc-seminar-series/* as it becomes available.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, SAFMC; phone: (843) 302–8439 or toll free: (866) SAFMC–10; fax: (843) 769–4520; email: *kim.iverson@safmc.net.*

SUPPLEMENTARY INFORMATION: The Council will host a presentation from Florida Atlantic University and Mississippi State Sea Grant entitled ''A Citizen-science Approach to Characterize Shark Depredation in Recreational Fisheries''. The presentation will address depredation, defined as the partial or complete removal of a target species by a non-target species. Depredation is an increasingly topical human-wildlife conflict worldwide. Effectively managing and mitigating depredation requires a comprehensive characterization of the interaction; however, our current understanding of depredation is limited. Thus, the goals of this project were to combine content analysis, angler surveys, and molecular tools to characterize depredation in Florida's recreational hook and line fishery. A question-and-answer session will follow the presentation. Members of the public will have the opportunity to participate in the discussion. The presentation is for informational purposes only and no management actions will be taken.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: October 18, 2022.

Rey Israel Marquez,

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

[FR Doc. 2022–22963 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC480]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council's is convening its Scientific and Statistical Committee (SSC) via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Wednesday, November 9, 2022, beginning at 9 a.m. Webinar registration information: *https://attendee.gotowebinar.com/register/9065136247338249997.*

Call in information: +1 (914) 614–3221, Access Code: 634–029–213.

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Scientific and Statistical Committee will meet to review information provided by the Council's Groundfish Plan Development Team (PDT), results of the recent 2022 management track stock assessments and peer review. Using the Council's acceptable biological catch (ABC) control rules, recommend the overfishing levels (OFL) and the ABCs for each stock for fishing years 2023, 2024 and 2025 for the following stocks: Southern New England/Mid-Atlantic yellowtail flounder, Cape Cod/Gulf of Maine yellowtail flounder, white hake, and other groundfish stocks if necessary, and will consider other business as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: October 18, 2022.

Rey Israel Marquez,

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

[FR Doc. 2022–22964 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC478]

Gulf of Mexico Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a half-day meeting of its Coral Advisory Panel (AP) via webinar.

DATES: The meeting will take place Monday, November 9, 2022, from 8:30 a.m. to 12 p.m., EST.

ADDRESSES: The meeting will be held via webinar. Registration information will be available on the Council's website by visiting *www.gulfcouncil.org* and clicking on the Coral AP meeting on the calendar.

Council address: Gulf of Mexico Fishery Management Council, 4107 W. Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348–1630.

FOR FURTHER INFORMATION CONTACT: Dr. Natasha Mendez-Ferrer, Fishery Biologist, Gulf of Mexico Fishery Management Council; email: n*atasha.mendez@gulfcouncil.org;* telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION:

Monday, November 9, 2022; 8:30 a.m.–12 p.m., EST

The meeting will begin with Introductions of Members, Election of Chair and Vice Chair, Adoption of Agenda, Approval of Minutes from the Joint Coral AP and SSC February 7, 2022 meeting, and review of Scope of Work.

The APs will receive a presentation on the Florida Keys National Marine Sanctuary Expansion Proposal; including background materials and AP Recommendations and a discussion on Stony Coral Tissue Loss Disease.

The AP will receive public comment*;* and, discuss any Other Business items.

—Meeting Adjourns

The meeting will be via webinar only. You may register for the webinar by visiting *www.gulfcouncil.org* and clicking on the Advisory Panel meeting on the calendar. The Agenda is subject to change, and the latest version along with other meeting materials will be posted on *www.gulfcouncil.org* as they become available.

Although other non-emergency issues not on the agenda may come before the Advisory for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Advisory Panel will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take-action to address the emergency.

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

Dated: October 18, 2022.

Rey Israel Marquez,

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

[FR Doc. 2022–22962 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC476]

New England Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Groundfish Advisory Panel via webinar to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This webinar will be held on Tuesday, November 8, 2022, at 9:30 a.m. Webinar registration URL information: *https://attendee.gotowebinar.com/register/2237830944868035339.*

ADDRESSES: *Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Advisory Panel will discuss Framework Adjustment 65/ Specifications & Management Measures which include draft alternatives and draft impacts analysis, and make recommendations to the Groundfish Committee for final action to include: status determination criteria, rebuilding plan for Gulf of Maine (GOM) cod, FY23–FY24 U.S./CA total allowable catches, FY23–FY24 specifications: Georges Bank (GB) yellowtail flounder and GB cod (including a catch target for the recreational fishery), FY23–FY25 specifications for 14 stocks, additional measures to promote stock rebuilding for GB cod and GOM cod, and revised acceptable biological catch (ABC) control rules, in consultation with the Scientific and Statistical Committee.

The panel will make possible 2023 Council priority recommendations to the Committee, as appropriate. They will also discuss other business as necessary.

Although non-emergency issues not contained on the agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency. The public also should be aware that the meeting will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

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

Dated: October 18, 2022.

Rey Israel Marquez,

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

[FR Doc. 2022–22961 Filed 10–20–22; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to the Procurement List.

SUMMARY: This action adds 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.

DATES: *Date added to and deleted from the Procurement List:* November 20, 2022.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Michael R. Jurkowski, Telephone: (703) 785–6404, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Additions

On 7/22/2022 and 8/26/2022, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed additions to the Procurement List. This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51–2.3.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the product(s) and service(s) and impact of the additions on the current or most recent contractors, the Committee has determined that the product(s) and service(s) listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the product(s) and service(s) to the Government.

2. The action will result in authorizing small entities to furnish the product(s) and service(s) to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the product(s) and service(s) proposed for addition to the Procurement List.

End of Certification

Accordingly, the following product(s) and service(s) are added to the Procurement List:

Product(s)

NSN(s)—Product Name(s):
- 6515–00–NIB–9762—Gloves, Exam, Powder-Free, Nitrile, Textured, Skyblue, Chemo-tested, Small
- 6515–00–NIB–9763—Gloves, Exam, Powder-Free, Nitrile, Textured, Skyblue, Chemo-tested, Medium
- 6515–00–NIB–9764—Gloves, Exam, Powder-Free, Nitrile, Textured, Skyblue, Chemo-tested, Large
- 6515–00–NIB–9765—Gloves, Exam, Powder-Free, Nitrile, Textured, Skyblue, Chemo-tested, X-Large

Designated Source of Supply: BOSMA Enterprises, Indianapolis, IN
Mandatory for: Broad Government Requirement
Contracting Activity: DEFENSE LOGISTICS AGENCY, DLA TROOP SUPPORT
Distribution: B-List

Service(s)

Service Type: Forklift Operator and Warehouse Service
Mandatory for: SSA, Joseph P. Addabbo

Federal Building, Jamaica, NY
Designated Source of Supply: Fedcap Rehabilitation Services, Inc., New York, NY
Contracting Activity: SOCIAL SECURITY ADMINISTRATION, SSA OFC OF ACQUISITION GRANTS

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2022–22939 Filed 10–20–22; 8:45 am]

BILLING CODE 6353–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 1:00 p.m. EDT, Thursday, October 27, 2022.

PLACE: CFTC headquarters office, Washington, DC.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Examinations matters. In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at *https://www.cftc.gov/.*

CONTACT PERSON FOR MORE INFORMATION: Christopher Kirkpatrick, 202–418–5964.

Authority: 5 U.S.C. 552b.

Dated: October 18, 2022.

Christopher Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2022–22984 Filed 10–19–22; 11:15 am]

BILLING CODE 6351–01–P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities: Notice of Intent To Extend Collection 3038–0055, Privacy of Consumer Financial Information

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: The Commodity Futures Trading Commission (''CFTC'' or ''Commission'') is announcing an opportunity for public comment on the proposed renewal of a collection of certain information by the agency. Under the Paperwork Reduction Act (''PRA''), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on the collections of information mandated by the Commission's regulations involving Privacy of Consumer Financial Information Under Title V of the Gramm-Leach-Bliley Act.

DATES: Comments must be submitted on or before December 20, 2022.

ADDRESSES: You may submit comments, identified by ''Privacy of Consumer Financial Information,'' and OMB Control No. 3038–0055, by any of the following methods:

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

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

FOR FURTHER INFORMATION CONTACT: Philip Newsom, Attorney-Advisor, Market Participants Division, Commodity Futures Trading Commission, (202) 418–5301, email: *pnewsom@cftc.gov,* and refer to OMB Control No. 3038–0055.

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

Title: Privacy of Consumer Financial Information (OMB Control No. 3038–0055). This is a request for an extension of a currently approved information collection.

Abstract: Section 124 of the Commodity Futures Modernization Act of 2000 [1] amended the Commodity Exchange Act (the Act) and added a new Section 5g [2] to the Act to (i) provide that futures commission merchants, commodity trading advisors, commodity pool operators, and introducing brokers that are subject to CFTC jurisdiction with respect to any financial activity shall be treated as a financial institution for purposes of Title V, Subtitle A of the Gramm-Leach-Bliley Act (''GLB Act''), (ii) treat the Commission as a Federal functional regulator for purposes of applying the provisions of the GLB Act, and (iii) direct the Commission to prescribe regulations under Title V of the GLB Act. The Commission adopted regulations for these entities under part 160 and later extended them to retail foreign exchange dealers, swap dealers, and major swap participants.[3] Part 160 requires those subject to the regulations, among other things, to provide privacy and opt out notices to customers and to adopt appropriate policies and procedures to safeguard customer records and information. In April 2019, the Commission adopted amendments to its regulations to provide an exception to its annual privacy notice requirement under certain conditions.[4]

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

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic,

[1] Section 124, Appendix E of Public Law 106–554, 114 Stat. 2763 (2000).

[2] 7 U.S.C. 7b–2.

[3] 17 CFR part 160. See Privacy of Customer Information, 66 FR 21235 (April 27, 2001); Regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries, 75 FR 55409 (Sept. 10, 2010); and Privacy of Consumer Financial Information; Conforming Amendments Under Dodd-Frank Act, 76 FR 43874 (July 22, 2011).

[4] Privacy of Consumer Financial Information—Amendment to Conform Regulations to the Fixing America's Surface Transportation Act, 84 FR 17341 (April 25, 2019).

mechanical, or other technological collection techniques or other forms of information technology; *e.g.,* permitting electronic submission of responses.

You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.[5]

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from *https://www.cftc.gov* that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the information collection request will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

Burden Statement: The respondent burden for this collection is estimated to be as follows:

Estimated Number of Respondents: 2,164.

Estimated Number of Annual Responses per Respondent: 95.

Estimated Total Number of Annual Responses: 205,580.

Estimated Time per Response: 2 minutes.

Estimated Total Annual Burden Hours: 6,583.

Frequency of Collection: As applicable.

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

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

Dated: October 17, 2022.

Robert Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2022–22826 Filed 10–20–22; 8:45 am]

BILLING CODE 6351–01–P

[5] 17 CFR 145.9.

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting

TIME AND DATE: Wednesday, October 26, 2022—10:00 a.m.

PLACE: This meeting will be held remotely.

STATUS: Commission Meeting—Open to the Public.

MATTERS TO BE CONSIDERED: Decisional Matter: FY 2023 Operating Plan.

All attendees should pre-register for the Commission meeting using the following link: *https://cpsc.webex.com/cpsc/onstage/g.php?MTID=e3a7cee3f3992f73fe8a3c84aa16e5b7f.*

After registering you will receive a confirmation email containing information about joining the meeting.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, 301–504–7479 (Office) or 240–863–8938 (Cell).

Dated: October 19, 2022.

Alberta E. Mills,

Commission Secretary.

[FR Doc. 2022–23042 Filed 10–19–22; 11:15 am]

BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE

Department of the Army

Advisory Committee on Arlington National Cemetery Meeting Notice

AGENCY: Department of the Army, DoD.

ACTION: Notice of open committee meeting.

SUMMARY: The Department of the Army is publishing this notice to announce the following Federal Advisory Committee meeting of the Advisory Committee on Arlington National Cemetery (ACANC). This meeting is open to the public via virtual media. For more information, please visit: *http://www.arlingtoncemetery.mil/About/Advisory-Committee-on-Arlington-National-Cemetery/ACANC-Meetings.*

DATES: The full Advisory Committee on Arlington National Cemetery (ACANC) will meet on Monday, November 7, 2022 from 1 p.m. to 4 p.m., eastern standard time, and Tuesday, November 8, 2022 from 8 a.m. to 2 p.m., eastern standard time.

FOR FURTHER INFORMATION CONTACT: Mr. Matthew Davis; Alternate Designated Federal Officer for the Committee, in writing at Arlington National Cemetery, Arlington VA 22211, or by email at *matthew.r.davis.civ@army.mil,* or by phone at 1–877–907–8585.

SUPPLEMENTARY INFORMATION: This meeting is being held under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., appendix, as amended), the Sunshine in the Government Act of 1976 (5 U.S.C. 552b, as amended) and 41 Code of the Federal Regulations (41 CFR 102–3.150).

Purpose of the Meeting: The Advisory Committee on Arlington National Cemetery is an independent Federal advisory committee chartered to provide the Secretary of the Army independent advice and recommendations on Arlington National Cemetery, including, but not limited to, cemetery administration, the erection of memorials at the cemetery, and master planning for the cemetery. The Secretary of the Army may act on the Committee's advice and recommendations.

Agenda: The Committee will receive a briefing on the year in review of Arlington National Cemetery; review the status of the Southern Expansion Project currently underway, to include the process of road naming; receive an update on the DoD Naming Commission report as it relates to Arlington National Cemetery, review a request for the formal renaming of the Women in Military Service of America Memorial; review a Commemorative Works proposal for the Protestant Chaplains monument and Chaplains Hill as it relates to Public Law 117–81, section 584; receive a briefing on the current burial demand and capacity challenges impacting the life of the cemetery, receive a brief on the outreach and education initiatives at Arlington National Cemetery, and receive a briefing on the wait-times for interment/inurnment at Arlington National Cemetery.

Public's Accessibility to the Meeting: Pursuant to 5 U.S.C. 552b and 41 CFR 102–3.140 through 102–3.165, this meeting is open to the public. Contact Mr. Matthew Davis at *matthew.r.davis.civ@army.mil* to register to attend any of these meetings. Public attendance will be via virtual attendance. To attend any of these events, submit your full name, organization, email address, and phone number to Matthew Davis at email address *matthew.r.davis.civ@army.mil.* Upon receipt of this information, a link will be sent to the email address provided which will allow virtual attendance to the event. Requests to attend the meetings must be received by 5p.m., eastern standard time, on Monday, 31 October 2022. (ANC will be unable to provide technical assistance to any user experiencing technical difficulties.)

For additional information about public access procedures, contact Mr. Matthew Davis, the subcommittee's Alternate Designated Federal Officer, at the email address or telephone number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Written Comments and Statements: Pursuant to 41 CFR 102–3.105(j) and 102–3.140 and section 10(a)(3) of the Federal Advisory Committee Act, the public or interested organizations may submit written comments or statements to the Subcommittees and/or the Committee in response to the stated agenda of the open meeting or in regard to the Committee's mission in general. Written comments or statements should be submitted to Mr. Matthew Davis, the Alternate Designated Federal Officer, via electronic mail, the preferred mode of submission, at the address listed in the **FOR FURTHER INFORMATION CONTACT** section. Each page of the comment or statement must include the author's name, title or affiliation, address, and daytime phone number. Written comments or statements being submitted in response to the agenda set forth in this notice must be received by the Designated Federal Officer at least seven business days prior to the meeting to be considered by the Committee. The Designated Federal Officer will review all timely submitted written comments or statements with the Committee Co-Chairs, and ensure the comments are provided to all members of the Committee before the meeting. Written comments or statements received after this date may not be provided to the Committee until its next meeting. Pursuant to 41 CFR 102–3.140d, the Committee is not obligated to allow any member of the public to speak or otherwise address the Committee during the meeting. Members of the public will be permitted to make verbal comments during these meetings only at the time and in the manner described below. If a member of the public is interested in making a verbal comment at the open meeting, that individual must submit a request, with a brief statement of the subject matter to be addressed by the comment, at least three (3) business days in advance to the Committee's Designated Federal Officer, via electronic mail, the preferred mode of submission, at the addresses listed in the **FOR FURTHER INFORMATION CONTACT** section. The Designated Federal Officer will log each request, in the order received, and in consultation with the Co-Chairs determine whether the subject matter of each comment is relevant to the missions and/or the topics to be addressed in these public meeting. Members of the public who have requested to make a comment and whose comments have been deemed relevant under the process described above, will be invited to speak in the order in which their requests were received by the Designated Federal Officer. The Co-Chairs may allot a specific amount of time for comments.

James W. Satterwhite, Jr.,

Army Federal Register Liaison Officer.

[FR Doc. 2022–22895 Filed 10–20–22; 8:45 am]

BILLING CODE 3711–02–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2022–SCC–0131]

Agency Information Collection Activities; Comment Request; Form for Maintenance of Effort Waiver Requests

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before DECEMBER 20, 2022.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2022–SCC–0131. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the PRA Coordinator of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 6W208D, Washington, DC 20202–8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Todd Stephenson, 202–205–1645.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Form for Maintenance of Effort Waiver Requests.

OMB Control Number: 1810–0693.

Type of Review: An extension without change of a currently approved collection.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 20.

Total Estimated Number of Annual Burden Hours: 1,600.

Abstract: Section 8521(a) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESEA) provides that a local educational agency (LEA) may receive funds under Title I, Part A and other ESEA ''covered programs'' for any fiscal year only if the State educational agency (SEA) finds that either the combined fiscal effort per student or the aggregate expenditures of the LEA and the State with respect to the provision of free public education by the LEA for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. This provision is the maintenance of effort (MOE) requirements for LEAs under the ESEA. If an LEA fails to meet the MOE requirement, under section 8521(b) of the ESEA, the SEA must reduce the amount of funds allocated under the programs covered by the MOE requirement in any fiscal year in the

exact proportion by which the LEA fails to maintain effort by falling below 90 percent of either the combined fiscal effort per student or aggregate expenditures, if the LEA has also failed to maintain effort for 1 or more of the 5 immediately preceding fiscal years. In reducing an LEA's allocation because it failed to meet the MOE requirement, the SEA uses the measure most favorable to the LEA. Section 8521(c) gives the U.S. Department of Education (ED) the authority to waive the ESEA's MOE requirement for an LEA if it would be equitable to grant the waiver due to an exceptional or uncontrollable circumstance such as a natural disaster or a change in the organizational structure of the LEA or a precipitous decline in the LEA's financial resources. If an MOE waiver is granted, the reduction required by section 8521(b) does not occur for that year. A request for a waiver of the MOE requirement is discretionary. Only an LEA that has failed to maintain effort and that believes its failure justifies a waiver would request one. To review an MOE waiver request, ED relies primarily on expenditure, revenue, and other data relevant to an LEA's request provided by the SEA. To assist an SEA with submitting this information, ED developed an MOE waiver form as part of the 2009 Title I, Part A Waiver Guidance, which covered a range of waivers that ED invited at that time. The purpose of this request is to renew approval for the MOE waiver form. This collection includes burden at the SEA level.

Dated: October 18, 2022.

Kun Mullan,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2022–22913 Filed 10–20–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2022–SCC–0100]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; National Teacher and Principal Survey of 2023–2024 (NTPS 2023–24) Preliminary Field Activities

AGENCY: Institute of Educational Sciences (IES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing revision of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before November 21, 2022.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carrie Clarady, 202–245–6347.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed ICR that is described below. The Department is especially interested in public comments addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public record.

Title of Collection: National Teacher and Principal Survey of 2023–2024 (NTPS 2023–24) Preliminary Field Activities.

OMB Control Number: 1850–0598.

Type of Review: A revision of a currently approved collection.

Respondents/Affected Public: Individuals and households.

Total Estimated Number of Annual Responses: 18,476.

Total Estimated Number of Annual Burden Hours: 3,419.

Abstract: The National Teacher and Principal Survey (NTPS), conducted every two or three years by the National Center for Education Statistics (NCES), is a system of related questionnaires that provides descriptive data on the context of elementary and secondary education. Redesigned from the Schools and Staffing Survey (SASS) with a focus on flexibility, timeliness, and integration with other ED data, the NTPS system allows for school, principal, and teacher characteristics to be analyzed in relation to one another. NTPS is an in-depth, nationally representative survey of first through twelfth grade public and private school teachers, principals, and schools. Kindergarten teachers in schools with at least a first grade are also surveyed. NTPS utilizes core content and a series of rotating modules to allow timely collection of important education trends as well as trend analysis. Topics covered include characteristics of teachers, principals, schools, teacher training opportunities, retention, retirement, hiring, and shortages. NTPS also functions as the base-year for the longitudinal studies Teacher Follow-up Survey (TFS) and Principal Follow-up Survey (PFS).

This request is to conduct the NTPS 2023–24 preliminary activities, namely special district recruitment, recruitment of endorsers, and Screener Survey for the NTPS and the NTPS follow-up surveys. The NTPS 2023–24 Main Study final procedures and materials will be published for public comment and OMB review in winter 2022–23, and OMB approval for the follow-up surveys to NTPS 2023–24—the Teacher Follow-up Survey (TFS) and the Principal Follow-up Survey (PFS) will be requested in an additional package in winter 2023–24.

Dated: October 18, 2022.

Juliana Pearson,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2022–22948 Filed 10–20–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No. ED–2022–SCC–0130]

Agency Information Collection Activities; Comment Request; Federal Student Aid User Experience Design Research Generic Clearance

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

DATES: Interested persons are invited to submit comments on or before December 20, 2022.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2022–SCC–0130. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, ED will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the PRA Coordinator of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave SW, LBJ, Room 6W208D, Washington, DC 20202–8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, (202) 377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Federal Student Aid User Experience Design Research Generic Clearance.

OMB Control Number: 1845–0159.

Type of Review: Extension without change of a currently approved collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 262,400.

Total Estimated Number of Annual Burden Hours: 74,975.

Abstract: Federal Student Aid (FSA) seeks an extension of its OMB Fast Track Process (5-day) generic clearance to continue to collect qualitative feedback for the Next Generation Financial Services Environment (Next Gen) program. The Next Gen initiative is a comprehensive, FSA-branded customer engagement layer that will create an environment where the Department's customers will receive clear, consistent information and readily accessible self-service options at every stage of the student aid lifecycle.This collection of information is necessary to enable FSA to garner customer and stakeholder qualitative feedback in an efficient, timely manner, in accordance with our commitment to improving service and information delivery. By qualitative feedback we mean information that provides useful insights on perceptions and opinions but are not statistical surveys that yield quantitative results that can be generalized to the population of study. The insights collected from our customers and stakeholders will help ensure that users have a consistent, efficient, and satisfying experience with FSA's programs.

Dated: October 17, 2022.

Kun Mullan,

PRA Coordinator, Strategic Collections and Clearance, Governance and Strategy Division, Office of Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2022–22870 Filed 10–20–22; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Northern New Mexico

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open in-person/virtual hybrid meeting.

SUMMARY: This notice announces an in-person/virtual hybrid meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Northern New Mexico. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, November 15, 2022, 1:00 p.m. to 5:00 p.m.

ADDRESSES: This hybrid meeting will be open to the public virtually via WebEx only. To attend virtually, please contact the Northern New Mexico Citizens Advisory Board (NNMCAB) Executive Director (below) no later than 5:00 p.m. MT on Thursday, November 10, 2022.

Board members, Department of Energy (DOE) representatives, agency liaisons, and Board support staff will participate in-person, strictly following COVID–19 precautionary measures, at: Ohkay Conference Center, 68 New Mexico 291 Ohkay, Owingeh, New Mexico 87566.

Attendees should check with the NNMCAB Executive Director (below) for any meeting format changes due to COVID–19 protocols.

FOR FURTHER INFORMATION CONTACT: Menice B. Santistevan, NNMCAB Executive Director, by Phone: (505) 699–0631 or Email: *menice.santistevan@em.doe.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda

- Various Program Updates

Public Participation: The in-person/online virtual hybrid meeting is open to

the public virtually via WebEx only. Written statements may be filed with the Board no later than 5:00 p.m. MT on Thursday, November 10, 2022, or within seven days after the meeting by sending them to the NNMCAB Executive Director at the aforementioned email address. Written public comments received prior to the meeting will be read into the record. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to submit public comments should follow as directed above.

Minutes: Minutes will be available by emailing or calling Menice Santistevan, NNMCAB Executive Director, at *menice.santistevan@em.doe.gov* or at (505) 699–0631.

Signing Authority

This document of the Department of Energy was signed on October 14, 2022, by Shena Kennerly, Acting Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE **Federal Register** Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 18, 2022.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2022–22879 Filed 10–20–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Environmental Management Site-Specific Advisory Board, Paducah

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental Management Site-Specific Advisory Board (EM SSAB), Paducah. The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Thursday, November 17, 2022 5:30 p.m.–7:00 p.m.

ADDRESSES: West Kentucky Community and Technical College, Emerging Technology Building, Room 109, 5100 Alben Barkley Drive, Paducah, Kentucky 42001.

Attendees should check with the Board Support Manager (below) for any meeting format changes due to COVID–19 protocols.

FOR FURTHER INFORMATION CONTACT: Eric Roberts, Board Support Manager, by Phone: (270) 554–3004 or Email: *eric@pgdpcab.org.*

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE–EM and site management in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda:

- Review of Agenda
- Administrative Issues
- Public Comment Period

Public Participation: The meeting is open to the public. The EM SSAB, Paducah, 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 Eric Roberts as soon as possible in advance of the meeting at the telephone number listed above. Written statements may be filed with the Board either before or after the meeting. Comments received by no later than 5:00 p.m. CT on Monday, November 14, 2022, will be read aloud during the meeting. Comments will also be accepted after the meeting, by no later than 5:00 p.m. CT on Friday, November 25, 2022. Please submit comments to Eric Roberts at the aforementioned email address. Please put ''Public Comment'' in the subject line. Individuals who wish to make oral statements pertaining to agenda items should contact Eric Roberts at the telephone number listed above. Requests must be received as soon as possible prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Deputy Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comments will be provided a maximum of five minutes to present their comments. The EM SSAB, Paducah, will hear public comments pertaining to its scope (clean-up standards and environmental restoration; waste management and disposition; stabilization and disposition of non-stockpile nuclear materials; excess facilities; future land use and long-term stewardship; risk assessment and management; and clean-up science and technology activities). Comments outside of the scope may be submitted via written statement as directed above.

Minutes: Minutes will be available by writing or calling Eric Roberts, Board Support Manager, Emerging Technology Center, Room 221, 4810 Alben Barkley Drive, Paducah, KY 42001; Phone: (270) 554–3004. Minutes will also be available at the following website: *https://www.energy.gov/pppo/pgdp-cab/listings/meeting-materials.*

Signing Authority

This document of the Department of Energy was signed on October 18, 2022, by Shena Kennerly, Acting Committee Management Officer, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE **Federal Register** Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on October 18, 2022.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2022–22925 Filed 10–20–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Attendance at the Southwest Power Pool Regional State Committee Meeting, Quarterly Joint Stakeholder Meeting, Annual Meeting of Members and Members' Committee/Board of Directors' Meetings

The Federal Energy Regulatory Commission (Commission) hereby gives notice that Commissioners and members of its staff may attend the meetings of the Southwest Power Pool, Inc., Regional State Committee (RSC), Quarterly Joint Stakeholder Meeting, Annual Meeting of Members and Members' Committee/Board of Directors

(Board) as noted below. Their attendance is part of the Commission's ongoing outreach efforts.

The meetings will be held by teleconference at SPP's headquarters, 201 Worthen Drive, Little Rock, AR 72223. All meetings are Central Time.

SPP RSC and Quarterly Joint Stakeholder Meeting
October 24, 2022 (1:00 p.m.–5:00 p.m. CDT)

Annual Meeting of Members and Members' Committee/Board Meeting
October 25, 2022 (8:00 a.m.–3:00 p.m. CDT)

The discussions may address matters at issue in the following proceedings:

Docket No. EL19–75, *EDF Renewables, Inc., et al.* v. *Southwest Power Pool, Inc.*
Docket No. EL19–77, *Oklahoma Gas & Electric Company* v. *Southwest Power Pool, Inc.*
Docket No. EL19–93, *Western Farmers Electric Cooperative* v. *Southwest Power Pool, Inc.*
Docket No. EL19–96, *Cimarron Windpower II, LLC* v. *Southwest Power Pool, Inc.*
Docket No. EL21–18, *Kansas Electric Power Cooperative, Inc.* v. *Evergy Kansas Central, Inc.*
Docket No. EL21–68, *Nebraska Public Power District*
Docket No. EL21–77, *Tenaska Clear Creek Wind, LLC* v. *Southwest Power Pool, Inc.*
Docket No. EL22–20, *Kansas Electric Power Cooperative, Inc.* v. *Evergy Kansas Central, Inc.*
Docket No. EL22–30, *Southwestern Public Service Co.* v. *Southwest Power Pool, Inc.*
Docket No. EL22–54, *Southwest Power Pool, Inc.*
Docket No. EL22–59, *Tenaska Clear Creek Wind, LLC* v. *Southwest Power Pool, Inc. et al.*
Docket No. EL22–67, *Southwest Power Pool, Inc.*
Docket No. EL22–68, *Southwest Power Pool, Inc.*
Docket No. EL22–69, *Southwest Power Pool, Inc.*
Docket No. EL22–70, *Southwest Power Pool, Inc.*
Docket No. EL22–75, *Nebraska Public Power District*
Docket No. EL22–89, *Cage Ranch Solar I, LLC and Cage Ranch Solar II, LLC* v. *Southwest Power Pool, Inc.*
Docket No. ER16–1341, *Southwest Power Pool, Inc.*
Docket No. ER18–99, *Southwest Power Pool, Inc.*
Docket No. ER18–194, *Southwest Power Pool, Inc.*
Docket No. ER18–195, *Southwest Power Pool, Inc.*
Docket No. ER18–2358, *Southwest Power Pool, Inc.*
Docket No. ER18–2404, *Southwest Power Pool, Inc.*
Docket No. ER19–1357, *Gridliance High Plains LLC*
Docket No. ER20–1313, *Gridliance High Plains LLC*
Docket No. ER20–1796, *Entergy Arkansas, LLC*
Docket No. ER20–1954, *Southwest Power Pool, Inc.*
Docket No. ER20–1961, *Southwest Power Pool, Inc.*
Docket No. ER20–2040, *Southwest Power Pool, Inc.*
Docket No. ER20–2041, *Southwest Power Pool, Inc.*
Docket No. ER20–2042, *Southwest Power Pool, Inc.*
Docket No. ER20–2044, *Southwest Power Pool, Inc.*
Docket No. ER20–2574, *Southwest Power Pool, Inc.*
Docket No. ER20–2575, *Southwest Power Pool, Inc.*
Docket No. ER20–2577, *Southwest Power Pool, Inc.*
Docket No. ER21–385, *Upper Missouri G. & T. Electric Cooperative, Inc.*
Docket No. ER21–1438, *Gridliance High Plains LLC*
Docket No. ER22–469, *Southwest Power Pool, Inc.*
Docket No. ER22–643, *Southwest Power Pool, Inc.*
Docket No. ER22–644, *Southwest Power Pool, Inc.*
Docket No. ER22–1205, *Evergy Kansas Central, Inc.*
Docket No. ER22–1378, *Golden Spread Electric Cooperative, Inc.*
Docket No. ER22–1657, *Evergy Kansas Central, Inc.*
Docket No. ER22–1697, *Southwest Power Pool, Inc.*
Docket No. ER22–1719, *Southwest Power Pool, Inc.*
Docket No. ER22–1728, *Basin Electric Power Cooperative*
Docket No. ER22–1846, *Southwest Power Pool, Inc.*
Docket No. ER22–1905, *Southwest Power Pool, Inc.*
Docket No. ER22–1986, *Basin Electric Power Cooperative*
Docket No. ER22–2083, *Southwest Power Pool, Inc.*
Docket No. ER22–2339, *Southwest Power Pool, Inc.*
Docket No. ER22–2344, *Southwest Power Pool, Inc.*
Docket No. ER22–2371, *Southwest Power Pool, Inc.*
Docket No. ER22–2372, *Southwest Power Pool, Inc.*
Docket No. ER22–2379, *Southwest Power Pool, Inc.*
Docket No. ER22–2516, *Chaves County Solar II, LLC*
Docket No. ER22–2648, *Omaha Public Power District*
Docket No. ER22–2654, *Southwest Power Pool, Inc.*
Docket No. ER22–2660, *Southwest Power Pool, Inc.*
Docket No. ER22–2743, *Southwest Power Pool, Inc.*
Docket No. ER22–2749, *Southwest Power Pool, Inc.*
Docket No. ER22–2813, *Southwest Power Pool, Inc.*
Docket No. ER22–2814, *Southwest Power Pool, Inc.*
Docket No. ER22–2885, *1000 Mile Solar, LLC*
Docket No. ER22–2928, *Southwest Power Pool, Inc.*
Docket No. ER22–2968, *Southwest Power Pool, Inc.*
Docket No. ER22–2974, *Southwest Power Pool, Inc.*
Docket No. ER22–2977, *Basin Electric Power Cooperative*
Docket No. ER23–11, *Southwest Power Pool, Inc.*
Docket No. ER23–13, *Southwest Power Pool, Inc.*
Docket No. ER23–17, *Southwest Power Pool, Inc.*
Docket No. ER23–18, *Southwest Power Pool, Inc.*
Docket No. ER23–69, *Southwest Power Pool, Inc.*
Docket No. ER23–72, *Southwest Power Pool, Inc.*

The meetings are open to the public by teleconference. Registration for the teleconference and additional information are available at *www.spp.org.*

For more information, contact Patrick Clarey, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (317) 249–5937 or *patrick.clarey@ferc.gov.*

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22920 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–101–000]

North East Offshore, 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 North

East Offshore, 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 7, 2022.

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, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22915 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–108–000]

MD Solar 2, 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 MD Solar 2, 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 7, 2022.

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, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22921 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP22–494–000]

Boardwalk Storage Company, LLC; Notice of Schedule for the Preparation of an Environmental Assessment for the BSC Compression Replacement Project

On August 5, 2022, Boardwalk Storage Company, LLC (Boardwalk Storage or BSC) filed an application in Docket No. CP22–494–000 requesting a Certificate of Public Convenience and Necessity pursuant to Section 7(c) and Authorization pursuant to Section 7(b) of the Natural Gas Act to construct and operate and abandon certain natural gas pipeline facilities. The proposed project is known as the BSC Compression Replacement Project (Project) and would abandon one existing electric driven 10,000 horsepower (hp) compression unit and install a new electric driven 9,000 hp compressor unit and other auxiliary facilities at the Choctaw Compressor Station in Iberville Parish, Louisiana.

On August 16, 2022, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a federal authorization within 90 days of the date of issuance

of the Commission staff's environmental document for the Project.

This notice identifies Commission staff's intention to prepare an environmental assessment (EA) for the Project and the planned schedule for the completion of the environmental review.[1]

Schedule for Environmental Review

Issuance of EA March 13, 2023

90-Day Federal Authorization Decision Deadline[2] **June 11, 2023**

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

Boardwalk Storage proposes to abandon one 10,000 hp compressor unit and install a new electric driven 9,000 hp centrifugal compressor unit at the Choctaw Compressor Station in Iberville Parish, Louisiana. The Project also includes the installation of yard and station piping and appurtenant facilities and placing an existing 10,000 hp electric compressor unit on standby. The Project would decrease the current certificated injection capability of the Choctaw Storage Facility from 350,000 dekatherms per day to 150,000 dekatherms per day and the certificated horsepower at the Choctaw Compressor Station would decrease from 20,000 hp to 9,000 hp. According to Boardwalk Storage, its project would improve efficiency and reliability at the Choctaw Compressor Station and the proposed modifications would not change the Choctaw Storage Facility's storage or withdrawal capacity.

Background

On September 6, 2022, the Commission issued a *Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed BSC Compression Replacement Project and Notice of Public Scoping Session* (Notice of Scoping). The Notice of Scoping was sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. In response to the Notice of Scoping, the Commission received comments from the Louisiana Department of Transportation and Development, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, and the U.S. Environmental Protection Agency. The primary issues raised by the commenters are air quality, climate change, environmental justice, and wetlands. All substantive comments will be addressed in the EA.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of 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'' excluding the last three digits (*i.e.,* CP22–494), 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: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22917 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

[1] 40 CFR 1501.10 (2020)

[2] The Commission's deadline applies to the decisions of other federal agencies, and state agencies acting under federally delegated authority, that are responsible for federal authorizations, permits, and other approvals necessary for proposed projects under the Natural Gas Act. Per 18 CFR 157.22(a), the Commission's deadline for other agency's decisions applies unless a schedule is otherwise established by federal law.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–103–000]

South Fork Wind, 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 South Fork Wind, 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 7, 2022.

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, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22923 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP23–2–000]

Florida Gas Transmission Company, LLC; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on October 11, 2022, Florida Gas Transmission Company, LLC (FGT), 1300 Main St., Houston, Texas 77002, filed a prior notice request pursuant to sections 157.205, 157.208, and 157.210 of the Federal Energy Regulatory Commission's (Commission) regulations, for authorization to increase its mainline capacity, replace and uprate an Electric Motor Drive and related appurtenances on compressor unit 1111, for the proposed Southwest Alabama Project II at FGT's existing Compressor Station 11, in Mobile County, Alabama. Specifically, FGT proposes to provide incremental interstate gas from an existing receipt point in George County, Mississippi, to an existing delivery point in Escambia County, Alabama. FGT proposes to complete these facilities under authorities granted by its blanket certificate issued in Docket No. CP82–553–000, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

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://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, (886) 208–3676 or TYY, (202) 502–8659.

Any questions concerning this application should be directed to Blair Lichtenwalter, Senior Director of Certificates, Florida Gas Transmission Company, LLC, 1300 Main St., Houston, Texas, 77002, at (713) 989–2605, or fax (713) 989–1205, or via email to *Blair.Lichtenwalter@energytransfer.com*.

Pursuant to Section 157.9 of the Commission's Rules of Practice and Procedure,[1] within 90 days of this Notice the Commission staff will either: complete its environmental review and place it into the Commission's public record (eLibrary) for this proceeding; or issue a Notice of Schedule for Environmental Review. If a Notice of Schedule for Environmental Review is issued, it will indicate, among other milestones, the anticipated date for the Commission staff's issuance of the final environmental impact statement (FEIS) or environmental assessment (EA) for this proposal. The filing of an EA in the Commission's public record for this proceeding or the issuance of a Notice of Schedule for Environmental Review will serve to notify federal and state agencies of the timing for the completion of all necessary reviews, and the subsequent need to complete all federal authorizations within 90 days of the date of issuance of the Commission staff's FEIS or EA.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on December 16, 2022. How to file protests, motions to intervene, and comments is explained below.

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[2] any person [3] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[4] and must be submitted by the protest deadline, which is December 16, 2022. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [5] and the regulations under the NGA [6] by the intervention deadline for the project, which is December 16, 2022. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp*.

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

[1] 18 CFR (Code of Federal Regulations) 157.9.

[2] 18 CFR 157.205.

[3] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[4] 18 CFR 157.205(e).

[5] 18 CFR 385.214.

[6] 18 CFR 157.10.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before December 16, 2022. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP23–2–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. 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; first select General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [7]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP23–2–000.

To mail via USPS, use the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To mail via any other courier, use the following address: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail or email (with a link to the document) at: Blair Lichtenwalter, Senior Director of Certificates, Florida Gas Transmission Company, LLC, 1300 Main St., Houston, Texas, 77002, or via email to *Blair.Lichtenwalter@energytransfer.com.*

[7] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be 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 as described above. 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 which 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. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22916 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–104–000]

Sunrise Wind 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 Sunrise Wind 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 7, 2022.

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, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22922 Filed 10–20–22; 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: RP22–472–000.
Applicants: Interstate Gas Supply, Inc. Dominion Energy Solutions, Inc.
Description: Interstate Gas Supply, Inc. and Dominion Energy Solutions, Inc. al. submits Fourth and Final Status Report.
Filed Date: 10/14/22.
Accession Number: 20221014–5195.
Comment Date: 5 p.m. ET 10/26/22.

Docket Numbers: RP23–24–000.
Applicants: Tennessee Gas Pipeline Company, L.L.C.
Description: § 4(d) Rate Filing: PAL NRA Wells Fargo Commodities, LLC SP380777 & SP380778 to be effective 11/1/2022.
Filed Date: 10/14/22.
Accession Number: 20221014–5032.
Comment Date: 5 p.m.ET 10/26/22.

Docket Numbers: RP23–25–000.
Applicants: Texas Eastern Transmission, LP.
Description: Compliance filing: TETLP October 2022 Penalty Disbursement Report to be effective N/A.
Filed Date: 10/14/22.
Accession Number: 20221014–5141.
Comment Date: 5 p.m. ET 10/26/22.

Docket Numbers: RP23–26–000.
Applicants: Rockies Express Pipeline LLC.
Description: § 4(d) Rate Filing: REX 2022–10–14 Negotiated Rate Agreements Amendments to be effective 10/15/2022.
Filed Date: 10/14/22.
Accession Number: 20221014–5206.
Comment Date: 5 p.m. ET 10/26/22.

Docket Numbers: RP23–27–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10.17.22 Negotiated Rates—Ag Energy Co-operative Ltd. R–8075–02 to be effective 11/1/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5026.
Comment Date: 5 p.m. ET 10/31/22.

Docket Numbers: RP23–28–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10.17.22 Negotiated Rates—Macquarie Energy LLC R–4090–26 to be effective 11/1/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5027.
Comment Date: 5 p.m. ET 10/31/22.

Docket Numbers: RP23–29–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10.17.22 Negotiated Rates—Freepoint Commodities LLC R–7250–44 to be effective 11/1/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5029.
Comment Date: 5 p.m. ET 10/31/22.

Docket Numbers: RP23–30–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10.17.22 Negotiated Rates—Freepoint Commodities LLC R–7250–45 to be effective 11/1/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5035.
Comment Date: 5 p.m. ET 10/31/22.

Docket Numbers: RP23–31–000.
Applicants: Iroquois Gas Transmission System, L.P.
Description: § 4(d) Rate Filing: 10.17.22 Negotiated Rates—Uniper Global Commodities North America R–7650–05 to be effective 11/1/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5038.

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: RP22–1056–001.
Applicants: Enable Mississippi River Transmission, LLC.
Description: Compliance filing: FERC Record ID Correction Filing to be effective 8/19/2022.
Filed Date: 10/17/22.
Accession Number: 20221017–5059.
Comment Date: 5 p.m. ET 10/31/22.

Any person desiring to protest in any 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: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22918 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER23–102–000]

Revolution Wind, 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 Revolution Wind, 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 7, 2022.

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, (886) 208–3676 or TYY, (202) 502–8659.

Dated: October 17, 2022..

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22914 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

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

Docket Numbers: EC23–7–000.

Applicants: American Falls Solar, LLC, American Falls Solar II, LLC, CSOLAR IV South, LLC, CSOLAR IV West, LLC, EG CSolar Holdco LLC, EG NC II ID Holdco LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of American Falls Solar, LLC, et al.

Filed Date: 10/14/22.

Accession Number: 20221014–5237.

Comment Date: 5 p.m. ET 11/4/22.

Docket Numbers: EC23–8–000.

Applicants: Diversion Wind Energy LLC, Wagon Wheel Wind Project, LLC, Southwestern Electric Power Company.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Diversion Wind Energy LLC, et al.

Filed Date: 10/14/22.

Accession Number: 20221014–5239.

Comment Date: 5 p.m. ET 11/4/22.

Docket Numbers: EC23–9–000.

Applicants: Roosevelt Wind Project, LLC, Milo Wind Project, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Milo Wind Project, LLC, et al.

Filed Date: 10/14/22.

Accession Number: 20221014–5241.

Comment Date: 5 p.m. ET 11/4/22.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG23–9–000.

Applicants: FGE Goodnight I, LLC.

Description: The FGE Goodnight I, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 10/14/22.

Accession Number: 20221014–5211.

Comment Date: 5 p.m. ET 11/4/22.

Docket Numbers: EG23–10–000.

Applicants: AL Solar D, LLC.

Description: AL Solar D, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 10/17/22.

Accession Number: 20221017–5062.

Comment Date: 5 p.m. ET 11/7/22.

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

Docket Numbers: ER22–2988–000.

Applicants: DLS—Laskin Project Co, LLC, DLS—Sylvan Project Co, LLC, DLS—Jean Duluth Project Co, LLC.

Description: Request for Authorization to Undertake Affiliate Sales of DLS—Laskin Project Co, LLC, et al.

Filed Date: 9/30/22.

Accession Number: 20220930–5467.

Comment Date: 5 p.m. ET 10/21/22.

Docket Numbers: ER23–111–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Amended ISA, Service Agreement No. 6369; Queue No. AE2–029 to be effective 2/10/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5041.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: ER23–112–000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Original Service Agreement No. 6653; Queue No. AD2–031/AF1–159 to be effective 9/16/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5044.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: ER23–113–000.

Applicants: AL Solar D, LLC.

Description: Baseline eTariff Filing: AL Solar D, LLC MBR Application Filing to be effective 10/18/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5060.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: ER23–115–000.

Applicants: Tri-State Generation and Transmission Association, Inc.

Description: § 205(d) Rate Filing: Amendment to Rate Schedule FERC No. 34 to be effective 12/16/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5076.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: ER23–116–000.

Applicants: El Paso Electric Company.

Description: § 205(d) Rate Filing: OATT Revisions Filing of Attachment M Related to Cluster Study Network Upgrades to be effective 10/19/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5085.

Comment Date: 5 p.m. ET 11/7/22.

Docket Numbers: ER23–117–000.

Applicants: Duke Energy Progress, LLC.

Description: § 205(d) Rate Filing: DEP-Sumac Solar—ASOA SA No. 406 to be effective 10/1/2022.

Filed Date: 10/17/22.

Accession Number: 20221017–5116.

Comment Date: 5 p.m. ET 11/7/22.

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: October 17, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–22919 Filed 10–20–22; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–040]

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 October 7, 2022 10 a.m. EST Through October 17, 2022 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://*

cdxapps.epa.gov/cdx-enepa-II/public/action/eis/search.

EIS No. 20220150, Final, NMFS, Other, Saltonstall-Kennedy Research and Development Program Programmatic Environmental Impact Statement, Review Period Ends: 11/21/2022, Contact: Clifford Cosgrove 301–427–8736.

EIS No. 20220151, Draft, FERC, MN, Northern Lights 2023 Expansion Project, Comment Period Ends: 12/05/2022, Contact: Office of External Affairs 866–208–3372.

Amended Notice

EIS No. 20220147, Draft, USN, DC, Proposed Land Acquisition at Washington Navy Yard, Washington, DC, Comment Period Ends: 12/02/2022, Contact: Nik Tompkins-Flagg 202–685–8437. Revision to FR Notice Published 10/14/2022; Extending the Comment Period from 11/28/2022 to 12/02/2022.

Dated: October 17, 2022.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2022–22885 Filed 10–20–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2022–0163; FRL–9408–09–OCSPP]

Pesticide Product Registration; Receipt of Applications for New Uses September 2022

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before November 21, 2022.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2022–0163, through the *Federal eRulemaking Portal* at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Dan Rosenblatt, Registration Division (RD) (7505T), main telephone number: (202) 566–2875, email address: *RDFRNotices@epa.gov.* The mailing address for each contact person is Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each application summary.

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 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through *regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD–ROM that you mail to EPA, mark the outside of the disk or CD–ROM as CBI and then identify electronically within the disk or CD–ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.*

II. Registration Applications

EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

A. Notice of Receipt—New Uses

EPA Registration Numbers: 100–1013, 100–1295, 100–1402, 100–1435. *Docket ID number:* EPA–HQ–OPP–2022–0732. *Applicant:* Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419. *Active ingredient:* Lambda-cyhalothrin. *Product type:* Insecticide. *Proposed use:* Fruit, citrus, group 10–10; rapeseed subgroup 20A; sunflower subgroup 20B. *Contact:* RD.

EPA Registration Number: 59639–237. *Docket ID number:* EPA–HQ–OPP–2021–0484. *Applicant:* Valent U.S.A. LLC, 4600 Norris Canyon Road, P.O. Box 5075, San Ramon, CA 94583–0975. *Active ingredient:* Pyroxasulfone. *Product type:* Herbicide. *Proposed use:* Outdoor Ornamental. *Contact:* RD.

Authority: 7 U.S.C. 136 *et seq.*

Dated: October 17, 2022.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Program Support.

[FR Doc. 2022–22874 Filed 10–20–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 17–208; FR ID 17381]

Meeting of the Communications Equity and Diversity Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice announces the November 7, 2022, meeting of the Federal Communications Commission's (Commission) Communications Equity and Diversity Council (CEDC or Council).

DATES: Monday, November 7, 2022, from 1:00 p.m. EST to 3:00 p.m. EST.

ADDRESSES: The CEDC meeting will be held virtually and be available to the public for viewing via the internet at *http://www.fcc.gov/live.*

FOR FURTHER INFORMATION CONTACT: Jamila Bess Johnson, Designated Federal

Officer (DFO) of the CEDC, (202) 418–2608, *Jamila-Bess.Johnson@fcc.gov;* Keyla Hernandez-Ulloa, Co-Deputy DFO of the CEDC, (202) 418–0965, *Keyla.Hernandez-Ulloa@fcc.gov;* or Aurélie Mathieu, Attorney Advisor, WCB, at (202) 418–2194 or *Aurelie.Mathieu@fcc.gov.*

SUPPLEMENTARY INFORMATION:

Proposed Agenda: The agenda for the meeting will include a report of the Digital Empowerment and Inclusion (DEI) Working Group, including recommendations, for addressing digital redlining and other barriers that impact equitable access to broadband and other emerging technology in under-served and under-connected communities. This agenda may be modified at the discretion of the CEDC Chair and the DFO.

The CEDC meeting will be accessible to the public on the internet via live feed from the Commission's web page at *www.fcc.gov/live.* Members of the public may submit questions during the meeting to *livequestions@fcc.gov.* Additionally, members of the public may submit comments to the CEDC using the FCC's Electronic Comment Filing System, ECFS, at *www.fcc.gov/ecfs.* Comments to the CEDC should be filed in GN Docket No. 17–208.

Open captioning will be provided for this event. Other reasonable accommodations for persons with disabilities are available upon request. Requests for such accommodations should be submitted via email to *fcc504@fcc.gov* or by calling the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please include a way for the Commission to contact the requester if more information is needed to fulfill the request. Please allow at least five days' notice; last minute requests will be accepted but may not be possible to accommodate.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

[FR Doc. 2022–22969 Filed 10–20–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1192; FR ID 109571]

Information Collection Being Submitted for Review and Approval to Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before November 21, 2022.

ADDRESSES: Comments should be sent 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. Your comment must be submitted into *www.reginfo.gov* per the above instructions for it to be considered. In addition to submitting in *www.reginfo.gov* also send a copy of your comment on the proposed information collection to Nicole Ongele, FCC, via email to *PRA@fcc.gov* and to *Nicole.Ongele@fcc.gov.* Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Nicole Ongele at (202) 418–2991. To view a copy of this information collection request (ICR) submitted to OMB: (1) go to the web page *http://www.reginfo.gov/public/do/PRAMain,* (2) look for the section of the web page called ''Currently Under Review,'' (3) click on the downward-pointing arrow in the ''Select Agency'' box below the ''Currently Under Review'' heading, (4) select ''Federal Communications Commission'' from the list of agencies presented in the ''Select Agency'' box, (5) click the ''Submit'' button to the right of the ''Select Agency'' box, (6) when the list of FCC ICRs currently under review appears, look for the Title of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the FCC invited the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the FCC seeks specific comment on how it might ''further reduce the information collection burden for small business concerns with fewer than 25 employees.''

OMB Control Number: 3060–1192.

Title: Survey of Urban Rates, DA 13–598.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents and Responses: 2,275 respondents; 2,275 responses.

Estimated Time per Response: 3 hours.

Frequency of Response: Annual reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 254(b).

Total Annual Burden: 6,825 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The Commission is not requesting that respondents submit confidential information to the Commission. Also, respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: In April 2013, the Wireline Competition Bureau of the Federal Communications Commission adopted an Order (Order), in WC Docket No. 10–90; DA 13–598, 78 FR 29063, Connect America Fund. The Order adopted the form and content for a survey of urban rates for fixed voice and fixed broadband residential services for purposes of implementing various reforms adopted as part of the USF/ICC Transformation Order, 76 FR 73830, November 29, 2011. The information collected in this survey will be used to help ensure that universal service support recipients offering fixed voice and broadband services do so at reasonably comparable rates to those in urban areas. The comparability requirements are important components of the Commission's overall effort to improve accountability for the use of universal service funding. The comparability requirements will ensure that rates are reasonably comparable for voice as well as broadband service, between urban and rural, insular, and high cost areas. Rates must be reasonably comparable so that consumers in rural, insular, and high cost areas have meaningful access to these services. This Order requires a statistically valid sample of urban providers to complete a survey with information regarding the types and prices of their offerings. The Commission conducts this survey through an online reporting form accessible to those urban providers of fixed voice and broadband services that are chosen to participate.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2022–22824 Filed 10–20–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1094; FR ID 109509]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments shall be submitted on or before December 20, 2022. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email: *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–1094.

Title: Transforming the 2.5 GHz Band.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions, and state, local, or tribal Government.

Number of Respondents: 52 respondents; 131 responses.

Estimated Time per Response: .50 hour–2 hours.

Frequency of Response: On occasion reporting requirement and third-party disclosure requirement.

Obligation to Respond: The statutory authority for the Commission to carry out these collections are contained in 47 U.S.C. 151, 152, 153, 154, 155, 157, 301, 302, 303, 307, 308, 309, 310, and 316.

Total Annual Burden: 112 hours.

Total Annual Cost: $83,500.

Needs and Uses: The collection is being extended for three years once approved by the Office of Management and Budget. The Commission adopted service rules, Construction Requirements (47 CFR 27.14(u), and a Tribal Priority Filing Window (47 CFR 27.1204). This collection includes Part 27 rules that govern reporting, and third-party disclosure requirements related to 2500–2690 MHz Band. The following information collected for the service rules are: section 27.14(u) requires Educational Broadband Service (EBS) licensees to file construction notifications and certify that they have met the applicable performance benchmarks; section 27.1204 requires an EBS applicant applying for a license in the Tribal Priority Filing Window to demonstrate that they are: (1) a federally recognized American Indian tribe or Alaska Native Village; or an entity that is owned and controlled by a federally-recognized Tribe or a consortium of federally-recognized Tribes; (2) requesting a license on Tribal land; (3) requesting a license in a rural area; and (4) have a local presence on the Tribal land for which they are applying; and section 27.1221(f) requires Broadband Radio Service (BRS) and EBS licensees to provide the geographic coordinates, the height above ground level of the center of radiation for each transmit and receive antenna, and the date transmissions commenced if requested by a co-channel licensee.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2022–22837 Filed 10–20–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1267; FR ID 109572]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before December 20, 2022. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–1267.

Title: FCC Anti-Harassment Intake Form.

Form Number: FCC Form 5632.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; Federal Government.

Number of Respondents and Responses: 5 respondents; 5 responses.

Estimated Time per Response: 3 hours.

Frequency of Response: One-time reporting requirement.

Obligation to Respond: Voluntary. Statutory authority for these collections is contained in the *Civil Rights Act of 1964* section 7, as amended, 42 U.S.C. 2000e; *Age Discrimination in Employment act of 1967* (ADEA), 29 U.S.C. 621–634; *Americans with Disabilities Act of 1990* (ADA), as amended, 42 U.S.C. 12101–12213; *Rehabilitation Act of 1973,* as amended, 29. U.S.C. 501 *et seq.*

Total Annual Burden: 18 hours.

Total Annual Cost: $4,050.

Privacy Act Impact Assessment: The FCC's Office of Workplace Diversity (OWD) uses the ServiceNow platform to maintain EEO complaints, including harassment complaints. The Privacy Impact Assessment (PIA) for ServiceNow is posted on the FCC's Privacy Act at *https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information.*

Nature and Extent of Confidentiality: Confidentiality of information will be provided in accordance with the Privacy Act. The Commission is not requesting respondents to submit confidential information to the Commission. If the Commission requests respondents to submit information which respondents believe is confidential, respondents may request confidential treatment of such information pursuant to section 0.459 of the Commission's rules, 47 CFR 0.459.

Needs and Uses: FCC employees and related individuals may seek a forum through the Anti-Harassment Program for inquiry and resolution of harassment claims by completing FCC Form 5632.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2022–22911 Filed 10–20–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

RIN 3064–ZA20

Guidelines for Appeals of Material Supervisory Determinations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice and request for comment.

SUMMARY: The Federal Deposit Insurance Corporation proposes to amend its Guidelines for Appeals of Material Supervisory Determinations, expanding and clarifying the role of the agency's Ombudsman. The proposal also would require that materials considered by the Supervision Appeals Review Committee be shared with both parties to the appeal, subject to applicable legal limitations on disclosure, and would allow insured depository institutions to request a stay of a material supervisory determination while an appeal is pending.

DATES: Written comments must be received by the FDIC on or before November 21, 2022 for consideration.

ADDRESSES: Interested parties are invited to submit written comments, identified by RIN 3064–ZA20, by any of the following methods:

- *Agency Website: https://www.fdic.gov/resources/regulations/federal-register-publications/.* Follow the instructions for submitting comments.
- *Email: comments@FDIC.gov.* Include ''Guidelines for Appeals of Material Supervisory Determinations—RIN 3064–ZA20'' in the subject line of the message.
- *Mail:* James P. Sheesley, Assistant Executive Secretary, Attention: Comments—RIN 3064–ZA20, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery/Courier:* Guard station at the rear of the 550 17th Street NW building (located on F Street NW) on business days between 7:00 a.m. and 5:00 p.m. (EST).
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/resources/regulations/federal-register-publications/.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this notice will be retained in the public comment file and will be considered as required under all

applicable laws. All comments may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: Sheikha Kapoor, Senior Counsel, Legal Division, 202–898–3960, *skapoor@fdic.gov;* James Watts, Counsel, Legal Division, 202–898–6678, *jwatts@fdic.gov.*

SUPPLEMENTARY INFORMATION: The Federal Deposit Insurance Corporation (FDIC) is proposing to amend its Guidelines for Appeals of Material Supervisory Determinations (Guidelines), expanding and clarifying the role of the FDIC's Ombudsman in the supervisory appeals process. The FDIC is proposing to add the Ombudsman to the Supervision Appeals Review Committee (SARC) as a non-voting member. This is intended to further balance the perspectives reflected in the composition of the SARC, as the Ombudsman is independent of the supervision function and has experience in resolving disputes between insured depository institutions (IDIs) and the FDIC. In addition, the Ombudsman would monitor the supervision process following an institution's submission of an appeal under the Guidelines. The proposal also would require materials considered by the SARC to be shared with both parties to the appeal, subject to applicable legal limitations on disclosure and oversight by the Ombudsman, and would allow IDIs to request a stay of a material supervisory determination while an appeal is pending.

I. Background

Section 309(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (Riegle Act) required the FDIC (as well as the other Federal banking agencies and the National Credit Union Administration) to establish an ''independent intra-agency appellate process'' to review material supervisory determinations.[1] The statute defines the term ''independent appellate process'' to mean ''a review by an agency official who does not directly or indirectly report to the agency official who made the material supervisory determination under review.'' [2] In the appeals process, the FDIC is required to ensure that: (1) an IDI's appeal of a material supervisory determination is heard and decided expeditiously; and (2) appropriate safeguards exist for protecting appellants from retaliation by agency examiners.[3]

In 1995, the FDIC adopted Guidelines for Appeals of Material Supervisory Determinations to implement section 309(a). At that time, the FDIC's Board of Directors established the SARC to consider and decide appeals of material supervisory determinations.[4] The Board has modified the composition of the SARC over the years, but as of 2021, the SARC included: one inside member of the FDIC's Board of Directors (serving as Chairperson); one deputy or special assistant to each of the other inside Board members; and the General Counsel as a non-voting member.

In January 2021, the FDIC adopted Guidelines that replaced the SARC as the final level of review in the appellate process with a standalone office within the FDIC, designated the Office of Supervisory Appeals (Office).[5] After appealing a material supervisory determination to the relevant Division Director, an IDI would have had the option to appeal to the Office. If a material supervisory determination was appealed to the Office, a three- or five-member panel of reviewing officials would consider the appeal and issue a written decision to the IDI. The Guidelines did not provide for additional review beyond the Office.

Earlier this year, the FDIC revised the Guidelines by restoring the SARC as the final level of review of material supervisory determinations made by the FDIC.[6] The revised Guidelines reconstituted the SARC as it existed in 2021. The FDIC decided to restore the SARC based on the agency's longstanding practice of ensuring Board-level review of material supervisory determinations, noting that this promotes both independence and accountability in the appellate process. Board-level review ensures accountability for the FDIC's supervisory determinations remains with the FDIC's Board of Directors, consistent with sound corporate governance principles. In addition, the FDIC noted that restoring the SARC structure addressed certain staffing concerns inherent in the Office's structure that threatened to hinder the effectiveness of the appellate process going forward.

The revised Guidelines also included procedural changes to reflect the restoration of the SARC structure, such as granting specific authorities to the SARC Chairperson. The FDIC also eliminated a provision that had been added specifically to accommodate an independent Office of Supervisory Appeals, which required communications between the Office and either supervisory staff or the appealing IDI, including materials submitted to the Office for review, to be shared with the other party to the appeal.

While the revised Guidelines were effective on May 17, 2022, the FDIC invited comments on all aspects of the revised Guidelines. The FDIC specifically asked for comments regarding the inclusion of the Ombudsman's perspective in the supervisory appeals process and for other ways to enhance the process while remaining consistent with the Ombudsman's role as a neutral liaison between supervised IDIs and the FDIC. The comment period closed on June 21, 2022.

II. Discussion of Comments

The FDIC received comment letters from a think tank, a financial holding company, a trade association, and a joint comment letter from six trade associations. The commenters raised a number of concerns with the restoration of the SARC structure. A commenter also raised concerns with the standard of review for SARC decisions and recommended a stay of supervisory actions while an appeal is pending. These comments are discussed in further detail below.

Restoration of SARC Structure

Commenters generally disagreed with the restoration of the SARC structure and the FDIC's conclusion that this would enhance the independence of the appellate process. A think tank indicated that the return to the SARC structure would not further the independence of decision making because SARC members, as FDIC leadership, have an ongoing relationship with supervisory staff and must show trust and support for the same staff whose judgment is being questioned. The commenter further stated that if FDIC board members are setting the agency's regulatory and supervisory tone, they could find themselves questioning their own policy initiatives. Along these same lines, a trade association indicated that the appellate process will be less independent if the FDIC's Board has control over the outcome.

Commenters also raised the concern that the SARC structure may not provide the intended balancing of perspectives, given the current composition of the FDIC's Board. The commenters noted that Congress

[1] 12 U.S.C. 4806(a).

[2] 12 U.S.C. 4806(f)(2).

[3] 12 U.S.C. 4806(b).

[4] 60 FR 15923 (Mar. 28, 1995).

[5] 86 FR 6880 (Jan. 25, 2021).

[6] 87 FR 30942 (May 20, 2022).

provided for a bipartisan Board of five Senate-confirmed members, but the FDIC's Board is currently comprised of an acting Chairman and two outside members, all from the same political party.

Some commenters recommended that the FDIC restore the Office of Supervisory Appeals. These commenters believed that the Office of Supervisory Appeals provided for greater independence in decision-making and that inspired confidence on the part of supervised institutions. These commenters also raised concerns with the process used to restore the SARC structure, noting that the FDIC has historically modified the Guidelines after soliciting comment. A joint comment letter from several trade associations stated that the FDIC did not sufficiently explain why the Office of Supervisory Appeals structure could or should no longer function. The comment further stated that the FDIC should have considered alternative solutions if staffing the Office of Supervisory Appeals was an issue.

Ombudsman's Role

As noted above, the FDIC solicited comment on including the Ombudsman's perspective in the supervisory appeals process and ways to enhance the process while remaining consistent with the Ombudsman's role as a neutral liaison between IDIs and the FDIC. Commenters supported expanding the Ombudsman's role in the appeals process. A trade association stated that it was a strong proponent of the FDIC's Office of the Ombudsman, explaining that Ombudsmen are experienced professionals specifically trained in resolving disputes between bankers and regulators. The commenter further stated that the Ombudsmen advocate for a fair and impartial process at the FDIC, are most familiar with both sides of the dispute, and would be a valuable source of information that would benefit appeals panel discussions. The commenter ''strongly urge[d] the role of the Ombudsmen be clarified and expanded.'' A financial holding company also contrasted the FDIC's appellate process with that of the OCC, noting that the OCC allows national banks to appeal disputes directly to an Ombudsman who operates independently from the supervision process and reports directly to the head of the agency.

Communications

The revised Guidelines eliminated a provision that was added specifically to accommodate the Office of Supervisory Appeals. This provision required that any communications between the Office and supervisory staff be in writing and shared with an appealing IDI, subject to limitations on disclosure. Commenters stated that the requirement to share *ex parte* information with both parties is a fundamental right to assure that both parties are aware of the information shared with the decision-maker and have an opportunity to respond to that information. Another commenter stated that the FDIC's elimination of this provision rendered the appeals process less effective, suggesting that it is a reason banks do not utilize the appeals process.

Standard of Review

A commenter recommended that the FDIC adopt a *de novo* standard of review, asserting that this would be consistent with the standard adopted by the Board of Governors of the Federal Reserve System in its supervisory appeals process. The commenter stated that no deference should apply to an examiner's interpretation of the law or factual findings, and explained that a more robust *de novo* standard of review would increase institutions' confidence in the process.

Stay of Material Supervisory Determinations

A financial holding company recommended that the FDIC stay supervisory actions during an appeal because supervisory determinations can have consequences for an institution, such as removing an institution from expedited processing of applications. The commenter stated that the FDIC should at least implement a mechanism whereby a bank could be relieved of such burdens while an appeal is pending. The commenter noted that the OCC's process allows the Ombudsman or the appropriate OCC official, upon written request of the bank, to relieve the bank of an obligation to comply with a supervisory decision or action while an appeal is pending.[7]

III. Proposed Guidelines

The FDIC appreciates the comments and further recommendations to enhance the informal appellate process consistent with the statute. Based on these recommendations, the FDIC is proposing to further amend the Guidelines to address commenters' concerns, as discussed in further detail below.

SARC Structure

Review of material supervisory determinations by a Board-level committee such as the SARC promotes greater accountability in the supervisory appeals process. Ultimate responsibility for the FDIC's supervision function is vested in the agency's Board of Directors by statute, and the SARC structure ensures that the Board remains accountable for the agency's supervisory determinations. Accordingly, the FDIC's longstanding practice has been to ensure Board-level review of material supervisory determinations with a panel also including other senior officials. The Guidelines governing the Office allowed for reliance on individuals with previous supervisory experience recruited from outside the FDIC and hired for intermittent service on a time-limited contract basis to make final supervisory determinations on behalf of the FDIC.

Hiring individuals from outside the agency represented a significant departure from the FDIC's established approach for over 25 years of reliance on a Board-level committee and undermines accountability for these supervisory determinations. Moreover, it is fundamentally inconsistent with how the other financial regulators have carried out their responsibilities under the Riegle Act. While there is some diversity of approach among the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the National Credit Union Administration, all of these agencies utilize full-time internal staff or Board members to carry out their appeals processes. The Office of the Comptroller of the Currency allows supervisory appeals to be decided by its Ombudsman, the National Credit Union Administration allows appeals to a committee of senior staff or directly to its Board of Directors, and the Board of Governors of the Federal Reserve System utilizes panels of staff from the Federal Reserve Banks and the Board of Governors.

Review of material supervisory determinations by the SARC also promotes independence from the usual supervisory or examination channels in a manner consistent with the Riegle Act. As provided by the statute, independent review means review ''by an agency official who does not directly or indirectly report to the agency official who made the material supervisory determination under review.'' [8] Members of the FDIC's Board of Directors (and their special assistants or deputies) are agency officials independent from the staff that carry out day-to-day supervisory responsibilities. They also bring important knowledge

[7] *See* OCC Bulletin 2013–15.

[8] 12 U.S.C. 4806(f)(2).

and experience with current applicable laws, regulations, and policies when they consider appeals.

In terms of timing, comment was not solicited prior to restoring the SARC structure because, at that time, there were no pending appeals, and the new Office had not yet been utilized in any cases. The FDIC sought to avoid a situation in which an appeal might be filed while these Guidelines and the appropriate appeals structure were under review. As indicated in the May 2022 notice, taking action quickly minimized the potential for confusion among IDIs with respect to the process they must follow in the event they wish to appeal a material supervisory determination. While the FDIC's primary reason for restoring the SARC structure was promoting independence and accountability in the process, it noted that staffing considerations also favored a return to the SARC structure. Commenters sought additional detail on these considerations. The FDIC had engaged in extensive efforts to recruit reviewing officials to staff the Office of Supervisory Appeals, extending the application postings for these positions in an attempt to develop a broad pool of applicants. Three reviewing officials were hired, but this would have been insufficient to provide for the minimum three-member panel if an individual were unable to participate in the review of an appeal due to a conflict of interest or illness, leaving the Office unable to function.

The FDIC is mindful, however, of the commenters' concerns regarding the need for a balance of perspectives to be reflected in the appellate process, and agrees that more should be done to achieve that balance. Adding the Ombudsman to the SARC may help to address this balance because the Ombudsman has a longstanding role as a neutral advocate for a fair and impartial process, as recognized by the commenters. The Ombudsman does not have any ongoing relationship with, or oversight responsibility for, the agency's supervision function, and including the Ombudsman's perspective may enhance independence and address perceptions of fairness.

The FDIC is proposing to add the Ombudsman to the SARC as a non-voting member in order to minimize any potential for conflict with the Ombudsman's statutory role. Under the Riegle Act, the Ombudsman acts as liaison between the agency and any affected person, and assures that safeguards exist to encourage complainants to come forward and preserve confidentiality.[9] The FDIC's Ombudsman has a longstanding commitment to neutrality that could be compromised if the Ombudsman were to serve as a voting member of the SARC. If the Ombudsman were a voting member, he or she might decide a matter against the institution, and this possibility could affect IDIs' willingness to utilize the Ombudsman's services.[10] Serving as a non-voting member of the SARC would allow the Ombudsman to remain independent of the supervision function. As a non-voting member, the Ombudsman would be expected to attend SARC meetings, participate in discussions, and offer views, opinions, and advice to the SARC during its deliberations based on the Ombudsman's perspective as a neutral advocate for a fair process, and as a party independent of the supervisory process. The FDIC believes the Ombudsman's participation in the SARC as a non-voting member would balance the views reflected in the committee's membership and give appealing IDIs greater confidence in the fairness and integrity of the process. The Ombudsman would also have access to all materials reviewed by the SARC, as explained below.

The FDIC recognizes that adding the Ombudsman to the SARC could cause IDIs to reconsider whether they should share confidential information with the Ombudsman, given that the Ombudsman could be involved in deciding a potentially related supervisory appeal. The Guidelines provide a mechanism to address this by allowing a SARC member to designate a member of his staff to serve on the SARC on his or her behalf. However, the authority to designate a staff member, found in section B of the current Guidelines, limits designation to ''the most senior member'' of the SARC member's staff. This may not be appropriate if, for example, the Ombudsman's senior staff has also been involved in dispute resolution efforts. The FDIC proposes to broaden this authority to allow a SARC member to designate any member of his or her staff within the member's area of responsibility. For example, if the Ombudsman were unable to serve as a SARC member with respect to a particular appeal because of information learned from meeting with the institution, he or she might designate a Regional Ombudsman who has not been involved in the matter to serve on the SARC instead.

Consistent with the proposed addition of the Ombudsman to the SARC as a non-voting member, the FDIC also proposes to make certain conforming changes to other provisions of the Guidelines. Specifically, section G.4 of the Guidelines currently permits both the Division Director and the Ombudsman to submit views regarding the appeal to the SARC. The FDIC proposes to eliminate the reference to the Ombudsman in this provision in the event the Ombudsman becomes a member of the SARC, as it would no longer be necessary to provide a separate mechanism for including the Ombudsman's perspective in the process. For the same reason, the FDIC proposes to eliminate current section J of the Guidelines, which states that the subject matter of a material supervisory determination is not eligible for consideration by the Ombudsman.

The FDIC also is proposing to amend section G.1 of the Guidelines to require copies of all relevant materials related to an appeal to be provided to the Office of the Ombudsman. This change would ensure that the Ombudsman is aware of all pertinent information and can provide neutral oversight of the process.

Commenters also expressed concern about possible retaliatory actions if an IDI submits a supervisory appeal. Due to these concerns, the FDIC is proposing to amend the Guidelines to require the Ombudsman to monitor the supervisory process following an IDI's submission of an appeal. The Ombudsman will be expected to report to the Board on these matters periodically. The FDIC believes these enhancements to the process may alleviate some IDIs' concerns regarding potential retaliation.

[9] 12 U.S.C. 4806(d). The FDIC notes that the OCC Ombudsman's role in deciding supervisory appeals predates the enactment of the Riegle Act (which also required the appointment of an Ombudsman). The House Conference Report accompanying the legislation stated:

Some of the Federal banking agencies have in place procedures to settle disputes between the agency and a financial institution that may satisfy the requirements of this provision. In addition, some agencies, for example, the Comptroller of the Currency, may already have appointed an ombudsman to hear appeals. Nothing in this section is intended to interfere with such existing programs.

H.R. Conf. Rep. 103–652 at 171. The FDIC also notes that the Ombudsmen at the Board of Governors of the Federal Reserve System and the National Credit Union Administration are not involved in decision making for appeals.

[10] The FDIC has previously recognized that making decisions with respect to supervisory appeals would result in some tension with the Ombudsman's statutory role as a liaison between supervised institutions and the agency. *See* 69 FR 41479, 41481 (July 9, 2004).

Communications

The FDIC understands the commenters' concerns regarding the elimination of the provision of the Guidelines that generally required communications between the Office of Supervisory Appeals and supervisory staff to be shared with the appealing institution. While the FDIC believes that the existing provision was too broad for use in the SARC structure,[11] it agrees that basic notions of fairness support a requirement that both parties to the appeal are aware of the information considered by the decision-maker. The FDIC therefore proposes to add a provision to the Guidelines, section G.8, requiring that all materials considered by the SARC are shared with both parties to the appeal, subject to applicable legal limitations on disclosure.[12] The Ombudsman would verify that both parties have received all materials considered by the SARC.

Standard of Review

As noted above, a commenter recommended that the FDIC adopt a *de novo* standard of review, asserting that this would be consistent with the standard adopted by the Board of Governors of the Federal Reserve System in its supervisory appeals process. In 2021, the FDIC amended the Guidelines to provide that the Division Director's standard of review would be substantially similar to the standard of review employed by the Federal Reserve's initial review panels.[13] The FDIC explained that under this standard, the Division Director would have discretion to consider examination workpapers and other materials developed by staff during an examination, but would make an independent supervisory determination, without deferring to the judgments of either party.[14] This standard of review remains unchanged in the current Guidelines.

The FDIC believes that the standards of review set forth in its process are consistent with those used by the Federal Reserve, in that neither standard provides that the decision maker will defer to the judgment of agency staff that made the material supervisory determination under review. The Federal Reserve's initial review panels review determinations for consistency ''with applicable laws, regulations, and policy, and supported by a preponderance of the evidence in the record . . . the panel shall make its own supervisory determination and shall not defer to the judgment of the Reserve Bank staff that made the material supervisory determination.'' [15] This is similar to the FDIC's review by a Division Director, in which the Director considers ''whether the material supervisory determination is consistent with applicable laws, regulations, and policy, [and] make[s] his or her own supervisory determination without deferring to the judgments of either party.'' This approach may be considered a *de novo* standard of review but lays out with more specificity the actual considerations to be applied.

Neither agency's process provides for a *de novo* standard at the final level of review. Rather, the Federal Reserve's final review panels ''determine whether the decision of the initial review panel is reasonable . . . and whether there has been a clear error of judgment.'' [16] Similarly, the SARC reviews an appeal ''for consistency with the policies, practices, and mission of the FDIC and the overall reasonableness of, and the support offered for, the positions advanced.''

Stay of Material Supervisory Determinations

As noted above, a financial holding company recommended that the FDIC stay supervisory actions during an appeal because supervisory determinations can have consequences for an institution, such as removing an institution from expedited processing of applications. The commenter stated that the FDIC should at least implement a mechanism whereby a bank could be relieved of such burdens while an appeal is pending. The commenter noted that the OCC's process allows the Ombudsman or the appropriate OCC official, upon written request of the bank, to relieve the bank of an obligation to comply with a supervisory decision or action while an appeal is pending.[17]

The FDIC has previously stated that IDIs may request a stay of supervisory actions from the appropriate Division Director during the pendency of an appeal,[18] but agrees that it would be useful to address this aspect of the process expressly in the Guidelines. There may be situations where a stay is appropriate to mitigate consequences of a determination during appellate review. Amending the Guidelines to expressly permit IDIs to request a stay of an action or determination would better ensure that IDIs are aware of the ability to request a stay. The FDIC therefore proposes to amend the Guidelines to allow an IDI to request a stay of a supervisory action or determination from the appropriate Division Director while its appeal is pending. The request must be in writing and include the reasons for the stay. The Division Director would have discretion to grant a stay, and would generally decide whether a stay is granted within 21 days of receiving the IDI's request. The Division Director could grant a stay subject to certain conditions where appropriate; for example, a stay could be time-limited.

Request for Comment

The FDIC invites comment on this proposal, particularly the role of the Ombudsman, sharing of appeal materials, and the ability of an IDI to request a stay of a supervisory action.

For the reasons set out in the preamble, the Federal Deposit Insurance Corporation proposes to adopt Guidelines for Appeals of Material Supervisory Determinations as set forth below.

Guidelines for Appeals of Material Supervisory Determinations

A. Introduction

Section 309(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (Pub. L. 103–325, 108 Stat. 2160) (Riegle Act) required the Federal Deposit Insurance Corporation (FDIC) to establish an independent intra-agency appellate process to review material supervisory determinations made at insured depository institutions that it supervises. The Guidelines for Appeals of Material Supervisory Determinations (Guidelines) describe the types of determinations that are eligible for review and the process by which appeals will be considered and decided. The procedures set forth in these Guidelines establish an appeals process for the review of material supervisory determinations by the Supervision Appeals Review Committee (SARC).

[11] The provision could have been read broadly, for example, to require the sharing of all communications about pending or ongoing enforcement actions in the event a bank were to file a supervisory appeal.

[12] For example, the disclosure of confidential supervisory information and certain other types of information is restricted under 12 CFR part 309. Thus, to the extent that materials shared with the SARC include such confidential supervisory information relating to another IDI, for example, that material could be redacted.

[13] 86 FR 6880, 6883 (Jan. 25, 2021).

[14] *Id.*

[15] *See* Board of Governors of the Federal Reserve System Supervision Letter 20–28, section B.7. The Board noted that this approach may be considered a *de novo* standard of review. *See* 85 FR 15175, 15177 (Mar. 17, 2020).

[16] *See* Board of Governors of the Federal Reserve System Supervision Letter 20–28, section B.16.

[17] *See* OCC Bulletin 2013–15.

[18] *See* 82 FR 34522, 34526 (July 25, 2017).

B. SARC Membership

The following individuals comprise the three (3) voting members of the SARC: (1) One inside FDIC Board member, either the Chairperson, the Vice Chairperson, or the FDIC Director (Appointive), as designated by the FDIC Chairperson (this person would serve as the Chairperson of the SARC); and (2) one deputy or special assistant to each of the inside FDIC Board members who are not designated as the SARC Chairperson. The General Counsel and the Ombudsman are non-voting members of the SARC. The FDIC Chairperson may designate alternate member(s) to the SARC if there are vacancies so long as the alternate member was not involved in making or affirming the material supervisory determination under review. A member of the SARC may designate and authorize a member of his or her staff within the member's area of responsibility related to cases before the SARC to act on his or her behalf.

C. Institutions Eligible To Appeal

The Guidelines apply to the insured depository institutions that the FDIC supervises (*i.e.,* insured State nonmember banks, insured branches of foreign banks, and state savings associations), and to other insured depository institutions for which the FDIC makes material supervisory determinations.

D. Determinations Subject To Appeal

An institution may appeal any material supervisory determination pursuant to the procedures set forth in these Guidelines.

(1) Material supervisory determinations include:

(a) CAMELS ratings under the Uniform Financial Institutions Rating System;

(b) IT ratings under the Uniform Rating System for Information Technology;

(c) Trust ratings under the Uniform Interagency Trust Rating System;

(d) CRA ratings under the Revised Uniform Interagency Community Reinvestment Act Assessment Rating System;

(e) Consumer compliance ratings under the Uniform Interagency Consumer Compliance Rating System;

(f) Registered transfer agent examination ratings;

(g) Government securities dealer examination ratings;

(h) Municipal securities dealer examination ratings;

(i) Determinations relating to the appropriateness of loan loss reserve provisions;

(j) Classifications of loans and other assets in dispute the amount of which, individually or in the aggregate, exceeds 10 percent of an institution's total capital;

(k) Determinations relating to violations of a statute or regulation that may affect the capital, earnings, or operating flexibility of an institution, or otherwise affect the nature and level of supervisory oversight accorded an institution;

(l) Truth in Lending Act (Regulation Z) restitution;

(m) Filings made pursuant to 12 CFR 303.11(f), for which a request for reconsideration has been granted, other than denials of a change in bank control, change in senior executive officer or board of directors, or denial of an application pursuant to section 19 of the Federal Deposit Insurance Act (FDI Act), 12 U.S.C. 1829 (which are contained in 12 CFR 308, subparts D, L, and M, respectively), if the filing was originally denied by the Director, Deputy Director, or Associate Director of the Division of Depositor and Consumer Protection (DCP) or the Division of Risk Management Supervision (RMS);

(n) Decisions to initiate informal enforcement actions (such as memoranda of understanding);

(o) Determinations regarding the institution's level of compliance with a formal enforcement action; however, if the FDIC determines that the lack of compliance with an existing formal enforcement action requires an additional formal enforcement action, the proposed new enforcement action is not appealable;

(p) Matters requiring board attention; and

(q) Any other supervisory determination (unless otherwise not eligible for appeal) that may affect the capital, earnings, operating flexibility, or capital category for prompt corrective action purposes of an institution, or that otherwise affects the nature and level of supervisory oversight accorded an institution.

(2) Material supervisory determinations do not include:

(a) Decisions to appoint a conservator or receiver for an insured depository institution, and other decisions made in furtherance of the resolution or receivership process, including but not limited to determinations pursuant to parts 370, 371, and 381, and § 360.10 of the FDIC's rules and regulations;

(b) Decisions to take prompt corrective action pursuant to section 38 of the FDI Act, 12 U.S.C. 1831*o;*

(c) Determinations for which other appeals procedures exist (such as determinations of deposit insurance assessment risk classifications and payment calculations); and

(d) Formal enforcement-related actions and decisions, including determinations and the underlying facts and circumstances that form the basis of a recommended or pending formal enforcement action.

(3) A formal enforcement-related action or decision commences, and becomes unappealable, when the FDIC initiates a formal investigation under 12 U.S.C. 1820(c) (Order of Investigation), issues a notice of charges or a notice of assessment under 12 U.S.C. 1818 or other applicable laws (Notice of Charges), provides the institution with a draft consent order, or otherwise provides written notice to the institution that the FDIC is reviewing the facts and circumstances presented to determine if a formal enforcement action is merited under applicable statutes or published enforcement-related policies of the FDIC, including written notice of a referral to the Attorney General pursuant to the Equal Credit Opportunity Act (ECOA) or a notice to the Secretary of Housing and Urban Development (HUD) for violations of ECOA or the Fair Housing Act (FHA). Such notice may be provided in the transmittal letter accompanying a Report of Examination. For the purposes of these Guidelines, remarks in a Report of Examination do not constitute written notice that the FDIC is reviewing the facts and circumstances presented to determine if a proposed enforcement action is merited. Commencement of a formal enforcement-related action or decision will not suspend or otherwise affect a pending request for review or appeal that was submitted before the commencement of the formal enforcement-related action or decision.

(4) Additional Appeal Rights:

(a) In the case of any written notice from the FDIC to the institution that the FDIC is determining whether a formal enforcement action is merited, the FDIC must issue an Order of Investigation, issue a Notice of Charges, or provide the institution with a draft consent order within 120 days of such a notice, or the most recent submission of information from the institution, whichever is later, or appeal rights will be made available pursuant to these Guidelines. If the FDIC timely provides the institution with a draft consent order and the institution rejects the draft consent order in writing, the FDIC must issue an Order of Investigation or a Notice of Charges within 90 days from the date on which the institution rejects the draft consent order in writing or appeal rights will be made available pursuant to these

Guidelines. The FDIC may extend these periods, with the approval of the SARC Chairperson, after the FDIC notifies the institution that the relevant Division Director is seeking formal authority to take an enforcement action.

(b) In the case of a referral to the Attorney General for violations of the ECOA, beginning on the date the referral is returned to the FDIC, the FDIC must proceed in accordance within paragraph (a), including within the specified timeframes, or appeal rights will be made available pursuant to these Guidelines.

(c) In the case of providing notice to HUD for violations of the ECOA or the FHA, beginning on the date the notice is provided, the FDIC must proceed in accordance within paragraph (a), including within the specified timeframes, or appeal rights will be made available pursuant to these Guidelines.

(d) Written notification will be provided to the institution within 10 days of a determination that appeal rights have been made available under this section.

(e) The relevant FDIC Division and the institution may mutually agree to extend the timeframes in paragraphs (a), (b), and (c) if the parties deem it appropriate.

E. Good-Faith Resolution

An institution should make a good-faith effort to resolve any dispute concerning a material supervisory determination with the on-site examiner and/or the appropriate Regional Office. The on-site examiner and the Regional Office will promptly respond to any concerns raised by an institution regarding a material supervisory determination. Informal resolution of disputes with the on-site examiner and the appropriate Regional Office is encouraged, but seeking such a resolution is not a condition to filing a request for review with the appropriate Division, either DCP, RMS, or the Division of Complex Institution Supervision and Resolution (CISR), or to filing a subsequent appeal with the SARC under these Guidelines.

F. Filing a Request for Review With the Appropriate Division

(1) An institution may file a request for review of a material supervisory determination with the Division that made the determination, either the Director, DCP, the Director, RMS, or the Director, CISR (Director or Division Director), 550 17th Street NW, Room F–4076, Washington, DC 20429, within 60 calendar days following the institution's receipt of a report of examination containing a material supervisory determination or other written communication of a material supervisory determination. Requests for review also may be submitted electronically. To ensure confidentiality, requests should be submitted through *securemail.fdic.gov,* directing the message to *DirectorReviewRequest@fdic.gov.* A request for review must be in writing and must include:

(a) A detailed description of the issues in dispute, the surrounding circumstances, the institution's position regarding the dispute and any arguments to support that position (including citation of any relevant statute, regulation, policy statement, or other authority), how resolution of the dispute would materially affect the institution, and whether a good-faith effort was made to resolve the dispute with the on-site examiner and the Regional Office; and

(b) A statement that the institution's board of directors or senior management has considered the merits of the request and has authorized that it be filed. Senior management is defined as the core group of individuals directly accountable to the board of directors for the sound and prudent day-to-day management of the institution. If an institution's senior management files an appeal, it must inform the board of directors of the substance of the appeal before filing and keep the board of directors informed of the appeal's status.

(2) Within 45 calendar days after receiving a request for review described in paragraph (1), the Division Director will:

(a) review the appeal, considering whether the material supervisory determination is consistent with applicable laws, regulations, and policy, make his or her own supervisory determination without deferring to the judgments of either party, and issue a written determination on the request for review, setting forth the grounds for that determination; or

(b) refer the request for review to the SARC for consideration as an appeal under section G and provide written notice to the institution that the request for review has been referred to the SARC.

(3) No appeal to the SARC will be allowed unless an institution has first filed a timely request for review with the appropriate Division Director.

(4) In any decision issued pursuant to paragraph (2)(a) of this section, the Director will inform the institution of the 30-day time period for filing with the SARC and will provide the mailing address for any appeal the institution may wish to file.

(5) The Division Director may request guidance from the SARC Chairperson or the Legal Division as to procedural or other questions relating to any request for review.

G. Appeal to the SARC

An institution that does not agree with the written determination rendered by the Division Director may appeal that determination to the SARC within 30 calendar days after the date of receipt of that determination. Failure to file within the 30-day time limit may result in denial of the appeal by the SARC.

1. Filing With the SARC

An appeal to the SARC will be considered filed if the written appeal is received by the FDIC within 30 calendar days after the date of receipt of the Division Director's written determination or if the written appeal is placed in the U.S. mail within that 30-day period. The appeal should be sent to the address indicated on the Division Director's determination being appealed, or sent via email to *ESS_Appeals@fdic.gov.* An acknowledgment of the appeal will be provided to the institution, and copies of the institution's appeal will be provided to the Office of the Ombudsman and the appropriate Division Director. Copies of all relevant materials related to an appeal will be provided to the Office of the Ombudsman.

2. Contents of Appeal

The appeal should be labeled to indicate that it is an appeal to the SARC and should contain the name, address, and telephone number of the institution and any representative, as well as a copy of the Division Director's determination being appealed. If oral presentation is sought, that request should be included in the appeal. If expedited review is requested, the appeal should state the reason for the request. Only matters submitted to the appropriate Division Director in a request for review may be appealed to the SARC. Evidence not presented for review to the Division Director is generally not permitted; such evidence may be submitted to the SARC only if approved by the SARC Chairperson and with a reasonable time for the Division Director to review and respond. The institution should set forth all of the reasons, legal and factual, why it disagrees with the Division Director's determination. Nothing in the SARC administrative process shall create any discovery or other such rights.

3. Burden of Proof

The burden of proof as to all matters at issue in the appeal, including timeliness of the appeal if timeliness is at issue, rests with the institution.

4. Submission From the Division Director

The Division Director may submit views regarding the appeal to the SARC within 30 calendar days of the date on which the appeal is received by the SARC.

5. Oral Presentation

The SARC will, if a request is made by the institution or by FDIC staff, allow an oral presentation. The SARC may hear oral presentations in person, telephonically, electronically, or through other means agreed upon by the parties. If an oral presentation is held, the institution and FDIC staff will be allowed to present their positions on the issues raised in the appeal and to respond to any questions from the SARC.

6. Consolidation, Dismissal, and Rejection

Appeals based upon similar facts and circumstances may be consolidated for expediency. An appeal may be dismissed by the SARC if it is not timely filed, if the basis for the appeal is not discernable from the appeal, or if the institution moves to withdraw the appeal. The SARC will decline to consider an appeal if the institution's right to appeal is not yet available under section D(4), above.

7. Scope of Review and Decision

The SARC will be an appellate body and will make independent supervisory determinations. The SARC will review the appeal for consistency with the policies, practices, and mission of the FDIC and the overall reasonableness of, and the support offered for, the positions advanced. The SARC's review will be limited to the facts and circumstances as they existed prior to, or at the time the material supervisory determination was made, even if later discovered, and no consideration will be given to any facts or circumstances that occur or corrective action taken after the determination was made. The SARC will not consider any aspect of an appeal that seeks to change or modify existing FDIC rules or policy. The SARC, after consultation with the Legal Division, will refer any appeals that raise policy matters of first impression to the Chairperson's Office for its consideration. The SARC will notify the institution, in writing, of its decision concerning the disputed material supervisory determination(s) within 45 days after the date the SARC meets to consider the appeal, which meeting will be held within 90 days after either the date of the filing of the appeal or the date that the Division Director refers the appeal to the SARC.

8. Other Communications

Materials considered by the SARC will be shared with both parties to the appeal, subject to applicable legal limitations on disclosure. The Ombudsman will verify that both parties have received all materials considered by the SARC.

H. Publication of Decisions

Decisions of the SARC will be published as soon as practicable, and the published decisions will be redacted to avoid disclosure of the name of the appealing institution and any information exempt from disclosure under the Freedom of Information Act and the FDIC's document disclosure regulations found in 12 CFR part 309. In cases in which redaction is deemed insufficient to prevent improper disclosure, published decisions may be presented in summary form. Published SARC decisions may be cited as precedent in appeals to the SARC. Annual reports on the SARC's decisions and Division Directors' decisions with respect to institutions' requests for review of material supervisory determinations also will be published.

I. Appeal Guidelines Generally

Appeals to the SARC will be governed by these Guidelines. The SARC, with the concurrence of the Legal Division, will retain discretion to waive any provision of the Guidelines for good cause. Supplemental rules governing the SARC's operations may be adopted.

Institutions may request extensions of the time period for submitting appeals under these Guidelines from either the appropriate Division Director or the SARC Chairperson, as appropriate. If a filing under these Guidelines is due on a Saturday, Sunday, or a Federal holiday, the filing may be made on the next business day.

Institutions may request from the appropriate Division Director a stay of a supervisory action or determination while an appeal of that determination is pending. The request must be in writing and include the reason(s) for the stay. The Division Director has discretion to grant a stay and will generally decide whether to grant a stay within 21 days of receiving the institution's request. The Division Director may grant a stay subject to conditions, including time limitations, where appropriate.

J. Coordination With State Regulatory Authorities

In the event that a material supervisory determination subject to a request for review is the joint product of the FDIC and a State regulatory authority, the Director, DCP, the Director, RMS, or the Director, CISR, as appropriate, will promptly notify the appropriate State regulatory authority of the request, provide the regulatory authority with a copy of the institution's request for review and any other related materials, and solicit the regulatory authority's views regarding the merits of the request before making a determination. In the event that an appeal is subsequently filed with the SARC, the SARC will notify the institution and the State regulatory authority of its decision. Once the SARC has issued its determination, any other issues that may remain between the institution and the State regulatory authority will be left to those parties to resolve.

K. Effect on Supervisory or Enforcement Actions

The use of the procedures set forth in these Guidelines by any institution will not affect, delay, or impede any formal or informal supervisory or enforcement action in progress during the appeal or affect the FDIC's authority to take any supervisory or enforcement action against that institution.

L. Effect on Applications or Requests for Approval

Any application or request for approval made to the FDIC by an institution that has appealed a material supervisory determination that relates to, or could affect the approval of, the application or request will not be considered until a final decision concerning the appeal is made unless otherwise requested by the institution.

M. Prohibition on Examiner Retaliation

The FDIC has an experienced examination workforce and is proud of its professionalism and dedication. FDIC policy prohibits any retaliation, abuse, or retribution by an agency examiner or any FDIC personnel against an institution. Such behavior against an institution that appeals a material supervisory determination constitutes unprofessional conduct and will subject the examiner or other personnel to appropriate disciplinary or remedial action. In light of this important principle, the Ombudsman will monitor the supervision process following an institution's submission of an appeal under these Guidelines. The

Ombudsman will report to the Board on these matters periodically.

Institutions that believe they have been retaliated against are encouraged to contact the Regional Director for the appropriate FDIC region. Any institution that believes or has any evidence that it has been subject to retaliation may file a complaint with the Director, Office of the Ombudsman, Federal Deposit Insurance Corporation, 3501 Fairfax Drive, Suite E–2022, Arlington, VA 22226, explaining the circumstances and the basis for such belief or evidence and requesting that the complaint be investigated and appropriate disciplinary or remedial action taken. The Office of the Ombudsman will work with the appropriate Division Director to resolve the allegation of retaliation.

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on October 18, 2022.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2022–22946 Filed 10–20–22; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting; Notice of Meeting Held With Less Than Seven Days Advance Notice

TIME AND DATE: 10:00 a.m. on Tuesday, October 18, 2022.

PLACE: The meeting was held in the FDIC Board Room, 550 17th Street NW, Washington, DC, and was webcast to the public.

MATTERS TO BE CONSIDERED: Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors met in open session at 10:00 a.m. on Tuesday, October 18, 2022 to consider the matters listed below. Prior to the meeting, the Board of Directors unanimously determined that the matter ''Memorandum and resolution re: Advanced Notice of Proposed Rulemaking entitled 'Resolution-Related Resource Requirements for Large Banking Organizations.' '' be added to the discussion agenda with less than seven days' notice to the public, and that no earlier notice of the addition was possible than that given on Friday, October 14.

Summary Agenda

Disposition of Minutes of a Board of Directors' Meeting Previously Distributed.

Memorandum and resolution re: Final Rule on Assessments—Amendments to Incorporate Troubled Debt Restructuring Accounting Standards Update.

Memorandum and resolution re: Designated Reserve Ratio for 2023.

Summary report of actions taken pursuant to authority delegated by the Board of Directors.

Discussion Agenda

Memorandum and resolution re: Final Rule on Assessments, Revised Deposit Insurance Assessment Rates.

Memorandum and resolution re: Advanced Notice of Proposed Rulemaking entitled ''Resolution-Related Resource Requirements for Large Banking Organizations.''

Memorandum and resolution re: Proposed Amendments to the Guidelines for Appeals of Material Supervisory Determinations.

CONTACT PERSON FOR MORE INFORMATION: Requests for further information concerning the meeting may be directed to Debra A. Decker, Executive Secretary of the Corporation, at 202–898–8748.

Dated at Washington, DC, on October 18, 2022.

Federal Deposit Insurance Corporation.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2022–22967 Filed 10–20–22; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

TIME AND DATE: 11:23 a.m. on Tuesday, October 18, 2022.

PLACE: The meeting was held in the Board Room located on the sixth floor of the FDIC Building located at 550 17th Street NW, Washington, DC.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The Board of Directors of the Federal Deposit Insurance Corporation met to consider matters related to the Corporation's supervision, corporate, and resolution activities. In calling the meeting, the Board determined, on motion of Director Michael J. Hsu (Acting Comptroller of the Currency), seconded by Director Rohit Chopra (Director, Consumer Financial Protection Bureau), and concurred in by Acting Chairman Martin J. Gruenberg, that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the ''Government in the Sunshine Act'' (5 U.S.C. 552b (c)(2), (c)(4), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10).

CONTACT PERSON FOR MORE INFORMATION: Requests for further information concerning the meeting may be directed to Debra A. Decker, Executive Secretary of the Corporation, at 202–898–8748.

Dated this the 18th day of October, 2022.

Federal Deposit Insurance Corporation.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2022–22968 Filed 10–20–22; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)).

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington DC 20551–0001, not later than November 21, 2022.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice

President) 1 Memorial Drive, Kansas City, Missouri 64198–0001:

1. *WSB Financial, Inc., Leesburg, Florida;* to become a bank holding company by acquiring J&M Bancshares, Inc., and thereby indirectly acquiring The Walton State Bank, both of Walton, Kansas.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2022–22897 Filed 10–20–22; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

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

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

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than November 4, 2022.

A. Federal Reserve Bank of St. Louis (Holly A. Rieser, Senior Manager) P.O. Box 442, St. Louis, Missouri 63166–2034. Comments can also be sent electronically to *Comments.applications@stls.frb.org*:

1. *Alberta Fleming, Michael F. Fleming, and the MFF Trust, Michael F. Fleming, as trustee, all of Litchfield, Illinois; Susan K. Wetzel, and the SKW Trust, Susan K. Wetzel, as trustee, all of Hillsboro, Illinois;* together as a family control group, a group acting in concert, to retain voting shares of Litchfield Bancshares Company, Inc., and thereby indirectly retain voting shares of The Litchfield National Bank, both of Litchfield, Illinois.

B. Federal Reserve Bank of Dallas (Karen Smith, Director, Applications) 2200 North Pearl Street, Dallas, Texas 75201–2272:

1. *Cynthia S. Shaw, Austin, Texas;* to acquire additional voting shares of Big Bend Bancshares Corporation, and indirectly acquire additional voting shares of Big Bend Banks, N.A. dba The Marfa National Bank, both of Marfa, Texas.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2022–22894 Filed 10–20–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Supplemental Evidence and Data Request on Strategies for Integrating Behavioral Health and Primary Care

AGENCY: Agency for Healthcare Research and Quality (AHRQ), HHS.

ACTION: Request for supplemental evidence and data submissions.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) is seeking scientific information submissions from the public. Scientific information is being solicited to inform our review on *Strategies for Integrating Behavioral Health and Primary Care,* which is currently being conducted by the AHRQ's Evidence-based Practice Centers (EPC) Program. Access to published and unpublished pertinent scientific information will improve the quality of this review.

DATES: *Submission Deadline* on or before November 21, 2022.

ADDRESSES:

Email submissions: epc@ahrq.hhs.gov.

Print submissions:

Mailing Address: Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, Attn: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E53A, Rockville, MD 20857.

Shipping Address (FedEx, UPS, etc.): Center for Evidence and Practice Improvement, Agency for Healthcare Research and Quality, Attn: EPC SEADs Coordinator, 5600 Fishers Lane, Mail Stop 06E77D, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Jenae Benns, Telephone: 301–427–1496 or email: *epc@ahrq.hhs.gov.*

SUPPLEMENTARY INFORMATION: The Agency for Healthcare Research and Quality has commissioned the Evidence-based Practice Center (EPC) Program to complete a review of the evidence for *Strategies for Integrating Behavioral Health and Primary Care.* AHRQ is conducting this systematic review pursuant to Section 902 of the Public Health Service Act, 42 U.S.C. 299a. The EPC Program is dedicated to identifying as many studies as possible that are relevant to the questions for each of its reviews. In order to do so, we are supplementing the usual manual and electronic database searches of the literature by requesting information from the public (*e.g.,* details of studies conducted). We are looking for studies that report on Strategies for Integrating Behavioral Health and Primary Care, including those that describe adverse events. The entire research protocol is available online at: *https://effectivehealthcare.ahrq.gov/products/strategies-integrating-behavioral-health/protocol.* This is to notify the public that the EPC Program would find the following information on Strategies for Integrating Behavioral Health and Primary Care helpful:

- A list of completed studies that your organization has sponsored for this indication. In the list, please *indicate whether results are available on ClinicalTrials.gov along with the ClinicalTrials.gov trial number.*
- *For completed studies that do not have results on ClinicalTrials.gov,* a summary, including the following elements: study number, study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, primary and secondary outcomes, baseline characteristics, number of patients screened/eligible/enrolled/lost to follow-up/withdrawn/analyzed, effectiveness/efficacy, and safety results.
- *A list of ongoing studies that your organization has sponsored for this indication.* In the list, please provide the *ClinicalTrials.gov* trial number or, if the trial is not registered, the protocol for the study including a study number, the study period, design, methodology, indication and diagnosis, proper use instructions, inclusion and exclusion criteria, and primary and secondary outcomes.
- Description of whether the above studies constitute *ALL Phase II and above clinical trials* sponsored by your

organization for this indication and an index outlining the relevant information in each submitted file.

Your contribution is very beneficial to the Program. Materials submitted must be publicly available or able to be made public. Materials that are considered confidential; marketing materials; study types not included in the review; or information on indications not included in the review cannot be used by the EPC Program. This is a voluntary request for information, and all costs for complying with this request must be borne by the submitter. The draft of this review will be posted on AHRQ's EPC Program website and available for public comment for a period of 4 weeks. If you would like to be notified when the draft is posted, please sign up for the email list at: *https://www.effectivehealthcare.ahrq.gov/email-updates.*

The systematic review will answer the following questions. This information is provided as background. AHRQ is not requesting that the public provide answers to these questions.

Questions for the Systematic Review

Question 1 (Scan). What approaches have been used to integrate behavioral health and primary care?

a. How do these approaches vary by:

(i) patient characteristics (*e.g.,* clinical focus/conditions/patient subgroups)
(ii) core components of the approach
(iii) practice/care delivery setting characteristics such as the policy environment, and geographic location.
(iv) resources and infrastructure required, such as staffing, payment models, financing, and technology
(v) mechanisms of care integration

Question 2 (Key). How effective are approaches to integrating behavioral health and primary care?

a. Does effectiveness vary by:

(i) patient characteristics (*e.g.,* clinical focus/conditions/patient subgroups)
(ii) core components of the approach
(iii) practice/care delivery setting characteristics, such as the policy environment, and geographic location.
(iv) resources and infrastructure required, such as staffing, financing, payment models, and technology
(v) mechanisms of care integration

b. How do interactions among the components of integration approaches impact effectiveness and maintenance of the integration of behavioral health and primary care?

Question 3 (Contextual). What are the barriers to and facilitators of implementing and sustaining different approaches to integrating behavioral health and primary care?

a. How do the barriers, facilitators, and other factors involved in the implementation of behavioral health and primary care interact to affect implementation and sustainability?

Question 4 (Contextual). What reliable, valid, clinically meaningful, and/or patient-centered measures and metrics are available to monitor and evaluate integration approaches?

a. How is measurement integrated into clinical care and the ongoing monitoring and evaluation of integration?

b. Are the measures or metrics specific to characteristics; level of complexity; or the structure, process, or outcomes of care integration?

c. Are there models or standards for how frequently the effectiveness of approaches to integration should be reassessed?

d. What are the gaps in measurement and what are the implications for our current ability to measure and assess integration?

Question 5 (Contextual). How are care team member roles and their work flows defined in different approaches to integrating behavioral health and primary care?

a. What training interventions (*e.g.,* mode and content, trainee credentials, dose and timing of training) are effective in facilitating integrated care team functioning?

POPULATION, INTERVENTIONS, COMPARATORS, OUTCOMES, AND SETTING (PICOS)

PICOS	Inclusion	Exclusion
Population	Children (aged 0–20 years) and adults (aged ≥21 years) with behavioral health needs. *Clinical focus/conditions including but not limited to patients with:* • Mental illness or mental health conditions • Substance use disorders • Stress-linked physical symptoms (*e.g.,* insomnia, fatigue) • Complex overlapping medical conditions and psychosocial risk factors • Experiences of trauma, adverse experiences, or stressful life events • Pregnant patients • Geriatric patients	• No exclusions for age or condition.
Intervention	Different approaches to integrating behavioral health and primary care services, including program/model components and strategies to integrate care. Examples of eligible programs/models for care integration include but are not limited to: • Collaborative Care Model • Primary Care Behavioral Health Model • Co-location models • Models that use telehealth for integration The baseline requirement is that the practice design of the approach facilitates interaction among primary care and behavioral health providers in the provision of care. Ongoing collaboration and coordination of care are required; activities may include screening and diagnosis, acute and long-term interventions, and follow up and maintenance.	• Co-location without collaboration. • Referral only (cold handoff). • Warm handoff without plan for continued communication and coordination of care. • Population level health promotion or prevention programs that are not individualized, integrated care (*e.g.,* Silver Sneakers). • Interventions for chronic medical conditions that do not include a significant, explicit behavioral health component.

POPULATION, INTERVENTIONS, COMPARATORS, OUTCOMES, AND SETTING (PICOS)—Continued

PICOS	Inclusion	Exclusion
Comparator	• Care as usual (*e.g.,* non-integrated behavioral health and primary care services) in a different group or time period • Alternative care integration strategy or strategies • No care	• No comparator for KQ 2 (descriptive studies; such as case studies). • Comparators not applicable to other questions.
Outcomes	Outcomes of interest include but not limited to: *PATIENT LEVEL* *Health outcomes:* • Morbidity • Mortality • Improved symptoms • Guideline concordant screening and diagnosis • Remission/recovery • Adherence to treatment *Patient Reported Outcomes:* • Health related quality of life • Functional status (including social and adaptive functioning) • Satisfaction with care *Measures of care utilization:* • Avoidable emergency care or inpatient care for behavioral health crises • Total health care utilization *Measures of access to care:* • Patients receive routine care as soon as wanted • Patients receive acute care when needed • Average wait time for BH • Patients experiencing difficulties or delays in obtaining BH care • Patients with mental health condition received treatment • Patients with SUDs received treatment *CLINICIAN AND PRACTICE LEVEL* *Clinician Outcomes:* • Clinician retention/turnover rates • Burnout • Professional satisfaction • Efficiency of clinician time use *Population/community/clinic panel health outcomes:* • BH-related preventive care measures • BH screening services *Cost outcomes:* • Cost per patient per year • Cost per service • Costs associated with care delays, fragmentation, poor coordination, redundancy, requested but not completed patient referrals *Implementation Outcomes:* • Adoption of intervention approaches • Fidelity • Systemic Change/Sustainment *HARMS* • Missed diagnoses • Delays in care • Overutilization of resources • Redundant or inappropriate care	Simulated results or responses to hypothetical scenarios or questions.
Setting	• Health systems/hospitals and community-based primary care practices in the United States (physical or virtual) or in countries with similar healthcare systems • Non-healthcare settings providing outpatient BH/PC (school-based clinics, community centers, churches, shelters) • Nursing homes, group homes and other long-term residential settings	• Hospitals. • Prehospital/EMS/crisis care. • Prisons. • Countries with healthcare systems that do not provide information relevant to the U.S.
Study Designs	• Experimental and observational studies that describe and evaluate integration approach. • For Scan Question 1 and Contextual Questions 3 and 5: Survey and Qualitative Studies. • For Contextual Question 4: Psychometric Studies • Systematic reviews that directly address one of the review questions	• Articles that do not include any data. • Proposals for approaches that have not been implemented. • Descriptions of approaches that have not been evaluated (for KQ2). • Articles reporting simulation or speculation.

Abbreviations: BH = behavioral health; EMS = emergency medical services; KQ = key question; PC = primary care.

Dated: October 17, 2022.

Marquita Cullom,

Associate Director.

[FR Doc. 2022–22843 Filed 10–20–22; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–23–23AH; Docket No. CDC–2022–0125]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a proposed information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Community Health Workers for COVID Response and Resilient Communities (CCR) National Evaluation. This data collection will assess the activities implemented by the 68 recipients of the CDC–RFA–DP21–2109 CCR NOFO (CCR award recipients).

DATES: CDC must receive written comments on or before December 20, 2022.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2022–0125 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: *Submit all comments through the Federal eRulemaking portal (www.regulations.gov) or by U.S. mail to the address listed above.*

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road, NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7118; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected;
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and
5. Assess information collection costs.

Proposed Project

Community Health Workers for COVID Response and Resilient Communities (CCR) National Evaluation—New—National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

CDC is requesting a New Information Collection Request titled Community Health Workers for COVID Response and Resilient Communities (CCR) National Evaluation. In 2021, CDC funded DP21–2109, ''Community Health Workers for COVID Response and Resilient Communities (CCR)''. DP21–2109 funds 68 CCR recipients across the United States to train and deploy community health workers (CHWs) to support COVID–19 response efforts and to build and strengthen community resilience to fight COVID–19 through addressing existing health disparities. Thirty-two of the 68 recipients were funded for Component A, Capacity Building, which focuses on building capacity among CHWs, and 36 recipients are funded for Component B, Implementation Ready, which focuses on enhancing and expanding existing CHW efforts. DP21–2109 is funded for a three-year period, from September 2021 through August 2024.

CDC also funded CDC–RFA–DP21–2110, ''Community Health Workers for COVID Response and Resilient Communities (CCR)—Evaluation and Technical Assistance'' (CCR–ETA recipients) at the same time the agency funded DP21–2109. Two recipients were funded to design and conduct the national evaluation of DP21–2109 CCR and will lead the information collection described in this request.

The CCR National Evaluation aims to collect consistent, systematic information from the 68 CDC–RFA–DP21–2109 award recipients through two primary data collection efforts: (1) a CCR recipient survey; and (2) a survey of Community Health Workers (CHWs) funded through CCR. The CCR recipient survey will collect information about program management, organizational infrastructure, CHW implementation practices, populations of focus served by CCR funded efforts, non-CDC resources supporting the program, and other aspects of program implementation. The CHW survey will collect information about CHW roles, integration into community-based and care COVID response teams, core competency training, supervision, implementation activities, and compensation. The surveys will be administered by the CCR–ETA award recipients. Both surveys will be available in English and Spanish.

The goal of this data collection is to assess the activities implemented by the 68 recipients of the CDC–RFA–DP21–2109 CCR NOFO (CCR award recipients), as part of the three CCR core strategies (*i.e.,* CHW training, deployment, and engagement with COVID–19 response teams) and the intended outcomes of these activities on the CCR populations of focus. CDC will use resulting information to describe the

implementation of CCR at the national level, inform future community-based and CHW-led COVID response programs, and, in conjunction with secondary data sources, assess some important health outcomes, including vaccination rates among some populations of focus.

CDC requests OMB approval for an estimated 578 annual burden hours. There are no costs to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
CDC–RFA–DP21–2109 CCR recipients.	CCR Recipient Survey	68	1	25/60	28
CCR CHWs	CCR CHW Survey	1,100	1	30/60	550
Total					578

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2022–22929 Filed 10–20–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–23–1375; Docket No. CDC–2022–0124]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a proposed information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled 2022 Ebola Airport Entry Questionnaires. The purpose of this information collection is to determine the public health risk posed by travelers from areas affected by the 2022 outbreak of Ebola originating in Uganda.

DATES: CDC must receive written comments on or before December 20, 2022.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2022–0124 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected;
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and
5. Assess information collection costs.

Proposed Project

2022 Ebola Airport Entry Questionnaires—New—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC), National Center for Emerging and Zoonotic Infectious Diseases, Division of Global Migration and Quarantine (DGMQ) recently had a New Emergency Information Collection Request (ICR) approved for 2022 Ebola Airport Entry Questionnaires (OMB Control No. 0920–1375).

Section 361 of the Public Health Service (PHS) Act (42 U.S.C. 264) (Attachment A1) authorizes the Secretary of Health and Human Services to make and enforce regulations necessary to prevent the introduction, transmission or spread of communicable diseases from foreign countries into the United States. Under its delegated

authority, DGMQ works to fulfill this responsibility through a variety of activities, including the operation of Quarantine Stations at ports of entry and administration of foreign quarantine regulations; 42 Code of Federal Regulation part 71 (Attachment A2), specifically 42 CFR 71.20 Public health prevention measures to detect communicable disease. This ICR concerns CDC's statutory and regulatory authority related to conducting public health screening of travelers upon arrival to the United States and assessing individual travelers for public health risk following a report of illness from a conveyance.

The purpose of this information collection is to determine the public health risk that travelers from areas affected by the 2022 outbreak of Ebola originating in Uganda may pose. This information will be used to: (1) determine if travelers have symptoms consistent with Ebola and should be isolated and medically evaluated upon arrival in the US; and (2) assist state and local health departments with understanding which travelers from the region may be at higher risk of becoming ill with Ebola and should be prioritized for taking certain public health protection measures, such as quarantine.

CDC collects international travelers' contact information under authorities in the *Interim Final Rule: Control of Communicable Diseases: Foreign Quarantine* and CDC's Order *Requirement for Airlines and Operators to Collect and Transmit Designated Information for Passengers and Crew Arriving Into the United States; Requirement for Passengers to Provide Designated Information.* Traveler contact information is sent to CDC though an existing data-sharing infrastructure in place between the United States Department of Homeland Security (DHS) and HHS/CDC and approved in OMB Control 0920–1354. Contact information for travelers who have been to an area affected by the outbreak during the 21 days prior to arrival will be confirmed at the port of entry. CDC will share contact information for these travelers with state and local health departments so that they can do possible public health follow up, including public health assessment of exposure risk and monitoring for Ebola symptoms, and education to travelers. These public health interventions will help state and local health departments determine the appropriate level of follow-up needed based on the traveler's level of risk, and rapidly identify any travelers with symptoms that may need to be prioritized for more targeted public health measures, such as quarantine, due to a higher risk of exposure to Ebola.

To implement the 2022 Ebola Entry Questionnaire information collection, CDC will first require all travelers from designated areas affected by the 2022 outbreak of Ebola originating in Uganda, to undergo an initial Ebola screening to determine if CDC needs to do further public health risk assessment or illness response at the airport. DHS will refer travelers that have been to designated areas to another location of the airport where CDC will ask initial Ebola screening questions. DHS will also provide the contact information they have received to CDC electronically as part of the information collection under OMB Control No. 0920–1354. CDC will escort travelers to the area of the initial Ebola screening and confirm with the traveler that the contact information on file is correct. CDC will inform DHS if there are any necessary corrections needed to the contact information.

In this initial Ebola screening setting, CDC will ask basic questions about signs or symptoms of illness (*e.g.,* fever, or vomiting, or diarrhea, etc.) or possible exposure (*e.g.,* contact with a person sick with Ebola, attendance at a funeral, etc.) as well as observe travelers to determine if the traveler is experiencing any overt signs and symptoms of disease and measure their temperature with a noncontact thermometer. If a traveler answers ''Yes'' to any of these initial screening questions, is visibly ill, or has a fever, the traveler will then be referred to another area of the airport for a public health risk assessment by CDC. The public health risk assessment will help CDC investigate further to determine if the traveler could be sick with Ebola or to get more information about a possible exposure to the Ebola virus to determine if the traveler is high-risk.

The CDC staff member doing the initial Ebola screening will escort the traveler to the new area of the airport for further public health risk assessment questions by other staff members of CDC. They will indicate the reason the traveler is being referred for further public health risk assessment to the new CDC staff member. Any person who is visibly ill or reports signs or symptoms, or has an elevated temperature measurement, will undergo an illness investigation using the *Air Travel Illness or Death Investigation or Traveler Follow up Form* that is currently approved under OMB Control No. 0920–1318. Staff will take necessary precautions to prevent possible exposures by any ill travelers, such as wearing appropriate personal protective equipment during any illness investigation.

During the CDC public health risk assessment, CDC will ask more detailed questions about possible exposures, such as symptoms, whether they were exposed to a person with Ebola, and the nature of contact (*e.g.,* provided direct healthcare). Depending on their symptoms and how they answer, CDC may refer the person for medical care. If CDC staff identify any travelers with high-risk exposures, management will be coordinated directly with the health departments of jurisdiction for both the airport where traveler is located and their final destination. Issuance of public health orders under federal or state authorities may also be considered. Any information from these public health risk assessments, as well as information related to an illness investigation will be recorded in CDC's Quarantine Activity Reporting System, which is covered by the System of Records Notice 09–20–0171, Quarantine-and Traveler-Related Activities.

CDC anticipates certain time and cost burdens to respondents and record keepers due to the requirements and requests OMB approval for an estimated 6,260 burden hours. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Respondent	Information collection form	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours (in hours)
Traveler	Initial Screening Questions	53,655	1	5/60	4,47

ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Respondent	Information collection form	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours (in hours)
Traveler	Public Health Assessment for Travelers From Ebola Outbreak-Affected Countries.	5,635	1	20/60	1,789
Total					6,260

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2022–22932 Filed 10–20–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–23–1208; Docket No. CDC–2022–0123]

Proposed Data Collection Submitted for Public Comment and Recommendations

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice with comment period.

SUMMARY: The Centers for Disease Control and Prevention (CDC), as part of its continuing effort to reduce public burden and maximize the utility of government information, invites the general public and other federal agencies the opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Developmental/Methodologic Projects to Improve the National Health and Nutrition Examination Survey and Related Programs. The goals of these projects are to conduct voluntary customer surveys to assess strengths in agency products and services and to evaluate how well it addresses the emerging needs of its data users.

DATES: CDC must receive written comments on or before December 20, 2022.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2022–0123 by either of the following methods:

- *Federal eRulemaking Portal: www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329.

Instructions: All submissions received must include the agency name and Docket Number. CDC will post, without change, all relevant comments to *www.regulations.gov.*

Please note: Submit all comments through the Federal eRulemaking portal (*www.regulations.gov*) or by U.S. mail to the address listed above.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the information collection plan and instruments, contact Jeffrey M. Zirger, Information Collection Review Office, Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS H21–8, Atlanta, Georgia 30329; Telephone: 404–639–7570; Email: *omb@cdc.gov.*

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. In addition, the PRA also requires federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each new proposed collection, each proposed extension of existing collection of information, and each reinstatement of previously approved information collection before submitting the collection to the OMB for approval. To comply with this requirement, we are publishing this notice of a proposed data collection as described below.

The OMB is particularly interested in comments that will help:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected;

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submissions of responses; and

5. Assess information collection costs.

Proposed Project

Developmental/Methodologic Projects to Improve the National Health and Nutrition Examination Survey and Related Programs, (OMB Control No. 0920–1208, Exp. 08/31/2023)—Extension—National Center for Health Statistics (NCHS), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

Section 306 of the Public Health Service (PHS) Act (42 U.S.C. 242k), as amended, authorizes that the Secretary of Health and Human Services (DHHS), acting through NCHS, shall collect statistics on the extent and nature of illness and disability; environmental, social and other health hazards; and determinants of health of the population of the United States. The Division of Health and Nutrition Examination Surveys (DHNES) has conducted national surveys and related projects periodically between 1970 and 1994, and continuously since 1999. The mission of DHNES programs is to produce descriptive statistics which measure the health and nutrition status of the general population. The continuous operation of DHNES programs presents unique challenges in testing new survey content and activities, such as outreach or participant screening etc.

This Generic Information Collection Request (ICR) covers developmental projects to help evaluate and enhance DHNES existing and proposed data

collection activities to increase research capacity and improve data quality. The information collected through this Generic ICR will not be used to make generalizable statements about the population of interest or to inform public policy; however, methodological findings from these projects may be reported. The purpose and use of projects under this National Health and Nutrition Examination Survey (NHANES) Generic Clearance would include developmental projects necessary for activities such as testing new procedures, equipment, technology and approaches that are going to be folded into NHANES or other NCHS programs; designing and testing examination components or survey questions; creating new studies including biomonitoring and clinical measures; creating new cohorts, including a pregnancy and/or a birth—24 month cohort; testing of the cognitive and interpretive aspects of survey methodology; feasibility testing of proposed new components or modifications to existing components; testing of human-computer interfaces/usability; assessing the acceptability of proposed NHANES components among likely participants; testing alternative approaches to existing NHANES procedures, including activities related to improving nonresponse; testing the use of or variations/adjustments in incentives; testing content of web based surveys; testing the feasibility of obtaining bodily fluid specimens (*e.g.,* blood, urine, semen, saliva, breastmilk) and tissue samples (swabs); testing digital imaging technology and related procedures (*e.g.,* retinal scan, liver ultrasound, Dual-energy X-ray absorptiometry (DEXA), prescription and over-the-counter dietary supplements bottles); testing the feasibility of and procedure/processes for accessing participant's medical records from healthcare settings (*e.g.,* hospitals and physician offices); testing the feasibility and protocols for home examination measurements; testing survey materials and procedures to improve response rates, including changes to advance materials and protocols, changes to the incentive structure, introduction of new and timely outreach and awareness procedures including the use of social media; conducting crossover studies; creating and testing digital survey materials; and conducting customer satisfaction assessments.

The types of participants covered by the NHANES Generic ICR may include current or past NHANES participants; family or household members of NHANES participants; individuals eligible to be participants in NHANES, but who did not screen into the actual survey; convenience samples; volunteers; subject matter experts or consultants such as survey methodologist, academic researchers, clinicians or other health care providers; NHANES data or website users; members of the general public or individuals abroad who would be part of a collaborative development project or projects between NCHS and related public health agencies in the U.S. and/or abroad. The type of participant involved in a given developmental project would be determined by the nature of the project. The details of each project will be included in the specific GenIC submissions.

CDC requests OMB approval for an estimated 59,465 annualized burden hours for this Generic ICR. A three-year clearance is requested. There is no cost to respondents other than their time.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Individuals or Households	Developmental Projects & Focus Group documents.	35,000	1	90/60	52,500
Volunteers	Developmental Projects & Focus Group documents.	300	1	90/60	450
Individuals or households, Volunteers, NHANES Participants.	24-hour developmental projects	200	1	25	5,000
NHANES participants	Developmental Projects	1,000	1	90/60	1,500
Subject Matter Experts	Focus Group/Developmental Project Documents.	15	1	1	15
Total					59,465

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2022–22930 Filed 10–20–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–23–22ER]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled ''Formative Respirator and Protective Clothing Laboratory Testing'' to the Office of Management and Budget (OMB) for review and approval. CDC previously published a ''Proposed Data Collection Submitted for Public Comment and Recommendations'' notice on May 6, 2022, to obtain comments from the public and affected agencies. One public comment was received. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including

whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639–7570. 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. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395–5806. Provide written comments within 30 days of notice publication.

Proposed Project

Formative Respirator and Protective Clothing Laboratory Testing—NEW—National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention (CDC), National Institute for Occupational Safety and Health (NIOSH), is requesting approval of a New Generic Information Collection Request (ICR) for a period of three years under the project titled ''Formative Respirator and Protective Clothing Laboratory Testing.'' The National Personal Protective Technology Laboratory (NPPTL) is a division of the NIOSH which operates within the CDC. NIOSH is the federal institute specifically dedicated to generating new knowledge in the field of occupational safety and health and responsible for transferring that knowledge into practice for the betterment of workers.

NPPTL was established in 2001, at the request of Congress, with the mission of preventing disease, injury, and death for the millions of working men and women relying on personal protective technology (PPT). PPT plays an important role in keeping many workers within various industries safe while performing their professional duties. To achieve the Laboratory's mission, NPPTL conducts scientific research, develops guidance and authoritative recommendations, disseminates information, and responds to requests for workplace health hazard evaluations. The development of NPPTL filled a need for improved personal protective equipment (PPE) and focused research into PPT.

Respiratory protection, a specific type of PPE commonly tested by NPPTL, is the cornerstone of NPPTL's efforts. One of the primary responsibilities of the Laboratory is to test and approve respirators used in U.S. occupational settings. This function ensures a standard level of quality and filtration efficiency for all respirators used within a U.S. workplace setting. The NPPTL Respirator Approval Program exists to increase the level of worker protection from airborne particulates, chemicals, and vapors. In addition to respirators, NPPTL conducts research on other types of PPE, including chemical-resistant clothing, hearing protection, gloves, eye and face protective devices, hard hats, sensors to detect hazardous substances, and communication devices used for safety deployment of emergency workers. NPPTL PPE research examines exposure to inhalation hazards, dermal hazards, and any other hazardous environmental threats within an occupational setting.

PPE performance requirements and test methods are specified within: (1) federal regulations by NIOSH, Food and Drug Administration (FDA), and the Mine Safety and Health Administration (MSHA); and (2) voluntary consensus standards published by organizations such as the American National Standards Institute (ANSI), American Society for Testing and Materials (ASTM) International, and International Organization for Standardization (ISO). Thus, the information collected from human subjects in a laboratory setting are generally consistent across NPPTL studies with only the boundary conditions changing (*e.g.,* environmental conditions such as heat or humidity, human subject activity such as simulated surgery or climbing a ladder, distance between two subjects communicating by spoken word, various PPE use durations, or the use of novel PPE designs). Considering these consistent data collection methods employed with only changes in boundary conditions specified to a specific industry or standard, NPPTL requests a Generic ICR package for laboratory-collected information for testing respirators and protective clothing.

The resulting data will benefit the federal government in that the performance standards and test methods supported will directly aid in ensuring the adequate protection via PPE of workers across a variety of industry sectors. Furthermore, the continued research in these methods will ensure the performance standards and test methods are up to date with an ever-evolving workplace safety climate, as well as technological advancements in PPE. Through this data collection, the federal government will ultimately be able to efficiently react to the PPE protection needs of workers across the country thereby fulfilling CDC/NIOSH's mission.

The methods used to collect the information from human participants will include health screenings, demographic information collection instruments, psychometrically supported surveys of user experience and perception of PPE, direct physiological measurements of response to PPE, biological measures of physiological responses, anthropometric measures of body size and shape, measures of PPE fit, and measures of the body's movement through space (biomechanics). The respondent universe for the proposed data collection will be recruited from the general population but their demographic characteristics are expected to be reflective of the full spectrum of the U.S. workforce and from industries that rely heavily on PPE to protect workers (*e.g.,* healthcare and social assistance, public safety and emergency response, and agriculture). Because the U.S. worker population in some cases includes children down to the age of eight years in certain industries such as agriculture, it is expected that studies included in this data collection may also include children. Because respondents will be recruited via a variety of different avenues (email, flyers, advertisements, etc.), it is expected that the respondent pool will vary in gender, age, race/ethnicity, persons residing in rural and/or urban locations, and/or in specific regions or health jurisdictions. Additionally, pregnant women may also be a focus of these data collection efforts as pregnant women are regular users of PPE which must be considered due to

specific needs related to changes in body shape and size.

CDC estimates that up to 1,750 individuals could be burdened per year with an estimated annualized burden of 15,591 hours. There is no cost to respondents other than their time to participate.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)
Members of the general public	Informed Consent	970	1	30/60
	Health Screening Questionnaire: Standardized form w/decision logic allowing some questions to be omitted.	970	6	1
	Demographics Questionnaire: Standardized form w/decision logic allowing some questions to be omitted, W–9 Tax Form, etc.	970	1	30/60
	Job-related Data: Occupational tasks, postures used, duration of exposure, etc.	970	1	15/60
	Physiological Measurements: Chest-worn heart rate monitor strap, COSMED Kb5, SQ2020–1F8 temperature logger, TOSCA 500 pulse oximeter, koken breathing waveform recording mask, etc.	200	6	1.5
	Biological Measurements: Cortisol (stress) levels, pregnancy tests, hydration status, lipids, inflammatory markers, heat shock proteins, etc.	100	6	15/60
	Anthropometric Measurements: Calipers/digital measuring of facial and body dimensions.	750	1	15/60
	Respirator Fit Measurements: Filter cassettes with air pumps,fit-testing equipment, QLFT/sodium saccharin solution etc.	225	100	15/60
	Self-Perception Data: Level of exertion, perceived comfort level, heat sensation, fatigue, etc.	500	6	15/60
	Biomechanics Measurements: Force plate, stopwatch, accelerometers, etc.	30	3	30/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Scientific Integrity, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2022–22928 Filed 10–20–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10260]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

ACTION: Notice; partial withdrawal.

SUMMARY: On Wednesday, October 5, 2022, the Centers for Medicare & Medicaid Services (CMS) published a notice document entitled, ''Agency Information Collection Activities: Proposed Collection; Comment Request''. That notice invited public comments on two separate information collection requests, under Document Identifiers: CMS–10260 and CMS–10142. Through the publication of this document, we are withdrawing the portion of the notice requesting public comment on the information collection request titled, '' Medicare Advantage and Prescription Drug Program: Final Marketing Provisions.'' Form number: CMS–10260 (OMB control number: 0938–1051).

DATES: The original comment period for the document that published on October 5, 2022, remains in effect and ends December 5, 2022.

SUPPLEMENTARY INFORMATION: In FR document, 2022–21657, published on October 5, 2022 (87 FR 60403), we are withdrawing item 1 ''Medicare Advantage and Prescription Drug Program: Final Marketing Provisions in 42 CFR 422.111(a)(3) and 423.128(a)(3)'' which begins on page 60404. The notice will be republished at a later date, thereby allowing the public to have a full 60-day comment period.

Dated: October 17, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–22844 Filed 10–20–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10407 and CMS–R–244]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the

Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, and to allow a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments on the collection(s) of information must be received by the OMB desk officer by November 21, 2022.

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.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice that summarizes the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Summary of Benefits and Coverage and Uniform Glossary; *Use:* This information collection will ensure that over 30 million consumers shopping for or enrolled in private, individually purchased, or non-federal governmental group health plan coverage receive the consumer protections of the Affordable Care Act. Employers, employees, and individuals will use this information to compare coverage options prior to selecting coverage and to understand the terms of, and extent of medical benefits offered by, their coverage (or exceptions to such coverage or benefits) once they have coverage. *Form Number:* CMS–10407 (OMB control number 0938–1146); *Frequency:* Annually; *Affected Public:* Private Sector—Business or other for-profits and not-for-profit institutions; *Number of Respondents:* 90,805; *Number of Responses:* 10,507,165; *Total Annual Hours:* 204,140. (For policy questions regarding this collection contact Daniel Kidane at *daniel.kidane@cms.hhs.gov.*)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title:* Programs of All-Inclusive Care for the Elderly (PACE); *Use:* PACE is a pre-paid, capitated plan that provides comprehensive health care services to frail, older adults in the community, who are eligible for nursing home care according to state standards. PACE programs must provide all Medicare and Medicaid covered services; financing of this model is accomplished through prospective capitation of both Medicare and Medicaid payments. Upon approval of a PACE application, CMS executes a three-way program agreement with the applicant entity and the applicable state. With certain exceptions, this information collection addresses all operational components of the PACE program, as defined in 42 CFR part 460. *Form Number:* CMS–R–244 (OMB control number: 0938–0790); *Frequency:* Once and occasionally; *Affected Public:* Private sector (business or other for profits and not-for-profit institutions); *Number of Respondents:* 179; *Total Annual Responses:* 121,407; *Total Annual Hours:* 97,069. (For policy questions regarding this collection contact Lauren Brandow at 410–786–9765.)

Dated: October 18, 2022.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2022–22949 Filed 10–20–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Trafficking Victim Assistance Program Data (OMB #0970–0467)

AGENCY: Office on Trafficking in Persons, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office on Trafficking in Persons (OTIP), Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS), is requesting to renewal with revisions of an approved information collection: Trafficking Victim Assistance Program (TVAP) Data (OMB #0970–0467).

DATES: *Comments due within 30 days of publication.* OMB must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

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. You can also obtain copies of the proposed collection of information by emailing *infocollection@acf.hhs.gov.* Identify all emailed requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: OTIP proposes to continue to collect information to measure grant project performance, provide technical assistance to grant recipients, assess program outcomes, inform program evaluation, respond to congressional inquiries and mandated

reports, and inform policy and program development that is responsive to the needs of victims.

The information collection captures information on participant demographics (*e.g.,* age, gender identity, race/ethnicity, country of origin), type of trafficking experienced (sex, labor, or both), types of services and benefits provided, along with aggregate information on the amount of money spent on each type of service provided, outreach activities conducted, subrecipients enrolled, and the types of trainings provided to relevant audiences. Minor updates have been made to performance indicators under this collection in consultation with existing grant recipients and stakeholders, to reduce respondent burden, strengthen client privacy and confidentiality, and to bring the collection into alignment with program requirements under the revised TVAP. Specifically, to reduce burden and strengthen client privacy and confidentiality, the following TVAP client-level indicators have been removed: Type of Intake, Date of Birth, Services Requested at Intake, Benefits Requested at Intake, Trafficker Relationship to Victim, and Employment Status at Case Closure. To reduce respondent burden, additional proposed outreach and subrecipient indicators have also been removed: Screening Tool Used During Outreach, Goal of Subrecipient Partnership, Type of Subrecipient Partnership; Services Provided by Subrecipient (In-House) and Services Provided by Subrecipient (by Referral) have been collapsed into one category: Services Provided By Subrecipient. To bring the collection into alignment with the revised TVAP requirements, outreach-specific indicators have been added, specifically: Number of Outreach Activities Conducted, Date of Outreach Activity, Outreach Settings, Target Population(s), Number of Victims Identified. The TVAP Spending Form was renamed to Categories of Assistance and categories have been simplified to reduce reporting burden.

Respondents: TVAP Grant Recipients and Clients of those programs, specifically the: TVAP (HHS–2022–ACF–IOAS–OTIP–ZV–0150), Aspire: Child Trafficking Victim Assistance Demonstration Program (HHS–2022–ACF–IOAS–OTIP–TV–0099), Victims of Human Trafficking Services and Outreach Program—Pacific Region Demonstration Program (VHT–SO Pacific) (HHS–2022–ACF–IOAS–OTIP–ZV–0038) and the Lighthouse: Services, Outreach, and Awareness for Labor Trafficking (Lighthouse) Demonstration Program (HHS–2022–ACF–IOAS–OTIP–ZV–0059).

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Total number of responses per respondent	Average burden hours per response	Total burden hours	Annual burden hours
Client Characteristics and Program Entry	6600	1	0.75	4950	1650
Client Case Closure	6600	1	0.167	1102.2	367.4
Barriers to Service Delivery and Monitoring	386	4	0.167	257.85	85.95
Client Service Use and Delivery	6600	1	0.25	1650	550
Victim Outreach	386	4	0.3	463.2	154.4
Training	386	4	0.5	772	257.3
Subrecipient Enrollment	193	2	0.167	64.5	21.5
Categories of Assistance	193	1	0.5	96.5	32.2

Estimated Total Annual Burden Hours: 3118.75.

Authority: 22 U.S.C. 7105.

Mary B. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2022–22842 Filed 10–20–22; 8:45 am]

BILLING CODE 4184–47–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2017–D–6528]

Refusal of Inspection by a Foreign Food Establishment or Foreign Government; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the availability of a final guidance for industry entitled ''Refusal of Inspection by a Foreign Food Establishment or Foreign Government.'' The guidance will provide information for foreign food establishments subject to our inspection, as well as foreign governments, on when we may consider that a foreign food establishment or a government of a foreign country has refused to permit an inspection by us as provided in the Federal Food, Drug, and Cosmetic Act (FD&C Act).

DATES: The announcement of the guidance is published in the **Federal Register** on October 21, 2022.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets

Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2017–D–6528 for ''Refusal of Inspection by a Foreign Food Establishment or Foreign Government.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the guidance to the Compliance Policy Staff/Office of Compliance, Center for Food Safety and Applied Nutrition (HFS–605), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740. Send two self-addressed adhesive labels to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance.

FOR FURTHER INFORMATION CONTACT: Yinqing Ma, Center for Food Safety and Applied Nutrition (HFS–605), Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2479.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a guidance for industry entitled ''Refusal of Inspection by a Foreign Food Establishment or Foreign Government.'' We are issuing this guidance consistent with our good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

In the **Federal Register** of December 12, 2017 (82 FR 58410), we made available a draft guidance for industry entitled ''Refusal of Inspection by a Foreign Food Establishment or Foreign Government'' and gave interested parties an opportunity to submit comments by February 26, 2018, for us to consider before beginning work on the final version of the guidance. We received several comments on the draft guidance and have modified the final guidance where appropriate. Changes to the guidance include: provided additional information on FDA's inspection authority; clarified that the investigator will inform the owner, operator, or agent in charge of the establishment when they consider their action to be a refusal and will explain the consequences of the refusal; and clarified that the Agency will make the final decision regarding refusal and listing on Import Alert 99–32. In addition, we made editorial changes to improve clarity. The guidance announced in this notice finalizes the draft guidance dated December 2017.

II. Electronic Access

Persons with access to the internet may obtain the guidance at either *https://www.fda.gov/FoodGuidances* or *https://www.regulations.gov.* Use the FDA website listed in the previous sentence to find the most current version of the guidance.

Dated: October 17, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–22884 Filed 10–20–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA 2016–D–4460]

Multiple Endpoints in Clinical Trials; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a final guidance for industry entitled ''Multiple Endpoints in Clinical Trials.'' This guidance provides sponsors and review staff with the Agency's thinking about the problems posed by multiple endpoints in the analysis and interpretation of study results and how these problems can be managed in clinical trials for human drugs, including drugs subject to licensing as biological products. This guidance finalizes the draft guidance of the same title issued on January 13, 2017.

DATES: The announcement of the guidance is published in the **Federal Register** on October 21, 2022.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that

identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• Mail/Hand Delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA 2016–D–4460 for ''Multiple Endpoints in Clinical Trials.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002 or to the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research (CBER), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Scott N. Goldie, Center for Drug Evaluation and Research, Office of Biostatistics, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 21, Rm. 3557, Silver Spring, MD 20993–0002, 301–796–2055, or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''Multiple Endpoints in Clinical Trials.'' This guidance describes various strategies for grouping and ordering endpoints for analysis of a drug's effects and applying some well-recognized statistical methods for managing multiplicity within a clinical trial to control the chance of making erroneous conclusions about a drug's effects. FDA's International Conference on Harmonization (ICH) guidance for industry ''E9 Statistical Principles for Clinical Trials'' is a broad-ranging guidance that includes discussion of multiple endpoints. This guidance provides greater detail on the topic of multiple endpoints.

Failure to account for multiplicity when there are several clinical endpoints evaluated in a clinical trial can lead to false positive conclusions regarding the effects of the drug. The regulatory concern regarding multiplicity arises principally in the evaluation of clinical trials intended to demonstrate effectiveness and support drug approval; however, this issue is important throughout the drug development process.

The focus of this guidance is control of the Type 1 error rate for the planned primary and secondary endpoints of a clinical trial so that the major findings are well supported. Multiplicity adjustments provide a means for controlling the Type 1 error rate when there are multiple analyses of the drug's effects. The issues of multiplicity and methods to address them are illustrated in the guidance with examples of different study endpoints. Both the issues and methods that apply to multiple endpoints also apply to other sources of multiplicity, including multiple doses, time points, or study population subgroups.

This guidance finalizes the draft guidance of the same title that published January 13, 2017 (82 FR 4353). FDA considered comments received on the draft guidance as the guidance was finalized. Changes from the draft to the final guidance include clarifications for some of the potential issues caused by including multiple endpoints in clinical trials and clarifications for some of the strategies for handling these issues. In addition, editorial changes were made to improve clarity by reducing redundancies in the text.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on ''Multiple Endpoints in Clinical Trials.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of

information are subject to review by OMB under the PRA. The collections of information in 21 *CFR 312.23* for the content and format of investigational new drug applications have been approved under OMB control number 0910–0014. The collections of information in 21 CFR part 314 for submitting applications for FDA approval to market a new drug have been approved under OMB control number 0910–0001. The collections of information in 21 CFR 201.56 and 201.57 for preparing and submitting labeling have been approved under OMB control number 0910–0572.

III. Electronic Access

Persons with access to the internet may obtain the guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov.*

Dated: October 17, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–22882 Filed 10–20–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2022–D–1061]

Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare; Draft Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of the draft guidance entitled ''Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare.'' FDA has developed this draft guidance to propose select updates to the guidance that clarify how the program may be applicable to certain medical devices that provide for more effective treatment or diagnosis of life-threatening or irreversibly debilitating diseases or conditions in populations impacted by health and/or healthcare disparities. This draft guidance is not final nor is it for implementation at this time.

DATES: Submit either electronic or written comments on the draft guidance by December 20, 2022 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2022–D–1061 for ''Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the draft guidance document entitled ''Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare'' to the Office of Policy, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002; or the Office of Communication, Outreach, and Development, Center for Biologics Evaluation and Research, Food and

Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Ouided Rouabhi, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G221, Silver Spring, MD 20993–0002, 240–402–2672; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

Consistent with the goals of the Breakthrough Devices Program, FDA is proposing select updates to the Breakthrough Devices Program guidance that clarify how the program may be applicable to certain medical devices that provide for more effective treatment or diagnosis of life-threatening or irreversibly debilitating diseases or conditions in populations impacted by health and/or healthcare disparities. The Breakthrough Devices Program may expedite the availability of certain medical devices that provide for more effective treatment or diagnosis of life-threatening or irreversibly debilitating diseases or conditions in populations impacted by health and/or healthcare disparities, thereby promoting and advancing health equity. Additionally, FDA is proposing updates, consistent with our obligations under the SUPPORT Act (Food, Drug, and Cosmetic Act section 515B (21 U.S.C. 360e-3)), to clarify that the Breakthrough Devices Program may be available to certain nonaddictive medical products to treat pain or addiction.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Electronic Access

Persons interested in obtaining a copy of the draft guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products.* This guidance document is also available at *https://www.regulations.gov, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics.* Persons unable to download an electronic copy of ''Select Updates for the Breakthrough Devices Program Guidance: Reducing Disparities in Health and Healthcare'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1833–R1 and complete title to identify the guidance you are requesting.

III. Paperwork Reduction Act of 1995

While this guidance contains no new collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in the following FDA regulations, guidance, and forms have been approved by OMB as listed in the following table:

21 CFR part; guidance; or FDA form	Topic	OMB control No.
807, subpart E	Premarket notification	0910–0120
814, subparts A through E	Premarket approval	0910–0231
814, subpart H	Humanitarian Device Exemption	0910–0332
812	Investigational Device Exemption	0910–0078
860, subpart D	De Novo classification process	0910–0844
''Requests for Feedback on Medical Device Submissions: The Pre-Submission Program and Meetings with Food and Drug Administration Staff''.	Q-submissions	0910–0756

Dated: October 17, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–22878 Filed 10–20–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

[OMB No. 0915–0193—Revision]

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Health Resources and Services Administration Uniform Data System

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR must be received no later than December 20, 2022.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or mail the HRSA Information Collection Clearance Officer, Room 14N39, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call the HRSA OMB PRA Officer, Samantha Miller, at (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference.

Information Collection Request Title: HRSA Uniform Data System (UDS), OMB No. 0915–0193—Revision.

Abstract: The Health Center Program, administered by HRSA, is authorized under section 330 of the Public Health Service (PHS) Act (42 U.S.C. 254b). Health centers are community-based and patient-directed organizations that deliver affordable, accessible, quality, and cost-effective primary health care services to patients regardless of their ability to pay. Nearly 1,400 health centers operate approximately 12,000 service delivery sites that provide primary health care to more than 30 million people in every U.S. state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the Pacific Basin. HRSA uses the UDS [1] for annual reporting by Health Center Program awardees (those funded under section 330 of the PHS Act), Health Center Program look-alikes, and Nurse Education, Practice, Quality and Retention [2] Program awardees (specifically those funded under the practice priority areas of section 831(b) of the PHS Act). Look-alikes do not routinely receive federal funding under section 330 of the PHS Act, but meet the Health Center Program requirements for designation under the program (42 U.S.C. 1395x(aa)(4)(A)(ii) and 42 U.S.C. 1396d(l)(2)(B)(ii)).

Need and Proposed Use of the Information: UDS data collection updates must be completed in a timely manner for health centers to fulfill Health Center Program requirements. Approval of these changes is needed by February 1, 2023, to implement the changes in the data collection system and to provide adequate information on UDS reporting guidance to health centers, partners, and key stakeholders. HRSA plans to make the following updates for the performance year 2023 UDS data collection:

- *Table 3B (Demographic Characteristics),* will be updated to include additional subpopulations selection options to better reflect the diversity of patients served by health centers. Race/ethnicity categories will be updated to align with HHS data standards.[3] In accordance with Section 4302 within the Office of the Assistant Secretary for Planning and Evaluation [4] *Implementation Guidance on Data Standards for Race, Ethnicity, Sex, Primary Language, and Disability Status,* the UDS will be updated to include subpopulations categories for Asian, Native Hawaiian, Other Pacific Islanders, as well as a broader selection for Hispanic ethnicity. The 2011 HHS race and ethnicity categories maintains alignment with the 1997 OMB [5] minimum categories for race and ethnicity and allow for better understanding of the cultural diversity of patients served by health centers.
- *Table 5 (Staffing and Utilization),* will be updated to include four distinct lines for reporting Pharmacy Personnel categorized by Pharmacists, Clinical Pharmacist, Pharmacy Technicians, and Other Pharmacy Personnel. Health center personnel are critical to the functioning of health centers, collecting inclusive information about the health center workforce, and will allow HRSA to better understand workforce composition as well as improve the ability to articulate the role that pharmacy personnel play in an integrated primary care.
- *Table 6A (Selected Diagnoses and Services Rendered),* will be updated to include a diagnostic measure representing long COVID. This measure is labeled *Post COVID–19 condition, unspecified,* within the Selected Infectious and Parasitic Diseases grouping of measures. With this measure, health centers are able to report both number of patients with this diagnosis as well as the number of patient visits related to the diagnosis.[6] The Centers for Disease Control and Prevention classifies long COVID, also known as post-COVID, conditions as a wide range of new, returning, or ongoing health problems people can experience four or more weeks after first being infected with the virus that causes COVID–19.[7] Data on this measure will lead to better understanding the impact of COVID–19 post-acute infection on health center patients.
- *Table 6A (Selected Diagnoses and Services Rendered),* will be updated to include a measure that tracks the number of patients who receive pediatric developmental screening and evaluation services. The 2023 UDS will include developmental screening, behavioral screening/testing, and administrative assessment International Classification of Diseases diagnostic and Current Procedural Terminology billing codes for use to track the changes in the number of children who receive developmental screening and evaluation services. Early childhood is a critical period for physical, cognitive, and social development, laying the foundation for life-long health and well-being.[8] Children who experience poverty, particularly during early life, are at risk of adverse health and developmental outcomes.
- *Table 6B* (*Quality of Care Measures*), and *Table 7* (*Health Outcomes and Disparities*), collected UDS clinical quality measures [9] (CQMs) where applicable. Collected UDS CQMs will be updated in alignment with specifications of the issued performance year 2023 electronic-specified clinical quality measures, released by the Centers for Medicare and Medicaid Services for use by eligible providers. Clinical performance measure alignment across national programs promotes data standardization, quality, and transparency and decreases reporting burden for providers and organizations participating in multiple federal programs.
- *Appendix D (Health Center Health Information Technology* {*HIT*} *Capabilities Form),* will be updated with a question asking health centers to provide the total number of patients that were screened for social risk factors, using a standardized screener, during the calendar year. This question provides a more accurate view of the impact of social risk on the health center patient population and continues to reinforce Social Determinants of Health as a priority area intrinsically linked with health equity.

[1] *https://www.cms.gov/files/document/sgm-clearinghouse-uds.pdf.*

[2] *https://www.hrsa.gov/grants/find-funding/hrsa-20-012.*

[3] *https://aspe.hhs.gov/reports/hhs-implementation-guidance-data-collection-standards-race-ethnicity-sex-primary-language-disability-0.*

[4] *https://aspe.hhs.gov/reports/hhs-implementation-guidance-data-collection-standards-race-ethnicity-sex-primary-language-disability-0#:~:text=Section%204302%20requires%20the%20Secretary,all%20national%20population%20health%20surveys.*

[5] *https://obamawhitehouse.archives.gov/omb/fedreg_1997standards.*

[6] *https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects/index.html.*

[7] *https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects/index.html.*

[8] *https://www.hrsa.gov/grants/find-funding/hrsa-22-091.*

[9] *https://www.cms.gov/regulations-and-guidance/legislation/ehrincentiveprograms/downloads/guidetocqms_remediated_2011.pdf.*

- Beginning with the *2023 UDS,* health centers will be able to submit patient-level data in fulfillment of data elements on Tables:
  - Table PBZC (Patients by Zip Code)
  - Table 3A (Patients by Age and Sex Assigned at Birth)
  - Table 3B (Demographic Characteristics)
  - Table 4 (Selected Characteristics)
  - Table 6A (Selected Diagnoses and Services Rendered)
  - Table 6B (Quality of Care Measures)
  - Table 7 (Health Outcomes and Disparities

UDS+ Patent Level Reporting leverages a methodological shift in the process by which health centers submit their annual UDS report while maintaining historic UDS measures. High-quality accessible data are critical to strategically meeting the needs of patients and identifying opportunities for clinical process improvement. The growth in health information technology coupled with the increased adoption of electronic health records has transformed patient care delivery and underscored the need for secure and rapid exchange of health data between disparate systems. Health Level Seven International [10] developed Fast Healthcare Interoperability Resources [11] (FHIR) to standardize the electronic exchange of patient data across systems. FHIR, which is the current gold standard, has the flexibility to support a variety of user needs and enhances interoperability by transmitting health data rapidly and more securely than ever before. It is important for the collection of UDS data to align with interoperability standards and reporting requirements across HHS and the healthcare industry. Leveraging FHIR to collect UDS patient-level data will improve data granularity, allow for the development of robust patient management programs, and improve equitable access to high-quality, cost-effective primary care services.

This electronic reporting mechanism will reduce reliance on manual data entry to populate the annual UDS report, in turn yielding a reduction in reporting effort burden, and will greatly increase the analytical value of UDS data for informing policy and program decision-making.

Likely Respondents: Likely respondents will include Health Center Program award recipients, Health Center Program look-alikes, and Nurse Education, Practice, Quality and Retention Program awardees funded under the practice priority areas of section 831(b) of the PHS Act.

Burden Statement: Burden includes the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and use technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, disclosing and providing information. It also accounts for time to train personnel, respond to a collection of information, search data sources, complete and review the collection of information, and transmit or otherwise disclose the information. It will also include testing information necessary to support the UDS Test Cooperative (UTC). No more than three tests will be conducted each calendar year and no more than one hundred health centers will participate in one test. Participation is voluntary and will not affect their funding status. This sample size is sufficient to conduct a technical test and determine if the innovation should be scaled across the UDS. The total annual burden hours estimated for this ICR are summarized in the forthcoming table.

Form name	Estimated number of respondents	Estimated number of responses per respondent	Average burden per response (in hours)	Estimated total burden hours
Universal Report	Total: 1,505 H80s: 1,370 LALs: 117 BHW: 18	1.00	238	358,190
Grant Report	Total: 438 438 Health Centers submitted one or more Grant Reports. 1: 346 2: 80 3: 12	1.24	30	16,294
UTC Tests	35	3.00	8	840
Total	1,978	5.24		375,324

HRSA specifically requests comments on: (1) the necessity and feasibility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–22867 Filed 10–20–22; 8:45 am]

BILLING CODE 4165–15–P

[10] *https://www.hl7.org/.*

[11] *https://ecqi.healthit.gov/fhir.*

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

[OMB No. 0906–0043–Extension]

Agency Information Collection Activities: Proposed Collection: Public Comment Request Information Collection Request Title: Evidence-Based Telehealth Network Program Measures

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than December 20, 2022.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or by mail to the HRSA Information Collection Clearance Officer, Room 14N136B, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the acting HRSA Information Collection Clearance Officer at (301) 443–9094.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information collection request title for reference.

Information Collection Request Title: Evidence-Based Telehealth Network Program Measures, OMB No. 0906–0043—Extension.

Abstract: This ICR is for an extension of currently approved measures for the Office for the Advancement of Telehealth's Evidence-Based Telehealth Network Program, under which HRSA administers cooperative agreements in accordance with section 330I of the Public Health Service Act (42 U.S.C. 254c–14), as amended. The purpose of this program is to demonstrate how telehealth programs and networks can improve access to quality health care services. This program will work to increase access to primary care, behavioral health care, and acute care services in rural and frontier communities and to evaluate those efforts to establish an evidence-base for assessing the effectiveness of tele-behavioral health care for patients, providers, and payers.

Need and Proposed Use of the Information: The measures will enable HRSA to capture awardee-level and aggregate data that illustrate the impact and scope of federal funding along with assessing these efforts. The measures cover the principal topic areas of interest, including (a) population demographics; (b) access to health care; (c) cost savings and cost-effectiveness; and (d) clinical outcomes.

Likely Respondents: The respondents would be award recipients of the Evidence-Based Telehealth Network Program.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Evidence-Based Telehealth Network Program Report	14	12	12	11	1,848
Telehealth Performance Measurement Report	14	1	1	5	70
Total	*14				1,918

*HRSA estimates 14 unique respondents, each completing the two forms.

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–22869 Filed 10–20–22; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Initial and Reconciliation Application Forms To Report Graduate Medical Education Data and Full-Time Equivalent (FTE) Residents Trained by Hospitals Participating in the Children's Hospitals Graduate Medical Education Payment Program; and FTE Resident Assessment Forms To Report FTE Residents Trained by Organizations Participating in the Children's Hospitals and Teaching Health Center Graduate Medical Education Programs, OMB No. 0915–0247—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than November 21, 2022.

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 Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft

instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the acting HRSA Information Collection Clearance Officer, at (301) 443–9094.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the ICR title for reference.

Information Collection Request Title: Initial and Reconciliation Application Forms to Report Graduate Medical Education Data and FTE Residents Trained by Children's Hospitals Participating in the Children's Hospitals Graduate Medical Education (CHGME) Payment Program; and FTE Resident Assessment Forms to Report FTE Residents Trained by Organizations Participating in the Children's Hospitals and Teaching Health Center Graduate Medical Education (THCGME) Programs, OMB No. 0915–0247—Revision.

Abstract: The Healthcare Research and Quality Act of 1999 (Pub. L. 106–129) established the CHGME Payment Program, Section 340E of the Public Health Service Act, most recently amended by the Dr. Benjy Frances Brooks Children's Hospital Graduate Medical Education (GME) Support Reauthorization Act of 2018 (Pub. L. 115–241). In 2010, the Patient Protection and Affordable Care Act (Pub. L. 111–148) established the THCGME Program, Section 340H of the Public Health Service Act, most recently amended by the Consolidated Appropriations Act, 2021 (Pub. L. 116–260). The American Rescue Plan Act of 2021 (Pub. L. 117–2) provided additional funding for the THCGME Program.

The CHGME Payment Program and the THCGME Program provide federal funding to support GME programs that train medical and dental residents. Specifically, the CHGME Payment Program supports residency programs at freestanding children's hospitals that train residents in pediatric, pediatric subspecialty, and non-pediatric care. The THCGME Program supports training for primary care residents (including residents in family medicine, internal medicine, pediatrics, internal medicine-pediatrics, obstetrics and gynecology, psychiatry, general dentistry, pediatric dentistry, and geriatrics) in community-based ambulatory patient care settings.

Children's hospitals and teaching health centers funded by HRSA's CHGME and THCGME programs, respectively, are required to report the number of FTE residents trained during the federal fiscal year (FY). Fiscal intermediaries are contracted by HRSA to carry out an assessment of FTE resident counts reflected in participating children's hospitals and teaching health centers applications to determine any changes to the resident FTE counts initially reported. Fiscal intermediaries audit the data reported by the children's hospitals and the teaching health centers and report the verified FTE resident counts to HRSA. An assessment of the children's hospital and teaching health center data ensures that applicable Medicare regulations and HRSA program requirements are followed when determining the number of full-time equivalent residents eligible for funding.

HRSA plans to submit an Information Collection Request for several reasons. First, the current OMB clearance for the CHGME Payment Program application and FTE resident assessment forms and exhibits expires January 31, 2023. Second, in addition to using the FTE resident assessment forms and exhibits for the CHGME Payment Program audits, HRSA plans to use CHGME FTE resident assessment forms and exhibits for THCGME Program audits. HRSA combined the FTE resident assessments of participating children's hospitals and teaching health centers into one audit contract to reduce costs to the federal government and to facilitate the fiscal intermediary's review of those residents training in both children's hospitals and teaching health centers funded by HRSA. As part of the FTE resident assessment process, the fiscal intermediary must ensure resolution of overlaps identified in the FTE residents reported between CHGME children's hospitals and the THCGME teaching health centers. The overlap reports indicate when an FTE resident is claimed for CHGME payment during the same period of training time claimed for reimbursement from any other source of federal GME funding, to include the THCGME Program. The use of the same FTE resident assessment forms and exhibits during the audit of both the children's hospitals and teaching health centers is more efficient for fiscal intermediaries to complete that perform both CHGME and THCGME audits, and for HRSA to review. Lastly, HRSA is proposing changes to the current CHGME Payment Program application and the FTE assessment forms and exhibits to be used for the CHGME Payment Program and THCGME Program. The changes are only proposed to the HRSA 99–1 form (also known as Exhibit O(2)), the HRSA 99–5 form, and the FTE resident assessment exhibits. All other CHGME Payment Program application and FTE resident assessment forms are the same as currently approved. The changes described require OMB approval and are as follows:

1. CHGME Payment Program Application Instructions and Guidance: Update initial and reconciliation application instructions and guidance. Some of the examples provided in the instructions and guidance reference the FY 2010 application cycle and related dates. HRSA will update these dates to FY 2020 or more information that is relevant to applicants.

2. CHGME Payment Program Application HRSA 99–1 form: Revise Lines 4.05a, 5.05a, and 6.05a of the HRSA 99–1 form to include language referencing additional add-ons to the cap.

To the extent that it is reasonable and feasible, HRSA adheres to Centers for Medicare & Medicaid Services (CMS) regulations to ease the burden for children's teaching hospitals participating in the CHGME Payment Program that must also comply with CMS regulations. Specifically, per 66 FR 12940 (March 1, 2001) and 66 FR 37980 (July 20, 2001) the CHGME Payment Program follows the regulations provided at 42 CFR 413.86(f), (g), (h), and (i), which are now reflected in 42 CFR 413.79, regarding the application of the FTE resident caps as described in Section 1886(h) of the Social Security Act.

The CHGME Payment Program application forms have been revised to accommodate the final rule with comment period issued by CMS on December 27, 2021 (86 FR 73416). CMS issued the final rule to implement policies based on legislative changes relative to Medicare GME for teaching hospitals provided by Sections 126, 127, and 131 of the Consolidated Appropriations Act (CAA), 2021 (Pub. L. 116–260).

The final rule implements Sections 126, 127, and 131 of the CAA affecting Medicare direct GME and indirect medical education (IME) payments to teaching hospitals. Section 126(a) of the CAA amended section 1886(h) of the Social Security Act by adding a new section 1886(h)(9) of the Social Security Act requiring the distribution of additional residency positions to qualifying hospitals. Section 127 of the CAA amended section 1886(h)(4)(H)(iv) of the Social Security Act to specify that in the case of a hospital not located in a rural area that established or establishes a medical residency training program (or rural track) in a rural area, the hospital, and each such hospital located in a rural area that participates in such a training, is allowed to receive

an adjustment to its FTE resident limit. Section 131 of the CAA also amended section 1886(h)(4)(H)(i) of the Social Security Act to provide an opportunity for hospitals that meet certain criteria and that have very small FTE resident caps to replace those caps if the Secretary determines the hospital begins training residents in a new program beginning on or after enactment (December 27, 2020) and before 5 years after enactment (December 26, 2025).

HRSA proposes to revise lines 4.05a, 5.05a, and 6.05a of the HRSA 99–1 form, which currently provide: ''Addition (to the cap) for the unweighted resident FTE count for allopathic and osteopathic programs due to § 5503 of ACA.'' The revised language in lines 4.05a, 5.05a, and 6.05a of the HRSA 99–1 form would provide: ''Addition (to the cap) for the unweighted FTE resident count for allopathic and osteopathic programs due to § 5503 of ACA, § 126, § 127, and/or § 131 of the CAA.''

3. CHGME Payment Program Application HRSA 99–5 form: Remove items on the initial/reconciliation application form HRSA 99–5 form checklist.

HRSA proposes to remove ''(1) a computer disk containing completed HRSA forms; and (2) a copy of the hospital's completed application package''. A computer disk of the completed HRSA application forms and a copy of the completed application package are no longer needed following the CHGME Payment Program application's integration into HRSA's Electronic Handbooks. The application forms and supporting documentation are currently provided electronically via the Electronic Handbooks Tasks and Reports functions.

4. Revisions to the existing FTE resident assessment exhibits for use by both the CHGME Payment Program and THCGME Program:

• Exhibit F—CHGME Fiscal Intermediary Introductory Request Letter to Hospital: This letter introduces the fiscal intermediary to the hospital and teaching health center and is a formal request to the hospital and teaching health center for documentation to support FTE residents claimed on the hospital's and teaching health center's application. HRSA proposes revising the title and content of the letter to provide clarity, reduce errors, and add language inclusive of teaching health centers. The revised title will be Fiscal Intermediary Introductory Request Letter to Teaching Provider.

• Exhibit N—Points for Future CHGME Auditors: This form facilitates continuity of communication from one fiscal intermediary to the next and helps HRSA and fiscal intermediaries track and follow up any issues with each hospital in a timely manner. HRSA proposes revising the title and content to include an area for points from prior years and to add language inclusive of teaching health centers. The revised title will be Points for Future Audits.

• Exhibit S—Final Medicare Administrative Contractor (MAC) Letter/''Top Memorandum'': This letter is sent from the fiscal intermediary to the MAC of each children's hospital and any teaching health center affiliated hospital following completion of the audit. This letter is to notify the MAC of the completion of the resident FTE assessment for each respective children's hospital or teaching health center affiliated hospital and to provide a summary report of the audit findings to be incorporated into the Medicare cost report, if applicable. HRSA has proposed revising the title and content to include the notification to the MAC of the identification of an overlap and the release of FTE resident(s) by the children's hospital or a teaching health center affiliated hospital to resolve an overlap, if applicable. The revised title will be Final MAC Adjustment and Overlap Resolution Letter.

5. Addition of one FTE resident assessment exhibit for use by both the CHGME Payment Program and THCGME Program:

HRSA proposes to add Exhibit E—Fiscal Intermediary Introductory Request Letter to MAC which would request hospital information prior to the commencement of the audit. This is a document that the fiscal intermediaries currently use internally and include in their own working papers. HRSA proposes to have this document included as part of the FTE resident assessment report submitted by the fiscal intermediaries to HRSA.

• This letter introduces the fiscal intermediary to the MAC and is a formal request to the MAC for documentation to support FTE residents claimed on the children's hospital's application and the teaching health center's affiliated hospital Medicare Cost Report.

6. Deletion of one FTE resident assessment exhibit previously used by the CHGME Payment Program.

HRSA proposes to discontinue the use of the FTE Resident Assessment Cover Letter, which is no longer needed to share information from the fiscal intermediary. The Conversation Record exhibit currently provides the same information.

• This letter includes a brief description of the audit that was performed and for which years, as well as a list of the documents included for review by the CHGME Payment Program.

A 60-day notice published in the **Federal Register** on August 8, 2022, vol. 87, No. 151, pp. 48182–48186. There was one public comment requesting information on types of residents reported, and a request to view the draft forms and documentation.

Need and Proposed Use of the Information: Information collected will be used during the CHGME Payment Program initial application and the reconciliation process for both the CHGME Payment Program and THCGME Program to determine the amount of graduate medical education payments to be distributed to participating children's hospitals and teaching health centers. The CHGME Payment Program initial application forms and the FTE resident assessment forms for both the CHGME Payment Program and THCGME Program will also be used to determine CHGME Payment Program and THCGME Program eligibility and compliance with the programs' requirements.

Likely Respondents: The CHGME Payment Program applicants, CHGME Payment Program participants, and fiscal intermediaries auditing data submitted by the participating children's hospitals and teaching health centers.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below. The CHGME participating children's hospitals report their FTE residents using forms and exhibits approved by OMB (#0915–0247). The THCGME participating teaching health centers report their FTE residents using forms, tools and exhibits approved by OMB (#0915–0342 and #0915–0367). The FTE resident assessment forms and exhibits currently approved for use by the CHGME Payment Program under OMB clearance #0915–0247 will be reviewed or completed by the fiscal intermediaries during the audit of the

FTE residents reported by the teaching health centers participating in the THCGME Program. The FTE resident assessment forms and exhibits are submitted to HRSA for approval. The fiscal intermediaries currently reviewing or completing the forms and exhibits to perform the audit of the 60 children's hospitals will utilize the forms and exhibits during the audit of 60 teaching health centers. The increased number of responses from the fiscal intermediaries related to the additional 60 THCGME audits performed results in an increase of approximately 2,000 burden hours.

Total estimated annualized burden hours: Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Application Cover Letter (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
HRSA 99 Form (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
HRSA 99–1 Form (CHGME Initial).	60	1	60	26.50	1,590.0
HRSA 99–1 Form (CHGME Reconciliation).	60	1	60	6.50	390.0
HRSA 99–1 (Supplemental) (CHGME FTE Resident Assessment Only).	30	2	60	3.67	220.2
HRSA 99–2 Form (CHGME Initial).	60	1	60	11.33	679.8
HRSA 99–2 Form (CHGME Reconciliation).	60	1	60	3.67	220.2
HRSA 99–4 Form (CHGME Reconciliation).	60	1	60	12.50	750.0
HRSA 99–5 Form (Initial and Reconciliation).	60	2	120	0.33	39.6
CFO Form Letter (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
Exhibit 2 (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
Exhibit 3 (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
Exhibit 4 (CHGME Initial and Reconciliation).	60	2	120	0.33	39.6
Conversation Record (CHGME FTE Resident Assessment Only).	30	2	60	3.67	220.2
Exhibit C (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit E (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit F (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit N (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit O(1) (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit O(2) (HRSA 99–1) (CHGME FTE Resident Assessment Only).	30	2	60	26.5	1590.0
Exhibit P (Reconciliation Tool) (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit P(2) (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit S (CHGME and THCGME FTE Resident Assessment).	30	4	120	3.67	440.4
Exhibit T (CHGME FTE Resident Assessment Only).	30	2	60	3.67	220.2
Exhibit T(1) (CHGME FTE Resident Assessment Only).	30	2	60	3.67	220.2

Total estimated annualized burden hours: Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Exhibit 1 (CHGME FTE Resident Assessment Only).	30	2	60	0.33	19.8
Exhibit 2 (CHGME FTE Resident Assessment Only).	30	2	60	0.33	19.8
Exhibit 3 (CHGME FTE Resident Assessment Only).	30	2	60	0.33	19.8
Exhibit 4 (CHGME FTE Resident Assessment Only).	30	2	60	0.33	19.8
Total	90 (60 children's hospitals and 30 fiscal intermediaries*.		180 (60 children's hospitals applications, 60 CHGME audits and 60 THCGME audits)**.		***9,980.40

* The total respondents are 90 because children's hospitals (60) and fiscal intermediaries (30) are completing the forms.
** The total responses are 180 because children's hospitals (60) and fiscal intermediaries for the CHGME audits (60) and the THCGME audits (60) are completing the forms.
*** The increase of 2,000 burden hours is due to the additional 60 THCGME audits.

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–22862 Filed 10–20–22; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request; Information Collection Request Title: Healthy Start Evaluation and Quality Improvement; OMB No. 0915–0338—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than December 20, 2022.

ADDRESSES: Submit your comments to *paperwork@hrsa.gov* or by mail to the HRSA Information Collection Clearance Officer, Room 14N136B, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email *paperwork@hrsa.gov* or call Samantha Miller, the acting HRSA Information Collection Clearance Officer, at (301) 443–9094.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference.

Information Collection Request Title: Healthy Start Evaluation and Quality Improvement, OMB No. 0915–0338—Revision.

Abstract: The National Healthy Start Program, authorized by 42 U.S.C. 254c–8 (section 330H of the Public Health Service Act), and funded through HRSA's Maternal and Child Health Bureau (MCHB), has the goal to improve health outcomes before, during, and after pregnancy, and reduce racial/ethnic differences in rates of infant death and adverse perinatal outcomes. The program began as a demonstration project with 15 grantees in 1991 and has expanded since then to 101 grantees across 35 states; Puerto Rico; and Washington, DC. Healthy Start grantees operate in communities with rates of infant mortality at least 1.5 times the U.S. national average and high rates for other adverse perinatal outcomes. These communities are often low-income and located in geographically, racially, ethnically, and linguistically diverse areas. Healthy Start offers services during the perinatal period (before, during, after pregnancy) and the program works with women, men, and infants/children through the first 18 months after birth. The Healthy Start program pursues four goals: (1) improve women's health, (2) improve family health and wellness, (3) promote systems change, and (4) assure impact and effectiveness. Over the past few years, MCHB has sought to implement a uniform set of data elements for monitoring and conducting an evaluation to assess grantees' progress towards these program goals. Under the current OMB approval, the data collection instruments for the program's reporting requirements include three participant-level screening tools: (1) Background, (2) Prenatal, and (3) Parenting Information.

In this proposed revision, MCHB plans to retain the participant-level tools as approved by OMB in 2020; however, MCHB did introduce minor changes to the forms. These changes included only the following: correction of typos, addition of response options (*e.g.,* ''don't know,'' ''declined to answer''), and clarification of instructions. The purpose of these minor changes is to improve the quality of the instruments and make it easier for the respondents to complete the forms. The improved instructions should reduce confusion in completing the forms. Adding additional response options will eliminate forced responses that do not represent the participant's intent and will increase response accuracy.

Need and Proposed Use of the Information: The purpose of the revised data collection instruments will be to assess grantee and participant-level progress towards meeting Healthy Start

program performance measures. The data will be used to conduct ongoing performance monitoring of the program, thus meeting program needs for accountability, programmatic decision-making, and ongoing quality assurance.

Likely Respondents: For the General Background, Prenatal, and Parenting Information participant-level forms, respondents include pregnant women, women of reproductive age, and men who are served by the Healthy Start program.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

Total Estimated Annualized Burden Hours:

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
General Background Form	*45,700	1	45,700	.30	13,710
Prenatal	*30,300	1	30,300	.10	3,030
Parenting	*30,300	1	30,300	.25	7,575
Total	106,300		106,300		24,315

*All adult participants (45,700) complete the General Background form, and a subset of these same individuals (30,300) also complete the Prenatal or Parenting forms for total of 106,300 responses.

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality and utility of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–22863 Filed 10–20–22; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

[OMB No. 0906–xxxx–NEW]

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Optimizing Virtual Care Grant Program Performance Measures

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with of the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period. OMB may act on HRSA's ICR only after the 30 day comment period for this notice has closed.

DATES: Comments on this ICR should be received no later than November 21, 2022.

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 Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Samantha Miller, the acting HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–9094.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Optimizing Virtual Care Grant Program Performance Measures OMB No. 0915–xxxx–NEW

Abstract: The Health Center Program and supplemental awards for health centers are authorized by Section 330 of the Public Health Service Act (42 U.S.C. 254b). Notably, HRSA is authorized to make supplemental awards for health centers to ''implement evidence-based models for increasing access to high-quality primary care services, which may include models related to expanding the use of telehealth and technology-enabled collaborative learning and capacity building models.'' 42 U.S.C. 254b(d)(1)(E). Under the Optimizing Virtual Care (OVC) grant program, 29 high-performing health centers received 2-year supplemental awards to increase health care access and quality for underserved populations through virtual care such as telehealth, remote patient monitoring, digital patient tools, and health information technology platforms. Specifically, award recipients will use OVC funding to develop and implement innovative evidence-based strategies with the potential to be adapted, leveraged, and scaled across the Health Center Program to increase access to care and improve clinical quality by optimizing the use of virtual care with a specific focus on underserved communities and vulnerable populations.

The goal of the OVC grant program is to continue to support innovation that began during the COVID–19 pandemic, when health centers quickly expanded their use of virtual care to maintain access to essential primary care services for underserved communities. HRSA-funded health centers serve special and vulnerable populations facing barriers to virtual care access, such as low digital literacy, low connectivity capabilities, or limited technology access. The OVC grant recipients will serve as a model for how to increase equitable virtual care, generating and refining strategies that can be adapted and scaled across the Health Center Program.

A 60-day notice was published in the **Federal Register**, 87 FR 37874–37875 (June 24, 2022). HRSA received

comments from OVC grant recipients during this public comment period.

Need and Proposed Use of the Information: The information collected on OVC grant recipient activities and performance will help HRSA demonstrate, adapt, assess, and disseminate promising practices, strategies, and novel models of virtual care across the nation's health centers. The information will support an assessment that yields:

- Increased evidence of how to optimize the use of virtual care in the Health Center Program to enhance access to care and improve clinical quality for underserved communities and special and vulnerable populations.
- Maximized impact of the new OVC grant program, as a model to be adapted, leveraged, and scaled across other HRSA funding opportunities.
- Enhanced evidence base for recommendations to promote and scale virtual care innovations focused on increasing health equity specific to Health Center Program patients.

The assessment will include descriptive analyses of the data on grant recipient activities and performance, including analyses of trends over time. The analyses will inform recommendations for performance measures that HRSA could scale across the Health Center Program and across other grant programs like the OVC grant program.

The grant recipient activities related to implementation of novel models of virtual care, including aggregate data on patients served and the services they received, will be captured via monthly progress reports. A set of health center performance measures will be captured in a bi-annual progress report and will provide insight into health equity and virtual care. Grant recipients will collect and report performance measures based on project goals and objectives that span four key population health and clinical domain areas, including (1) Increased Access to Care and Information; (2) Improve Clinical Quality and Health Outcomes; (3) Enhance Patient Care Coordination; and (4) Promote Health Equity.

Based on comments from OVC grant recipients, the average hours of burden per response for the biannual progress report has increased to 55.9 hours from 48 hours as proposed in the 60-day **Federal Register** Notice. This new burden estimate accounts for the fact that performance measures in the biannual progress report have different levels of burden per response. For example, some measures required significant workflow changes or had more complexity. In addition, both the biannual and monthly progress reports were revised to include updated terms and definitions based on feedback collected from OVC grant recipients during the public comment period.

Likely Respondents: Respondents will be the 29 health centers that received supplemental awards through the OVC grant program.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
OVC Grant Monthly Progress Report	29	12	348	2.0	696.0
OVC Grant Bi-Annual Progress Report	29	2	58	55.9	3,242.2
Total	29		406		3,938.2

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2022–22868 Filed 10–20–22; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Opportunity To Co-Sponsor Office of Research Integrity Events

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: The Office of Research Integrity (ORI) announces the opportunity for non-federal public and private sector entities to co-sponsor ORI conferences, workshops, symposia, meetings, roundtables, or other such events (collectively, ''Events''). ORI co-sponsors a limited number of events with non-federal entities each year. Potential co-sponsors must have demonstrated interest and experience in the responsible conduct of research or handling allegations of research misconduct. Potential co-sponsors must be willing to participate substantively in the co-sponsored event.

DATES: Expressions of interest for co-sponsorship of an ORI Event may be submitted on an ongoing basis throughout the fiscal year (October 1, 2022–September 30, 2023) or beyond.

ADDRESSES: Expressions of interest for co-sponsorship of an ORI Event should be sent by email to *AskORI@HHS.GOV* with ''Co-sponsorship for ORI Event'' in the subject field.

FOR FURTHER INFORMATION CONTACT:

Tracey Randolph, Program Analyst, Office of Research Integrity, 1101 Wootton Parkway, Suite 240, Rockville, MD 20852, (240) 453–8200

SUPPLEMENTARY INFORMATION: ORI oversees and directs U.S. Public Health Service (PHS) research integrity

activities on behalf of the Secretary of the U.S. Department of Health and Human Services (HHS), with the exception of the regulatory research integrity activities of the Food and Drug Administration. ORI is a program office within the Office of the Assistant Secretary for Health, Office of the Secretary, HHS.

Core to ORI's mission is the support of education and outreach activities that aid PHS-funded research institutions in their efforts ''to teach the responsible conduct of research, promote research integrity, prevent research misconduct, and . . . to respond effectively to allegations of research misconduct'' (65 FR 30600, 30601 (May 12, 2000)). ORI Events contribute to this mission by providing education, training, and/or the opportunity for discussion related to topics such as handling allegations of research misconduct and fostering research integrity and the responsible conduct of research. ORI Events typically are moderately sized, usually accepting between 20 and 150 attendees, and convened in person or virtually for one to three days.

Co-sponsors will work with ORI staff to jointly develop an event. Both ORI and the co-sponsor must contribute substantively to the development of the event. Co-sponsors can charge registration fees to recover costs associated with the events; however, co-sponsors may not set registration fees at an amount higher than necessary to recover event-related expenses. Further, co-sponsors are solely responsible for collecting and handling any registration fees.

Eligibility for Co-Sponsorship: The co-sponsoring entity must have demonstrated interest and experience in fostering the responsible conduct of research or handling of research misconduct allegations. The co-sponsoring entity must participate substantively in the co-sponsored activity, and not just provide funding, logistical services, or other material support.

Expression of Interest in Co-Sponsorship: An entity shall provide an expression of interest that includes (1) one to two paragraphs detailing why ORI should select the entity, including the entity's leadership in and management of matters involving research integrity and the responsible conduct of research, and (2) a bulleted outline addressing the seven topics listed below. The expression of interest should be one to two pages in length, single-spaced, and at least 11-point font. An entity may submit an expression of interest individually or jointly with other entities describing their relative contributions. The seven topics to be addressed in the outline are:

1. The entity's interest and goals in promoting research integrity and/or the responsible conduct of research
2. The entity's prior experience and current readiness to undertake the responsibilities described above
3. The type of event(s) that the entity is interested in co-sponsoring with ORI
4. Facilities available for the event(s), including the distance from the facilities to a major airport
5. Any current constraints with respect to dates or facilities
6. Whether the entity has co-sponsored an ORI Event in the past 36 months
7. Whether the entity has any cases, allegations, or other related matters pending with ORI

Evaluation Criteria: After engaging in exploratory discussions with potential co-sponsors who respond to this notice, HHS will apply the following considerations, as appropriate and relevant, to select the co-sponsor(s):

- Qualifications and capability to fulfill co-sponsorship responsibilities
- Suitability of the location of the proposed event in terms of the overall geographical distribution of recent or planned ORI Events
- Potential for reaching, generating, and engaging an adequate number of attendees
- Availability and description of facilities needed to support the event
- Availability of administrative support for the logistics of hosting such events

The duties of the co-sponsor will be outlined in a co-sponsorship agreement with ORI that will set forth the details of the co-sponsored event, including the requirements that any fees collected by the co-sponsor shall be limited to the amount necessary to cover the co-sponsor's event-related expenses. This co-sponsorship agreement does not represent an endorsement by ORI of an individual co-sponsor's policies, positions, or activities.

Dated: October 13, 2022.

Wanda K. Jones,

Acting Director, Office of Research Integrity, Office of the Assistant Secretary for Health.

[FR Doc. 2022–22887 Filed 10–20–22; 8:45 am]

BILLING CODE 4150–31–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Proposed Collection; 60-Day Comment Request, National Institute on Drug Abuse (NIDA) Summer Research Internship Program

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995 to provide opportunity for public comment on proposed data collection projects, the National Institute on Drug Abuse (NIDA) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 60 days of the date of this publication.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the data collection plans and instruments, submit comments in writing, or request more information on the proposed project, contact: Dr. Wilson Compton, Acting Director, Office of Research Training, Diversity, and Disparities, National Institute on Drug Abuse, 3WFN, 11601 Landsdown St., Room 09D18, North Bethesda, Maryland, 20892 or call non-toll-free number (301) 443–6480 or Email your request, including your address, to: *Wilson.Compton@nih.gov.* Formal requests for additional plans and instruments must be requested in writing.

SUPPLEMENTARY INFORMATION: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires written comments and/or suggestions from the public and affected agencies are invited to address one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimizes the burden of the collection of information on those who are to respond, including the use of

appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Proposed Collection Title: NIDA Summer Research Internship Program, 0925–0738, Expiration 12/31/2022, EXTENSION, National Institute on Drug Abuse (NIDA), National Institutes of Health (NIH).

Need and Use of Information Collection: The purpose of the proposed information is for the selection of interns for the continuing NIDA Summer Research Internship Program. This request is to allow NIDA to collect information from applicants in order to meet the goals of the program and IC mission. Applicant eligibility for this program is for those age 18 and over in the year of application per NIH policy document.

NIDA Summer Research Internship Program (NIDA–SIP) Policy. NIDA will request clearance for any additional forms should new programs be introduced in the future.

The information ensures that students applying to this program meet basic eligibility requirements; indicates their interest in substance abuse research, future career goals, and, if selected for the program, what research they prefer to conduct. The information also enables decision-making regarding which applicants will be selected for internships. In each case, completing the application is voluntary, but in order to receive due consideration, the prospective applicant must complete all fields required by the program. OMB approval is requested for 3 years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 300.

ESTIMATED ANNUALIZED BURDEN HOURS

Form	Type of respondent	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Estimated total annual burden hours
Summer Internship	Individuals-household	300	1	1	300
Total			300		300

Dated: October 18, 2022.

Lanette A. Palmquist,

Project Clearance Liaison, National Institute on Drug Abuse, National Institutes of Health.

[FR Doc. 2022–22960 Filed 10–20–22; 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: Healthcare Delivery and Methodologies Integrated Review Group; Population and Public Health Approaches to HIV/AIDS Study Section.

Date: November 14–15, 2022.

Time: 8:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Jose H. Guerrier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5222, MSC 7852, Bethesda, MD 20892, 301–435–1137, *guerriej@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Musculoskeletal, Orthopedic, Oral, Dermatology and Rheumatology.

Date: November 15–16, 2022.

Time: 8:30 a.m. to 5:30 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: Aftab A. Ansari, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4108, MSC 7814, Bethesda, MD 20892, (301) 237–9931, *ansaria@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Drug Discovery Involving the Nervous System.

Date: November 15–16, 2022.

Time: 9:00 a.m. to 8:00 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: Lai Yee Leung, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1011D, Bethesda, MD 20892, (301) 827–8106, *leungl2@csr.nih.gov.*

Name of Committee: Infectious Diseases and Immunology B Integrated Review Group; HIV Comorbidities and Clinical Studies Study Section.

Date: November 15–16, 2022.

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 20876 (Virtual Meeting).

Contact Person: David C. Chang, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 451–0290, *changdac@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–RM–22–024: Pilot Projects Investigating Understudied G Protein-Coupled Receptors, Ion Channels, and Protein Kinases.

Date: November 15–16, 2022.

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: Vandana Kumari, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–3290, *vandana.kumari@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Topics in Virology.

Date: November 15–16, 2022.

Time: 10:00 a.m. to 7:00 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: Sharon Isern, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 810J,

Bethesda, MD 20892, (301) 435–0000, *iserns2@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; National Biomedical Technology Development and Dissemination Center.

Date: November 15, 2022.

Time: 10:00 a.m. to 9:00 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: Joseph Thomas Peterson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4118, MSC 7814, Bethesda, MD 20892, 301–408–9694, *petersonjt@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR22–111: Early-Stage Preclinical Validation of Therapeutic Leads for Diseases of Interest to the NIDDK.

Date: November 15, 2022.

Time: 10:00 a.m. to 8:00 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: Latha Malaiyandi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 812Q, Bethesda, MD 20892, (301) 435–1999, *malaiyandilm@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Research Enhancement Awards: Molecular Genetics and Genomics.

Date: November 15, 2022.

Time: 11:00 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: Guoqin Yu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Bethesda, MD 20892, (301) 435–1276, *guoqin.yu@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: October 14, 2022.

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22910 Filed 10–20–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; R25 NINDS Research Education Opportunities.

Date: November 17, 2022.

Time: 12:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: DeAnna Lynn Adkins, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH, NSC, 6001 Executive Boulevard, Bethesda, MD 20892, 301–496–9223, *deanna.adkins@nih.gov.*

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel; R13 Review.

Date: November 21, 2022.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Li Jia, Ph.D., Scientific Review Officer, Scientific Review Branch, Division of Extramural Research, NINDS/NIH, NSC, 6001 Executive Boulevard, Bethesda, MD 20892, 301–451–2854, *li.jia@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health.)

Dated: October 18, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22907 Filed 10–20–22; 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: Epidemiology and Population Health.

Date: November 16, 2022.

Time: 1:00 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: Steven Michael Frenk, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3141, Bethesda, MD 20892, (301) 480–8665, *frenksm@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Neuroscience Assays, Diagnostics, Instrumentation, and Interventions.

Date: November 17–18, 2022.

Time: 9:00 a.m. to 8:00 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: Thomas Zeyda, Ph.D., Scientific Review Officer, The Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–6921, *thomas.zeyda@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: The Cardiovascular and Hematological Sciences.

Date: November 17–18, 2022.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Crowne Plaza National Airport, 1480 Crystal Drive, Arlington, VA 22202.

Contact Person: Dmitri V Gnatenko, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *gnatenkod2@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Clinical Neurophysiology, Devices, Neuroprosthetics and Biosensors.

Date: November 17–18, 2022.

Time: 9:00 a.m. to 8:00 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: Cristina Backman, Ph.D., Scientific Review Officer, ETTN IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5211, MSC 7846, Bethesda, MD 20892, 301–480–9069, *cbackman@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowships: Physiology and Pathobiology of Cardiovascular and Respiratory Systems.

Date: November 17–18, 2022.

Time: 9:00 a.m. to 9:00 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: Kimm Hamann, Ph.D., Scientific Review Officer, Center for Scientific Review. National Institutes of Health, 6701 Rockledge Drive, Room 4118A, MSC 7814, Bethesda, MD 20892, 301–435–5575, *hamannkj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Biobehavioral Processes.

Date: November 17–18, 2022.

Time: 10:00 a.m. to 8:00 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: Jeanne Marie McCaffery, Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–594–3854, *jeanne.mccaffery@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Aging and Development, Auditory Vision and Low Vision Technologies.

Date: November 17–18, 2022.

Time: 10:00 a.m. to 8:00 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: Barbara Susanne Mallon, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–8992, *mallonb@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Transformative and Exploratory/Developmental Research in Down Syndrome for the INCLUDE Project.

Date: November 17, 2022.

Time: 10:00 a.m. to 8:00 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: Katherine M Malinda, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4140, MSC 7814, Bethesda, MD 20892, (301) 435–0912, *katherine.malinda@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Nephrology and Urology.

Date: November 18, 2022.

Time: 9:00 a.m. to 7:00 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: Stacey Nicole Williams, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *stacey.williams@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Endocrine and Metabolic Systems.

Date: November 18, 2022,

Time: 10:00 a.m. to 8:00 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: Baskaran Thyagarajan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 800B, Bethesda, MD 20892, (301) 867–5309, *thyagarajanb2@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel RFA Panel: Clinical Trial Readiness, Phased Innovation, and Data Science in Down Syndrome for the INCLUDE Project.

Date: November 18, 2022.

Time: 10:00 a.m. to 8:00 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: Natalia Komissarova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5207, MSC 7846, Bethesda, MD 20892, (301) 435–1206, *komissar@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Neuroimaging Technologies.

Date: November 18, 2022.

Time: 10:00 a.m. to 8:00 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: Mufeng Li, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 435–5653, *limuf@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Myalgic Encephalomyelitis-Chronic Fatigue Syndrome.

Date: November 18, 2022.

Time: 1:00 p.m. to 8:00 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: M Catherine Bennett, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5182, MSC 7846, Bethesda, MD 20892, (301) 435–1766, *bennettc3@csr.nih.gov*.

(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: October 18, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22909 Filed 10–20–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; 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 Center for Advancing Translational Sciences Special Emphasis Panel; SBIR Phase II Review.

Date: November 16, 2022.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Center for Advancing Translational Sciences, National Institutes of Health, 6701 Democracy Boulevard, Room 1037, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Victor Henriquez, Ph.D., Scientific Review Officer, Office of Scientific Director, National Center for Advancing Translational Sciences, National Institutes of Health, 6701 Democracy Boulevard, Room 1037, Bethesda, MD 20892, (301) 435–0813, *henriquv@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: October 17, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22836 Filed 10–20–22; 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 grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; Early-stage Development of Data Science Technologies for Infectious and Immune-mediated Diseases (U01 Clinical Trial Not Allowed); Exploratory Data Science Methods and Algorithm Development in Infectious and Immune-mediated Diseases (R21) Cl.

Date: November 16–17, 2022.

Time: 9:30 a.m. to 12:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G45, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Vanitha Sundaresa Raman, Scientific Review Officer, Scientific Review Program, National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G45, Rockville, MD 20852, 301–761–7949, *vanitha.raman@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: October 18, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22908 Filed 10–20–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request National Cancer Institute (NCI) A Generic Submission for Formative Research, Pretesting and Customer Satisfaction of NCI's Communication and Education Resources (NCI)

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 30-days of the date of this publication.

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 using the search function.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact: Ilene French, Branch Chief, Office of Communication and Public Liaison, National Cancer Institute, 9609 Medical Center Drive, Maryland 20892 or call non-toll-free number (240) 276–7787 or email your request, including your address to: *nciocpl@mail.nih.gov.*

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on August 16, 2022, (Vol 87, No. 157, Page 50340) and allowed 60 days for public comment. One public comment was received. The purpose of this notice is to allow an additional 30 days for public comment. The National Cancer Institute (NCI), National Institutes of Health (NIH), may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid Office of Management and Budget (OMB) control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, NIH has submitted to OMB a request for review and approval of the information collection listed below.

Proposed Collection: A Generic Submission for Formative Research, Pretesting and Customer Satisfaction of NCI's Communication and Education Resources (NCI), 0925–0046, Expiration Date 11/30/2022, EXTENSION, National Cancer Institute (NCI), National Institutes of Health (NIH).

Need and Use of Information Collection: This information collection request is to approve the Generic Submission for Formative Research, Pretesting, and Customer Satisfaction of NCI's Communication and Education Resources (NCI) for three years. As part of NCI's mandate from Congress to disseminate information on cancer research, detection, prevention, and treatment, the Institute develops various messages and materials. Testing these messages and materials assesses their potential effectiveness in reaching and communicating with their intended audience while they are still in the developmental stage and can be revised. The formative research and pretesting process thus maximize NCI's limited dollar resources for information dissemination and education. NCI also must ensure the relevance, utility, and appropriateness of the many educational programs and products that the Institute produces. Customer satisfaction studies help NCI identify modifications necessary to meet the needs of NCI's various target audiences. Since the previous submission, there have been six approved sub-studies with an approved request of 13,473 burden hours over 2.5 years. Approval is requested for the conduct of multiple studies annually using such methods as interviews, focus groups, and various types of surveys. The content, timing, and respondents included in each sub-study will vary depending on the nature of the message/material/program being assessed, the methodology selected, and the target audiences.

OMB approval is requested for 3 years. There are no costs to respondents

other than their time. The total estimated annualized burden hours are 13,500.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondents	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total annual burden hours
Focus Groups, Individual In-Depth Interviews, Brief Interviews, Surveys, Website Usability Testing.	Individuals (General Public)	9,000	1	45/60	6,750
Focus Groups, Individual In-Depth Interviews, Brief Interviews, Surveys, Website Usability Testing.	Individuals (Health Care Professionals).	9,000	1	45/60	6,750
Total	.....	.....	18,000	.....	13,500

Dated: October 18, 2022.

Diane Kreinbrink,

Project Clearance Liaison, National Cancer Institute, National Institutes of Health.

[FR Doc. 2022–22959 Filed 10–20–22; 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 grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Investigator Initiated Program Project Applications (P01 Clinical Trial Not Allowed).

Date: November 17, 2022.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3G56, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Maryam Rohani, 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 3G56, Rockville, MD 20852, (301) 761–6656, *maryam.rohani@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: October 18, 2022.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22906 Filed 10–20–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences: 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 Center for Advancing Translational Sciences Special Emphasis Panel; Review of Conference Grant Applications.

Date: November 16, 2022.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Center for Advancing Translational Sciences, National Institutes of Health, 6701 Democracy Boulevard, Room 1037, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Rahat (Rani) Khan, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences, National Institutes of Health, 6701 Democracy Boulevard, Room 1037, Bethesda, MD 20892, (301) 594–7319, *khanr2@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: October 17, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–22835 Filed 10–20–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2023 Notice of Supplemental Funding Opportunity

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

ACTION: Notice of intent to award supplemental funding.

SUMMARY: This notice is to inform the public that the Substance Abuse and Mental Health Services Administration (SAMHSA) is supporting administrative supplements to the 54 grant recipients funded under the FY 2022 Cooperative Agreements for States and Territories to Build Local 988 Capacity (988 State and Territory Grants) Notice of Funding Opportunity (NOFO) SM–22–015, which have a project end date of April 2024. This supplemental funding is within scope and is expected to increase and/or expand original workforce

capacity, ease of access to services, contact demand, including coverage area, through phone, chat, and text, and contact answer rates for 988 crisis care. The 988 State and Territory Cooperative Agreement grant recipients are eligible to apply for awards from $458,333 to $2,000,000 for a total funding of $50,000,000 from the Bipartisan Safer Communities Act (BSCA).

The supplements will support 988 response and workforce expansion by improving 988 collaborations, infrastructure, hiring and retention, communications and marketing, and evaluation activities. These awards will help improve 988 and 911 coordination, especially in cases of emergency intervention due to suicidal behavior, improve state/territory infrastructure to answer 988 Lifeline chat and text request initiated within their state or territory, align communications and marketing of the 988 Lifeline in conjunction with SAMHSA and HHS's 988 communications and marketing strategy, help streamline access to mobile crisis and crisis response teams for all 988 crisis centers, assist the development and expansion of human resource systems to increase the pace of 988 recruitment and hiring, conduct root cause analyses on identified critical incidents contacting through the 988 system, support continuity of care throughout the larger crisis response system and improve follow up and referral outcomes to decrease suicide and ensure individuals are connected to post-contact care.

This is not a formal request for application. Assistance will only be provided to the 54 recipients funded in FY 2022 under the 988 State and Territory Cooperative Agreement NOFO SM–22–015 based on the receipt of a satisfactory application and associated budget that is approved by a review group.

Funding Opportunity Title: FY 2022 Cooperative Agreements for States and Territories to Build Local 988 Capacity NOFO SM 22–015.

Assistance Listing Number: 93.243.

Authority: Section 520E–3 of the Public Health Services (PHS) Act [290bb–36c], as amended.

Justification: SAMHSA is limiting eligibility for this supplemental funding to the 988 State and Territory grant recipients, which were funded in FY 2022 under the Cooperative Agreements for States and Territories to Build Local 988 Capacity, SM–22–015. These recipients provide leadership and oversee the current 988 and state- and territory-wide local crisis service systems. In addition, the recipients have the required active relationships with and can quickly provide fiscal resources directly to local and statewide Lifeline crisis centers for 988 response; thereby reducing burden on the nationwide network of Lifeline crisis centers, ensuring all those needing 988 services have awareness and access to localized care. Due to the requirements of the FY 2022 Cooperative Agreements for States and Territories to Build Local 988 Capacity, recipients are the only entities that can utilize these funds to successfully complete the required activities to improve 988 Lifeline crisis center workforce response and meet defined state and territory key performance indicators.

Contact: James Wright, LPC, Chief of Crisis Center Operations, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, Rockville, MD 20857, telephone 240–276–1615; email: *james.wright@samhsa.hhs.gov.*

Dated: October 17, 2022.

Carlos Castillo,

Public Health Analyst.

[FR Doc. 2022–22860 Filed 10–20–22; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0394]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0037

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0037, Certificates of Compliance, Boiler/Pressure Vessel Repairs, Cargo Gear Records, Shipping Papers, and National Fire Protection Association (NFPA) 10 Certification; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at *https://www.regulations.gov.* Search for docket number [USCG–2022–0394]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to *https://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.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine

whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2022–0394], and must be received by November 21, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the *https://www.reginfo.gov,* comment-submission web page. OIRA posts its decisions on ICRs online at *https://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0037.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (87 FR 41139, July 11, 2022) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Certificates of Compliance, Boiler/Pressure Vessel Repairs, Cargo Gear Records, Shipping Papers, and National Fire Protection Association (NFPA) 10 Certification.

OMB Control Number: 1625–0037.

Summary: This information is needed to enable the Coast Guard to fulfill its responsibilities for maritime safety under 46 U.S.C.

Need: 46 U.S.C. 3301, 3305, 3306, 3702, 3703, 3711, 3714, 4302, and 4502 authorize the Coast Guard to establish marine safety regulations to protect life, property, and the environment. These regulations are prescribed in title 46 Code of Federal Regulations. The requirements for reporting Boiler/Pressure Valve Repairs, maintaining Cargo Gear Records, maintaining Shipping Papers, issuance of Certificates of Compliance (CG–3585), and maintaining NFPA 10 Certification provide the marine inspector with available information as to the condition of a vessel and its equipment. It also contains information on the vessel owner and lists the type and amount of cargo that has been or is being transported. These requirements all relate to the promotion of safety of life at sea and protection of the marine environment.

Forms

- CG–3585, Certificate of Compliance.
- CG–5437A, Port State Control Report of Inspection—Form A.
- CG–5437B, Port State Control Report of Inspection—Form B.

Respondents: Owners and operators of vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has decreased from 18,703 hours to 15,703 a year, due to a change in the methodology for calculating the Shipping Papers burden.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. *et seq.,* chapter 35, as amended.

Dated: September 20, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–22940 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0703]

National Maritime Security Advisory Committee; Vacancies

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Request for applications.

SUMMARY: The U.S. Coast Guard is accepting applications to fill two vacancies on the National Maritime Security Advisory Committee (Committee). This Committee advises the Secretary of Homeland Security, via the Commandant of the U.S. Coast Guard, on matters relating to national maritime security, including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and State, local, and tribal governments; relevant public safety and emergency response agencies; relevant law enforcement and security organizations; maritime industry; port owners and operators; and terminal owners and operators.

DATES: Completed applications must reach the U.S. Coast Guard on or before November 21, 2022.

ADDRESSES: Applications must be emailed to *Ryan.F.Owens@uscg.mil* with the subject line ''Application for NMSAC''.

FOR FURTHER INFORMATION CONTACT: Mr. Ryan Owens, Alternate Designated Federal Officer of the National Maritime Security Advisory Committee; telephone 202–372–1108; or email at *ryan.f.owens@uscg.mil.*

SUPPLEMENTARY INFORMATION: The National Maritime Security Advisory Committee is a Federal advisory committee. The Committee was established on December 4, 2018, by section 602 of the *Frank LoBiondo Coast Guard Authorization Act of 2018,* Pub. L. 115–282, 132 Stat. 4192 (codified at 46 U.S.C. 70112). The Committee operates under the provisions of the *Federal Advisory Committee Act,* (5 U.S.C. Appendix), and 46 U.S.C. 15109. The National Maritime Security Advisory Committee provides advice, consults with, and makes recommendations to the Secretary of Homeland Security, via the Commandant of the U.S. Coast Guard, on matters relating to national maritime security, including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

A. State, local, and tribal governments;

B. relevant public safety and emergency response agencies;

C. relevant law enforcement and security organizations;

D. maritime industry;

E. port owners and operators; and

F. terminal owners and operators.

The Committee is required to meet at least once a year in accordance with 46 U.S.C. 15109(a). We expect the Committee will hold meetings at least twice a year, but it may meet more frequently.

All members serve at their own expense and receive no salary or other compensation from the Federal Government. Members may be reimbursed for travel and per diem in accordance with Federal Travel regulations.

As required by 46 U.S.C. 15109(f)(6), if you are appointed as a member of the Committee, your membership term will expire on December 31 of the third full year after the effective date of your appointment. Members serve at the pleasure of the Secretary of Homeland Security and may be removed prior to the end of their term for just cause. In this solicitation for Committee members, we will consider applications for two (2) positions:

- Maritime labor;
- State and local governments.

Each member of the Committee serves as a representative and must have particular expertise, knowledge, and experience in matters relating to the function of the Committee, which is to advise the Secretary of Homeland Security on the matters described above.

Under 46 U.S.C. 15109(f)(4), its members are required to apply for, obtain, and maintain a government national security clearance at the Secret level. The U.S. Coast Guard will sponsor and assist candidates with this process.

In order for the Department to fully leverage broad-ranging experience and education, the National Maritime Security Advisory Committee must be diverse with regard to professional and technical expertise. The Department is committed to pursuing opportunities, consistent with applicable law, to compose a committee that reflects the diversity of the nation's people.

If you are interested in applying to become a member of the Committee, email your application to *Ryan.F.Owens@uscg.mil* as provided in the **ADDRESSES** section of this notice. Applications must include: (1) a cover letter expressing interest in an appointment to the National Maritime Security Advisory Committee; (2) a resume detailing the applicant's relevant experience and (3) a brief biography of the applicant. The U.S. Coast Guard will not consider incomplete or late applications.

Dated: October 14, 2022.

Amy M. Beach,

Captain, U.S. Coast Guard, Director of Inspections and Compliance.

[FR Doc. 2022–22904 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0395]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0063

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0063, Marine Occupational Health and Safety Standards for Benzene; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at *https://www.regulations.gov.* Search for docket number [USCG–2022–0395]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to *https://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.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, STOP 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2022–0395], and must be received by November 21, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to *https://www.regulations.gov* and will include any personal information you have

provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the *https://www.reginfo.gov,* comment-submission web page. OIRA posts its decisions on ICRs online at *https://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0063.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (87 FR 41138, July 11, 2022) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Marine Occupational Health and Safety Standards for Benzene.

OMB Control Number: 1625–0063.

Summary: To protect marine workers from exposure to toxic Benzene vapor, the Coast Guard implemented title 46 CFR 197 subpart C.

Need: This information collection is vital to verifying compliance.

Forms: None.

Respondents: Owners and operators of vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 38,165 hours a year.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. *et seq.,* chapter 35, as amended.

Dated: September 20, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–22947 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0208; Control Number 1625–0048]

Collection of Information Under Review by Office of Management and Budget OMB

AGENCY: Coast Guard, DHS.

ACTION: 30-Day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0048, Vessel Reporting Requirements; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at *https://www.regulations.gov.* Search for docket number [USCG–2022–0208]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to *https://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.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2022–0208], and must be received by November 21, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the *https://www.reginfo.gov,* comment-submission web page. OIRA posts its decisions on ICRs online at *https://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0048.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (87 FR 41138, July 11, 2022)

required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Vessel Reporting Requirements.

OMB Control Number: 1625–0048.

Summary: Owners, Charterers, Managing Operators, or Agents of U.S. vessels must immediately notify the Coast Guard if they believe the vessel may be lost or in danger. The Coast Guard uses this information to investigate the situation and, when necessary, plan appropriate search and rescue operations.

Need: Section 2306(a) of 46 U.S.C. requires the owner, charterer, managing operator, or a agent of vessel of the United States to immediately notify the Coast Guard if: (1) There is reason to believe that the vessel may have been lost or imperiled, or (2) more than 48 hours have passed since last receiving communication from the vessel. These reports must be followed by written confirmation submitted to the Coast Guard within 24 hours. The implementing regulations are contained in 46 CFR part 4.

Forms: None.

Respondents: Businesses or other for profit organizations.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden remains 138 hours a year. There is no proposed change to the reporting requirements of this collection. The reporting requirements and methodology for calculating burden, remains unchanged.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. *et seq.,* chapter 35, as amended.

Dated: September 20, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–22942 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0397]

Collection of Information Under Review by Office of Management and Budget; OMB Control Number 1625–0077

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0077, Security Plans for Ports, Vessels, Facilities, and Outer Continental Shelf Facilities and Other Security-Related Requirements; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at *https://www.regulations.gov.* Search for docket number [USCG–2022–0397]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to *https://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.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2022–0397], and must be received by November 21, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the *https://www.reginfo.gov,* comment-submission web page. OIRA posts its decisions on ICRs online at *https://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0077.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (87 FR 41137, July 11, 2022) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Security Plans for Ports, Vessels, Facilities, and Outer Continental Shelf Facilities and Other Security-Related Requirements.

OMB Control Number: 1625–0077.

Summary: This information collection is associated with the maritime security requirements mandated by the Maritime Transportation Security Act (MTSA) of 2002, 46 U.S.C. 70103 (formerly 33 U.S.C. 1226(c)), 46 U.S.C. 70034 (formerly 33 U.S.C. 1231), 46 U.S.C. chapter 701, 46 U.S.C. 70051 and 70052 (formerly 50 U.S.C. 191 & 192). Security assessments, security plans and other security-related requirements are in title 33 CFR parts 101 through 106.

Need: This information is needed to determine if vessels and facilities are in compliance with certain security standards.

Forms

- CG–6025, Facility Vulnerability and Security Measures Summary.
- CG–6025A, Vulnerability and Security Measures Addendum.

Respondents: Vessel and facility owners and operators.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has decreased from 1,198,530 hours to 1,070,430 hours a year, due to a decrease in the estimated annual number of responses.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. *et seq.,* chapter 35, as amended.

Dated: September 20, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–22941 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2022–0396; Control Number 1625–0065]

Collection of Information Under Review by Office of Management and Budget OMB

AGENCY: Coast Guard, DHS.

ACTION: Thirty-day notice requesting comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 the U.S. Coast Guard is forwarding an Information Collection Request (ICR), abstracted below, to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), requesting an extension of its approval for the following collection of information: 1625–0065, Offshore Supply Vessels; without change. Our ICR describes the information we seek to collect from the public. Review and comments by OIRA ensure we only impose paperwork burdens commensurate with our performance of duties.

DATES: You may submit comments to the Coast Guard and OIRA on or before November 21, 2022.

ADDRESSES: Comments to the Coast Guard should be submitted using the Federal eRulemaking Portal at *https://www.regulations.gov.* Search for docket number [USCG–2022–0396]. Written comments and recommendations to OIRA for the proposed information collection should be sent within 30 days of publication of this notice to *https://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.

A copy of the ICR is available through the docket on the internet at *https://www.regulations.gov.* Additionally, copies are available from: Commandant (CG–6P), Attn: Paperwork Reduction Act Manager, U.S. Coast Guard, 2703 Martin Luther King Jr. Ave. SE, Stop 7710, Washington, DC 20593–7710.

FOR FURTHER INFORMATION CONTACT: A.L. Craig, Office of Privacy Management, telephone 202–475–3528, or fax 202–372–8405, for questions on these documents.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

This notice relies on the authority of the Paperwork Reduction Act of 1995; 44 U.S.C. 3501 *et seq.,* chapter 35, as amended. An ICR is an application to OIRA seeking the approval, extension, or renewal of a Coast Guard collection of information (Collection). The ICR contains information describing the Collection's purpose, the Collection's likely burden on the affected public, an explanation of the necessity of the Collection, and other important information describing the Collection. There is one ICR for each Collection.

The Coast Guard invites comments on whether this ICR should be granted based on the Collection being necessary for the proper performance of Departmental functions. In particular, the Coast Guard would appreciate comments addressing: (1) the practical utility of the Collection; (2) the accuracy of the estimated burden of the Collection; (3) ways to enhance the quality, utility, and clarity of information subject to the Collection; and (4) ways to minimize the burden of the Collection on respondents, including the use of automated collection techniques or other forms of information technology. These comments will help OIRA determine whether to approve the ICR referred to in this Notice.

We encourage you to respond to this request by submitting comments and related materials. Comments to Coast Guard or OIRA must contain the OMB Control Number of the ICR. They must also contain the docket number of this request, [USCG–2022–0396], and must be received by November 21, 2022.

Submitting Comments

We encourage you to submit comments through the Federal eRulemaking Portal at *https://www.regulations.gov.* If your material cannot be submitted using *https://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Documents mentioned in this notice, and all public comments, are in our online docket at *https://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted.

We accept anonymous comments. All comments to the Coast Guard will be posted without change to *https://www.regulations.gov* and will include any personal information you have provided. For more about privacy and submissions to the Coast Guard in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). For more about privacy and submissions to OIRA in response to this document, see the *https://www.reginfo.gov,* comment-submission web page. OIRA posts its decisions on ICRs online at *https://www.reginfo.gov/public/do/PRAMain* after the comment period for each ICR. An OMB Notice of Action on each ICR will become available via a hyperlink in the OMB Control Number: 1625–0065.

Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard published the 60-day notice (87 FR 41140, July 11, 2022) required by 44 U.S.C. 3506(c)(2). That notice elicited no comments. Accordingly, no changes have been made to the Collection.

Information Collection Request

Title: Offshore Supply Vessels.

OMB Control Number: 1625–0065.

Summary: 46 U.S.C. 3301, 3305, 3306, 3306, 3307, and 3308 authorize the Coast Guard to prescribe safety regulations. 46 CFR part 126 promulgates marine safety regulations for offshore supply vessels (OSV).

Need: The OSV posting/marking requirements are needed to provide instructions to those onboard of actions to be taken in the event of an emergency.

The reporting/recordkeeping requirements verify compliance with regulations without Coast Guard presence to witness routine matters, including OSVs based overseas as an alternative to Coast Guard inspection.

Forms: None.

Respondents: Owners and operators of vessels.

Frequency: On occasion.

Hour Burden Estimate: The estimated burden has decreased from 1,230 hours to 718 hours a year, due to a decrease in the estimated annual number of respondents.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. *et seq.,* chapter 35, as amended.

Dated: September 20, 2022.

Kathleen Claffie,

Chief, Office of Privacy Management, U.S. Coast Guard.

[FR Doc. 2022–22943 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2022–0002; Internal Agency Docket No. FEMA–B–2273]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before January 19, 2023.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://hazards.fema.gov/femaportal/prelimdownload* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–2273, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://hazards.fema.gov/femaportal/prelimdownload* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Nicholas A. Shufro,

Assistant Administrator for Risk Management (Acting), Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Stark County, North Dakota and Incorporated Areas Projects: 21–08–0008S and 15–08–0156S Preliminary Date: April 6, 2022	
City of Dickinson	City Hall, 38 1st Street West, Dickinson, ND 58601.
City of Gladstone	City Hall, 183 5th Avenue, Gladstone, ND 58630.
City of Richardton	City Hall, 111 North Avenue West, Richardton, ND 58652.
City of South Heart	City Hall, 209 4th Street Northwest, South Heart, ND 58655.
City of Taylor	City Hall, 30 Ertel Avenue, Taylor, ND 58656.
Unincorporated Areas of Stark County	Stark County Courthouse, 51 3rd Street East, Dickinson, ND 58601.
Clark County, South Dakota and Incorporated Areas Project: 20–08–0001S Preliminary Date: May 13, 2022	
City of Clark	City Hall, 120 North Commercial Street, Clark, SD 57225.
Town of Raymond	Fire Department, 201 Flower Street, Raymond, SD 57258.
Town of Willow Lake	Fire Hall, 211 Garfield Avenue, Willow Lake, SD 57278.
Unincorporated Areas of Clark County	Clark County Registrar's Office, 200 North Commercial Street, Clark, SD 57225.
Day County, South Dakota and Incorporated Areas Project: 18–08–0044S Preliminary Date: June 11, 2021	
City of Waubay	City Hall, 45 North Main Street, Waubay, SD 57273.
City of Webster	City Hall, 800 Main Street, Webster, SD 57274.
Sisseton Wahpeton Oyate Tribe	Sisseton Wahpeton Oyate Emergency Management Office, 12554 BIA Highway 711, Agency Village, SD 57262.
Town of Andover	City and Fire Department Building, 123 South Main Street, Andover, SD 57422.
Town of Grenville	Town Hall, 911 Kosciusko Avenue, Grenville, SD 57239.
Town of Pierpont	Water Storage Building, 207 South 2nd Avenue, Pierpont, SD 57468.
Unincorporated Areas of Day County	Day County Courthouse, 711 1st Street West, Webster, SD 57274.
Grant County, South Dakota and Incorporated Areas Project: 18–08–0043S Preliminary Date: April 9, 2021	
City of Big Stone City	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
City of Milbank	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
City of Twin Brooks	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Sisseton Wahpeton Oyate Tribe	Sisseton Wahpeton Oyate Emergency Management Office, 12554 BIA Highway 711, Agency Village, SD 57262.
Town of Albee	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Town of La Bolt	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Town of Marvin	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Town of Revillo	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Town of Stockholm	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Town of Strandburg	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Unincorporated Areas of Grant County	Grant County Courthouse, 210 East 5th Avenue, Milbank, SD 57252.
Roberts County, South Dakota and Incorporated Areas Project: 18–08–0042S Preliminary Date: October 16, 2020	
City of Peever	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
City of Rosholt	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
City of Sisseton	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
City of Wilmot	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Sisseton Wahpeton Oyate Tribe	Sisseton Wahpeton Oyate Emergency Management Office, 12554 BIA Highway 711, Agency Village, SD 57262.
Town of Claire City	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Town of Corona	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Town of New Effington	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Town of Ortley	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Town of Summit	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.
Town of White Rock	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.

Community	Community map repository address
Unincorporated Areas of Roberts County	Roberts County Courthouse, 411 2nd Avenue East, Sisseton, SD 57262.

[FR Doc. 2022–22974 Filed 10–20–22; 8:45 am]
BILLING CODE 9111–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2022–0002; Internal Agency Docket No. FEMA–B–2277]

Proposed Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Notice.

SUMMARY: Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: Comments are to be submitted on or before January 19, 2023.

ADDRESSES: The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location *https://hazards.fema.gov/femaportal/prelimdownload* and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

You may submit comments, identified by Docket No. FEMA–B–2277, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Mapping and Insurance eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at *https://www.floodsrp.org/pdfs/srp_overview.pdf.*

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location *https://hazards.fema.gov/femaportal/prelimdownload* and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Nicholas A. Shufro,

Assistant Administrator for Risk Management (Acting), Federal Emergency Management Agency, Department of Homeland Security.

Community	Community map repository address
Morrow County, Ohio and Incorporated Areas Project: 14–05–4454S Preliminary Date: May 31, 2022	
Unincorporated Areas of Morrow County	Morrow County Planning and Zoning Office, 80 North Walnut Street, Suite C, Mt. Gilead, OH 43338.

Community	Community map repository address
Ozaukee County, Wisconsin and Incorporated Areas Project: 13–05–3721S Preliminary Date: December 30, 2021	
City of Cedarburg	City Hall, W63N645 Washington Avenue, Cedarburg, WI 53012.
City of Mequon	City Hall, 11333 North Cedarburg Road, Mequon, WI 53092.
City of Port Washington	City Hall, 100 West Grand Avenue, Port Washington, WI 53074.
Unincorporated Areas of Ozaukee County	Administration Building, 121 West Main Street, Port Washington, WI 53074.
Village of Bayside	Village Hall, 9075 North Regent Road, Bayside, WI 53217.
Village of Belgium	Village Hall, 104 Peter Thein Avenue, Belgium, WI 53004.
Village of Fredonia	Village Hall, 242 Fredonia Avenue, Fredonia, WI 53021.
Village of Grafton	Village Hall, 860 Badger Circle, Grafton, WI 53024.
Village of Newburg	Village Hall, 620 West Main Street, Newburg, WI 53060.
Village of Saukville	Village Hall, 639 East Green Bay Avenue, Saukville, WI 53080.
Village of Thiensville	Village Hall, 250 Elm Street, Thiensville, WI 53092.

[FR Doc. 2022–22973 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS–2022–0048]

DHS Data Privacy and Integrity Advisory Committee

AGENCY: Privacy Office, DHS.

ACTION: Committee management; withdrawal of notice.

SUMMARY: On July 12, 2022, the Department of Homeland Security (DHS) published a notice in the **Federal Register** announcing the renewal of the DHS Data Privacy and Integrity Advisory Committee (DPIAC). The notice is hereby withdrawn.

DATES: The document published at 87 FR 41343 on July 12, 2022 is withdrawn as of October 21, 2022.

FOR FURTHER INFORMATION CONTACT: Sandra L. Taylor, Designated Federal Officer, DHS Data Privacy and Integrity Advisory Committee, Department of Homeland Security, Privacy Office, Mail Stop 0655, 2707 Martin Luther King Jr. Ave. SE, Washington, DC 20598–0655, by telephone (202) 343–1717, by fax (202) 343–4010, or by email to *privacycommittee@hq.dhs.gov.*

SUPPLEMENTARY INFORMATION: On July 12, 2022, DHS published a notice in the **Federal Register** announcing the renewal of the DPIAC. This notice was published in error. For the correct notice, please see the notice of re-establishment of the DPIAC, published at 87 FR 44140 on July 25, 2022.

Lynn Parker Dupree,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2022–22847 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–9L–P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2007–28572]

Intent To Request Revision From the Office of Management and Budget of One Current Public Collection of Information: Secure Flight Program

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-Day notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on one currently approved Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0046, abstracted below, that we will submit to OMB for a revision in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. The information collection involves passenger information that certain U.S. aircraft operators and foreign air carriers (collectively referred to in this document as ''covered aircraft operators'') submit to Secure Flight for the purposes of identifying and protecting against potential threats to transportation and national security. The information collection also involves lists used by TSA to determine the prescreening status of individuals. TSA is revising the collection to reduce the number of non-governmental entities with access to the federal watch lists.

DATES: Send your comments by December 20, 2022.

ADDRESSES: Comments may be emailed to *TSAPRA@tsa.dhs.gov* or delivered to the TSA PRA Officer, Information Technology (IT), TSA–11, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598–6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227–2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation will be available at *http://www.reginfo.gov* upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to:

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Information Collection Requirement

OMB Control Number 1652–0046; Secure Flight Program, 49 CFR part 1560. Under the Secure Flight Program, the TSA collects information from covered aircraft operators, which includes U.S. aircraft operators, foreign air carriers and U.S. airports in order to prescreen passengers and individuals seeking access to the sterile area of the airport. Specifically, the information collected is used to facilitate the process for assessing passengers' risk by matching against lists of persons who

pose or are suspected of posing an elevated risk to transportation or national security, for matching against lists of Known Travelers to identify passengers who may be eligible for expedited screening, and to disambiguate individuals with identifying information similar to those on high- and low-risk lists to ensure that each passenger receives the appropriate screening and protect against misidentification. The collection covers the following:

(1) Secure Flight Passenger Data (SFPD) for passengers of covered flights within, to, from, or over the continental U.S., as well as flights between two foreign locations when operated by a covered U.S. aircraft operator.

(2) SFPD for passengers of charter operators and lessors of aircraft with a maximum takeoff weight of over 12,500 pounds.

(3) Certain identifying information for non-traveling individuals that airport operators or airport operator points of contact seek to authorize to enter a sterile area at a U.S. airport (*e.g.,* to patronize a restaurant, to escort a minor or a passenger with disabilities, or for another approved purpose).

(4) Registration information critical to deployment of Secure Flight, such as contact information, data format, or the mechanism the covered aircraft operators use to transmit SFPD and other data.

(5) Lists of low-risk individuals who are eligible for expedited screening provided by Federal and non-federal entities. In support of TSA Pre✓®, TSA implemented expedited screening of known or low-risk travelers. Federal and non-federal entities may maintain lists of eligible individuals pursuant to agreements with DHS and TSA, and provide TSA with those lists of eligible low-risk individuals to be used as part of Secure Flight processes. Secure Flight identifies individuals who should receive expedited screening and transmits the appropriate boarding pass printing result to the aircraft operators.

The collection is being revised due to a change in the population burden. Specifically, TSA has begun an initiative to decrease the number of non-governmental entities with access to the federal watch lists. Pursuant to previous and current TSA regulatory requirements, these entities have used the lists to support prescreening of aviation passengers and non-traveling individuals seeking access to the sterile area of an airport, and to vet certain employees. As a result of the initiative, the respondent populations of Twelve-Five and Private Charter operators authorized to participate in the Secure Flight program will be increased. TSA Secure Flight is working with this population to help them identify the best method for sending data to Secure Flight. Those methods include electronic Secure Flight and use of the DHS router. TSA Secure Flight expects the vast majority of this population to use electronic Secure Flight or the DHS Router.

TSA estimates an average of 901 respondents (262 current and new covered aircraft operators + 554 Twelve-five and Private Charter aircraft operators + 75 airports + 10 non-federal entities) per year with an estimated average annual reporting burden of 44,840 hours.

Dated: October 18, 2022.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer, Information Technology.

[FR Doc. 2022–22924 Filed 10–20–22; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7056–N–31]

60-Day Notice of Proposed Information Collection: Application for Insurance of Advance Mortgage Proceeds; OMB Control No.: 2502–0097

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:* December 20, 2022.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, Washington, DC 20410–5000; telephone 202–402–3400 (this is not a toll-free number) or email at *Colette.Pollard@hud.gov* for a copy of the proposed forms or other available information. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

FOR FURTHER INFORMATION CONTACT: Colette Pollard, Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email Colette Pollard at *Colette.Pollard@hud.gov* or telephone 202–402–3400. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.* Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in section A.

A. Overview of Information Collection

Title of Information Collection: Application for Insurance of Advance of Mortgage Proceeds.

OMB Approval Number: 2502–0097.

OMB Expiration Date: 2/29/2020.

Type of Request: Reinstatement, with change, of previously approved collection for which approval has expired.

Form Number: HUD–92403.

Description of the Need for the Information and Proposed Use: The form is used by mortgagors for funds expended or obligated for construction related items; by mortgagees to request mortgage insurance for funds so advanced. HUD uses the information as its certificate of mortgage insurance for funds it approves for advance.

Respondents: Business or other for-profit. Individuals participating in HUD Multifamily mortgage insurance programs as principals of sponsors, mortgagors, and general contractors.

Estimated Number of Respondents: 1113.

Estimated Number of Responses: 33,390.

Frequency of Response: 30.

Average Hours per Response: 2.

Total Estimated Burden: 66,780.

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. chapter 35.

Jeffrey D. Little,

General Deputy Assistant Secretary, Office of Housing.

[FR Doc. 2022–22859 Filed 10–20–22; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[22XD4523WS; DS67010000; DWSNF0000.XD0000; DP67012; OMB Control Number 1093–NEW]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Access and Consent Forms

AGENCY: Office of the Secretary, Office of the Chief Information Officer, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of the Secretary, Office of the Chief Information Officer are proposing to seek compliance for an information collection in use without approval.

DATES: Interested persons are invited to submit comments on or before November 21, 2022.

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 Review—Open for Public Comments'' or by using the search function. Please provide a copy of your comments to Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240, or email her at *DOI_Privacy@ios.doi.gov.* Please reference Office of Management and Budget (OMB) Control Number 1093–NEW in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this Information Collection Request (ICR), contact Teri Barnett, Departmental Privacy Officer, U.S. Department of the Interior, 1849 C Street NW, Room 7112, Washington, DC 20240, or email her at *DOI_Privacy@ios.doi.gov,* or by telephone at 202–208–1605. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. 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, 2022 (87 FR 25289). One comment was received but it did not address the information collection.

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 personally identifiable information (PII)—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

Abstract: The Department of the Interior (DOI) developed the DI–4016, Request for Individual Access to Records Protected under the Privacy Act, and DI–4017, Consent for Disclosure of Records Protected under the Privacy Act, forms for individuals to submit requests for accessing, and consenting to the disclosure of, records protected under the Privacy Act of 1974, as amended, 5 U.S.C. 552a. The DI–4016, Request for Individual Access to Records Protected under the Privacy Act, form is used by individuals seeking access to their records and any information pertaining to them that are maintained in DOI's systems of records. The DI–4017, Consent for Disclosure of Records Protected under the Privacy Act, form provides written consent of the individual to whom the record pertains when disclosing records to another person or an agency. The Privacy Act provides that ''the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.'' Therefore, these forms may also be used by a parent or legal guardian.

These forms were based on the templates provided in the OMB Memorandum M–21–04, Modernizing Access to and Consent for Disclosure of

Records Subject to the Privacy Act, issued on November 12, 2020, which implements the requirements of the Creating Advanced Streamlined Electronic Services for Constituents Act of 2019 (''CASES Act''). The CASES Act was issued in an effort to modernize the Privacy Act request process by requiring agencies to accept access and consent forms from individuals properly identity-proofed and authenticated remotely through a digital service option in addition to an agency's existing process. The CASES Act also requires the forms to be posted on the agency website's privacy program page and the website updated to include instructions on how individuals may submit requests digitally.

Title of Collection: Access and Consent Forms.

OMB Control Number: 1093–NEW.

Form Number: DI–4016 and DI–4017.

Type of Review: New, In use without OMB approval.

Respondents/Affected Public: Individuals/households.

Total Estimated Number of Annual Respondents: 1,325.

Total Estimated Number of Annual Responses: 1,325.

Estimated Completion Time per Response: 15 minutes.

Total Estimated Number of Annual Burden Hours: 331 hours.

Respondent's Obligation: Voluntary.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: None.

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.*).

Jeffrey Parrillo,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–22888 Filed 10–20–22; 8:45 am]

BILLING CODE 4334–63–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLHQ210000.223.L16100000.PN0000; OMB Control Number 1004–0212]

Agency Information Collection Activities; Resource Management Planning

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Bureau of Land Management (BLM) proposes to renew an information collection.

DATES: Interested persons are invited to submit comments on or before November 21, 2022.

ADDRESSES: Written comments and recommendations for this information collection request (ICR) 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.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Antoinette Eighmey-Griffin by telephone at (303) 239–3619 or by email at *aeighmeygriffin@blm.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at *http://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the PRA (44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we invite the public and other Federal agencies to comment on new, proposed, revised and continuing collections of information. This helps the BLM assess impacts of its information collection requirements and minimize the public's reporting burden. It also helps the public understand BLM information collection requirements and ensure requested data are provided in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on June 27, 2022 (87 FR 38173). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again inviting the public and other Federal agencies to comment on the proposed ICR described below. The BLM is especially interested in public comment addressing the following:

(1) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) The accuracy of 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 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 submitted 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: OMB Control Number 1004–0212 provides State Governors an opportunity to work with the BLM to resolve possible inconsistencies between BLM land use plans and State or local plans, policies, or programs; and authorizes protests of land use plans and plan amendments by the BLM. This OMB Control Number is currently scheduled to expire on March 31, 2023. The BLM request that OMB renew this OMB Control Number for an additional three years.

Title of Collection: Resource Management Planning.

OMB Control Number: 1004–0212.

Form Numbers: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State, Local, and Tribal Governments; Individuals/Households; Businesses; and Associations.

Total Estimated Number of Annual Respondents: 131.

Total Estimated Number of Annual Responses: 131.

Estimated Completion Time per Response: 15 hours.

Total Estimated Number of Annual Burden Hours: 1,965.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: $0.

An agency may not conduct or sponsor and, notwithstanding any other provision of law, 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 PRA of 1995 (44 U.S.C. 3501 *et seq.*).

Darrin King,

Information Collection Clearance Officer.

[FR Doc. 2022–22966 Filed 10–20–22; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS00000.L51010000.ER0000. LVRWF2107480.21X; N–99406; MO#4500163153]

Notice of Intent To Prepare an Environmental Impact Statement and Amend the Resource Management Plan for the Proposed Rough Hat Clark County Solar Project in Clark County, Nevada

AGENCY: Bureau of Land Management, Department of Interior.

ACTION: Notice of intent; request for comments.

SUMMARY: As requested by Candela Renewables, LLC, and in compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Nevada State Director intends to prepare a Resource Management Plan (RMP) amendment with an associated Environmental Impact Statement (EIS) to consider the effects of the proposed Rough Hat Clark County Solar Project. By this notice the BLM is announcing the beginning of the scoping period to solicit public comments and identify issues, and is providing the planning criteria for public review.

DATES: Your comments concerning the scope of the analysis, potential alternatives, and identification of relevant information, and studies must be received by BLM by December 5, 2022 or 15 days after the last public meeting, whichever is later. The BLM will conduct two public scoping meetings (virtually) which will be held November 15 and November 16, 2022 from 6 p.m. to 8 p.m. Pacific time. Additional information on the meetings, including how to register, can be found on the project ePlanning website at: *https://eplanning.blm.gov/eplanning-ui/project/2019992/510.*

ADDRESSES: You may submit comments by any of the following methods:

- *Online via ePlanning: https://eplanning.blm.gov/eplanning-ui/project/2019992/510.*
- *Email: BLM_NV_SND_EnergyProjects@blm.gov.*
- *Mail:* BLM, Las Vegas Field Office, Attn: Rough Hat Clark County Solar Project, 4701 North Torrey Pines Drive, Las Vegas, NV 89130–2301.

Documents pertinent to this proposal may be examined online at the project ePlanning page: *https://eplanning.blm.gov/eplanning-ui/project/2019992/510* and at the Southern Nevada District Office.

FOR FURTHER INFORMATION CONTACT: Whitney Wirthlin, Project Manager, telephone (725) 249–3318; address 4701 North Torrey Pines Drive, Las Vegas, NV 89130–2301; email *BLM_NV_SND_EnergyProjects@blm.gov.* Contact Whitney Wirthlin to have your name added to our mailing list. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Whitney Wirthlin. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM intends to prepare an RMP amendment with an associated EIS for the Rough Hat Clark County Solar Project, announces the beginning of the scoping process, and seeks public input on issues and planning criteria. The RMP amendment is being considered to allow the BLM to evaluate the Rough Hat Clark County Solar Project, which would require amending the existing 1998 Las Vegas RMP.

On November 14, 2019, Candela Renewables, LLC submitted a right-of-way application to the BLM Las Vegas Field Office for the Rough Hat Clark County Solar Project (Project) requesting authorization to construct, operate, maintain, and eventually decommission a 400-megawatt photovoltaic solar electric generating facility, battery storage facilities, associated generation tie-line, and access road facilities. The proposed Project requests use of approximately 2,400 acres of federal lands administered by the BLM. The proposed project is in Clark County, southeast of the town of Pahrump and approximately 38 miles west of Las Vegas. The electricity generated would be collected at the onsite substation and conveyed to the approved Trout Canyon Substation located south of the project site via a generation (gen-tie) transmission line. Construction for the facilities is estimated to take approximately 12 to 18 months. The lands within the proposed Project area were segregated, subject to valid existing rights, for a term of two years beginning October 20, 2021, with publication of the Notice of Segregation in the **Federal Register**.

Preliminary Purpose and Need

The BLM's preliminary purpose and need for this Federal action is to respond to the FLPMA right-of-way applications submitted by Candela Renewables, LLC under title V of FLPMA (43 U.S.C. 1761) to construct, operate, maintain, and decommission a solar generation power plant and ancillary facilities on approximately 2,400 acres of BLM land in Clark County, Nevada, in compliance with FLPMA, BLM right-of-way regulations, U.S. Department of the Interior NEPA regulations, and other applicable federal and state laws and policies. In accordance with FLPMA, public lands are to be managed for multiple uses that consider the long-term needs of future generations for renewable and non-renewable resources. The BLM is authorized to grant rights-of-way on public lands for systems of generation, transmission, and distribution of electrical energy (section 501(a)(4)). The preliminary purpose and need also includes an amendment to the 1998 Las Vegas RMP to address a potential Visual Resource Management Class modification to respond to the proponent's application.

Preliminary Proposed Action and Alternatives

The Proposed Action is to approve a right-of-way to Candela Renewables, LLC to construct, operate, and eventually decommission the proposed solar project and associated facilities with the potential to generate 400-megawatts of alternating current energy on 2,400 acres of BLM administered lands. The Proposed Action also includes an amendment to the 1998 Las Vegas RMP in order to adjust the Visual Resource Management Class.

The Visual Resource Management Class for the project area includes Class III, which requires a RMP amendment to change the Class III area to Class IV in order for the project to be consistent with the RMP, per the BLM Land Use Planning Handbook (H–1601–1 section VII.B).

Additional action alternatives have not been identified to date but would be developed by taking into consideration comments and input submitted during

the application evaluation determination process and scoping.

The No Action Alternative would involve the BLM not issuing a right-of-way grant for the solar project and associated facilities. The proposed Project would not be constructed, and existing land uses in the project area would continue. Additionally, the BLM would not undertake a RMP amendment to adjust Visual Resource Management Classes. The BLM welcomes comments on all preliminary alternatives as well as suggestions for additional alternatives.

Planning Criteria

The planning criteria guide the planning effort and lay the groundwork for effects analysis by identifying the preliminary issues and their analytical frameworks. Preliminary issues for the planning area have been identified by BLM personnel and from early engagement conducted for this planning effort with Federal, State, and local agencies; Tribes; and other stakeholders. The BLM has identified preliminary issues for this planning effort's analysis. The planning criteria are available for public review and comment at the ePlanning website: *https://eplanning.blm.gov/eplanning-ui/project/2019992/510.*

Summary of Expected Impacts

The analysis in the EIS will be focused on the proposed solar project and associated facilities, including battery storage and transmission line construction. The BLM evaluated the proposed Project application per the variance process described in the Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States. Through this process, the BLM completed public outreach and coordination with agencies and Indian Tribal Nations specific to the proposed Project. From the input received, the expected impacts from construction, operation, and eventual decommissioning of the solar project, associated facilities, and the RMP amendment could include:

- Potential desert tortoise habitat disturbance and changes in genetic connectivity habitat from construction of the proposed facilities;
- Potential effects to cultural resources in the project area from construction activities;
- Potential modifications to the visual character of the area, as well as changes to the Visual Resource Management Class from III to IV proposed as a change to the RMP;
- Potential effects to basin groundwater resources from the proposed construction water needs for the Project;
- Potential socioeconomic impacts from the proposed Project to local communities;
- Potential air quality impacts from proposed construction activities;
- Potential impacts to vegetation species from construction, operations, and decommissioning of the Project and associated facilities;
- Potential effects to the recreational opportunities and public use of the proposed Project area due to construction and operations of the solar facility; and
- Potential cumulative effects from other reasonably foreseeable actions in the area.

Preliminary issues for the Project have been identified by the BLM, other Federal agencies, the State, local agencies, Tribes, and the public during the variance process. The following resources, or resource uses, have potential issues that will need to be analyzed in detail in the EIS: threatened and endangered species, biological resources, vegetation resources, visual resources, cultural resources, air quality, climate change, recreation, socioeconomics, water resources, and other reasonably foreseeable effects from other projects in the area. Habitat for the federally listed desert tortoise is in this project area.

Anticipated Permits and Authorizations

Along with the right-of-way grant issued by the BLM, Candela Renewables, LLC anticipates needing the following authorizations and permits for the proposed Project: Biological Opinion and Incidental Take Permit from the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act; section 404 Permit from U.S. Army Corps of Engineers; Consultation under section 106 of the National Historic Preservation Act with the Advisory Council on Historic Preservation and Nevada State Historic Preservation Office; Consultation and Take Permit from Nevada Department of Wildlife; Nevada Division of Environmental Protection Stormwater discharge permits; Nevada Public Utilities Commission Environmental Protection Act Permit; Nevada Division of Forestry Cacti and Yucca Salvage Permit; Clark County Department of Air Quality Dust Control Permit; Clark County Regional Flood Control District drainage study review; Clark County Department of Comprehensive Planning special use permit; and Clark County Building Department permits. Further details on these permitting requirements may be found in the preliminary Plan of Development for the Rough Hat Clark County Solar Project.

Schedule for the Decision-Making Process

The BLM will provide additional opportunities for public participation consistent with the NEPA and land use planning processes, including a 90-day comment period on the Draft EIS/RMP amendment and concurrent 30-day public protest period and 60-day Governor's consistency review on the Proposed RMP amendment. The Draft EIS/RMP amendment is anticipated to be available for public review in summer 2023, and if the proposed action or alternative action is approved, the Final EIS/Proposed RMP amendment is anticipated to be available for public protest of the Proposed RMP amendment in winter 2024 with an Approved RMP amendment and Record of Decision in spring 2024.

Public Scoping Process

This notice of intent initiates the scoping period and public review of the planning criteria, which guide the development and analysis of the Draft EIS/RMP amendment.

The BLM will be holding two virtual scoping meetings. The specific date(s) and location(s) of these scoping meetings will be announced at least 15 days in advance through the project ePlanning web page: *https://eplanning.blm.gov/eplanning-ui/project/2019992/510.*

The purpose of the public scoping process is to determine relevant issues that will influence the scope of the environmental analysis, including alternatives and mitigation measures, and to guide the process for developing the EIS. Federal, State, and local agencies, along with other stakeholders that may be interested or affected by the BLM's decision on this project, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate as a cooperating agency. The BLM encourages comments concerning the proposed Rough Hat Clark County Solar Project and RMP amendment, possible measures to minimize and/or avoid adverse environmental impacts, and any other information relevant to the Proposed Action.

The BLM also requests assistance with identifying potential alternatives to the Proposed Action. As alternatives should resolve a problem with the Proposed Action, please indicate the purpose of the suggested alternative. In addition, the BLM requests the

identification of potential issues that should be analyzed. Issues should be a result of the Proposed Action or alternatives; therefore, please identify the activity along with the potential issues.

Lead and Cooperating Agencies

The BLM Las Vegas Field Office is the lead agency for this EIS and RMP amendment. The BLM has initially invited 27 agencies and 15 Indian Tribal Nations to be cooperating agencies to participate in the environmental analysis of the Project.

Of those invited, to date nine agencies have accepted cooperating agency status: U.S. Fish and Wildlife Service Ecological Services Program, U.S. Fish and Wildlife Service Migratory Bird Program, U.S. Environmental Protection Agency Region 9, Clark County Department of Aviation, Clark County Department of Environment and Sustainability, Nye County, Nevada Department of Wildlife, Nevada Division of Emergency Management, and Nevada Department of Public Safety. Additional agencies and organizations may be identified as potential cooperating agencies to participate in the environmental analysis of the Project.

Responsible Official

The Nevada State Director is the deciding official for this Proposed Action.

Nature of Decision To Be Made

The nature of the decision to be made will be the State Director's selection of land use planning decisions for managing BLM-administered lands under the principles of multiple use and sustained yield in a manner that best addresses the purpose and need.

The BLM will decide whether to grant, grant with conditions, or deny the application for the right of way. Pursuant to 43 CFR 2805.10, if the BLM issues a grant, the BLM decision maker may include terms, conditions, and stipulations determined to be in the public interest. The BLM will also make the decision whether or not to approve any RMP amendment, in accordance with BLM policy about delegation of authorities. In the Record of Decision, the BLM will clearly distinguish the RMP amendment decision from the selected alternative for the proposed Rough Hat Clark County Solar Project.

Interdisciplinary Team

The BLM will use an interdisciplinary approach to develop the EIS/RMP amendment in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in this process: air quality, archaeology, botany, climate change (greenhouse gases), environmental justice, fire and fuels, geology/mineral resources, hazardous materials, hydrology, invasive/non-native species, lands and realty, National Conservation Lands, National Trails, public health and safety, recreation/transportation, socioeconomics, soils, visual resources, and wildlife.

Additional Information

The BLM will identify, analyze, and consider mitigation to address the reasonably foreseeable impacts to resources from the proposed action and all analyzed reasonable alternatives and, in accordance with 40 CFR 1502.14(e), include appropriate mitigation measures not already included in the proposed plan amendment or alternatives. Mitigation may include avoidance, minimization, rectification, reduction or elimination over time, and compensation. Mitigation may be considered at multiple scales, including the landscape scale.

The BLM will utilize and coordinate the NEPA and land use planning processes for this planning effort to help support compliance with applicable procedural requirements under the Endangered Species Act (16 U.S.C. 1536) and section 106 of the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3), including public involvement requirements of section 106. The information about historic and cultural resources and threatened and endangered species within the area potentially affected by the proposed Project will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will continue to consult with Indian Tribal Nations on a government-to-government basis in accordance with Executive Order 13175, BLM MS 1780, and other policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration. Federal, State, and local agencies, along with Indian Tribal Nations, and other stakeholders that may be interested in or affected by the proposed action that the BLM is evaluating, are invited to participate in the scoping process and, if eligible, may request or be requested by the BLM to participate in the development of the environmental analysis as a cooperating agency. The BLM will send invitations to potentially affected Indian Tribal Nations prior to the meetings. The BLM will provide additional opportunities for government-to-government consultation during the NEPA process.

The BLM has initiated engagement with Indian Tribal Nations governments including sending letters to the Moapa Band of Paiutes, Las Vegas Paiute Tribe, Timbisha Shoshone, Chemehuevi Indian Tribe, Twenty-Nine Palms Band of Mission Indians, Fort Mojave Indian Tribe, and Colorado River Indian Tribes on March 31, 2021, to invite the Tribes to initiate formal government-to-government consultation. Additionally, the BLM sent letters to the Bishop Paiute Tribe, Fort Independence Indian Community of Paiute Indians, Kaibab Band of Paiute Indians, Paiute Indian Tribe of Utah, San Juan Southern Paiute Tribe, and the Utu Utu Gwaitu Paiute Tribe (Owens Valley Paiute Benton Reservation) on July 1, 2022, inviting the tribes to initiate formal government-to-government consultation. The BLM also sent letters to the Big Pine Paiute Tribe of Owens Valley and the Lone Pine Paiute-Shoshone Tribe on August 24, 2022, inviting the tribes to initiate formal government-to-government consultation and to participate as a Cooperating Agency for the Project. Tribal consultation for the project is ongoing.

The BLM will also use and coordinate the required National Historic Preservation Act review of this project with the NEPA process to fulfill the requirements under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.8(c). The identification of historic properties and the assessment of effects of the undertaking on these properties will be carried out in a manner consistent with the standards and criteria outlined in 36 CFR 800.4 through 800.5. BLM will consult on the effects of the undertaking on historic properties with the Nevada State Historic Preservation Office, Indian Tribes that might attach religious and cultural significance to affected historic properties, other consulting parties, and the Advisory Council on Historic Preservation, where appropriate, during NEPA scoping, environmental analysis, and the preparation of NEPA documents. The public will be given the opportunity to be involved in accordance with BLM's NEPA procedures. In consultation with identified consulting parties, BLM will develop alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the undertaking on historic properties and describe them in the Draft EIS. The agency official will provide the Draft EIS/RMP amendment to the Nevada State Historic Preservation Office,

Indian Tribal Nations that might attach religious and cultural significance to affected historic properties, the Advisory Council on Historic Preservation, and other consulting parties in accordance with 36 CFR 800.8(c) and the BLM's established NEPA procedures.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR 1610.2 and 2800.)

Jon Raby,

State Director.

[FR Doc. 2022–22938 Filed 10–20–22; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–34736; PPWOCRADI0, 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 8, 2022, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by November 7, 2022.

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 8, 2022. 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:

KEY: State, County, Property Name, Multiple Name (if applicable), Address/Boundary, City, Vicinity, Reference Number.

ALABAMA

Covington County

Andalusia Commercial Historic District (Boundary Increase and Decrease), Court Sq., O'Neal Ct., Central, Church, Coffee, North Cotton, South Cotton, Crescent, Dunson, Historic Central, Pear, East Three Notch, and South Three Notch Sts., Andalusia, BC100008373

IOWA

Cerro Gordo County

Mason City Engine House No. 2, 2020 South Federal Ave., Mason City, SG100008368

Lee County

Case, Hosea S. and Elizabeth, House, 1452 280th Ave., Denmark, SG100008390

Linn County

Cornell College-Mount Vernon Historic District (Boundary Increase), Bounded by RR tracks, College Blvd., North 10th, North 8th, and South 3rd Aves., North. 2nd and South. 4th Sts., Mount Vernon, BC100008370

NEW YORK

Broome County

Cameo Theatre, 234 Robinson St., Binghamton, SG100008388

Ontario County

Naples Viniculture Historic District, Portions of North Main St., Tobey St., and West Ave., Naples, SG100008381

Schenectady County

Elmer Avenue School, 90 Elmer Ave., Schenectady, SG100008387

Warren County

Three Squares Historic District (Boundary Increase and Decrease), (Glens Falls MRA), Roughly bounded by Broad, Maple, Pine, and Glen (US 9) Sts., Glens Falls, BC100008374

Wayne County

Shipley, Isaac, House, 7470 Lake Ave., Williamson vicinity, SG100008383

OHIO

Delaware County

Cleveland, Columbus, Cincinnati & Indianapolis Railroad Depot, 60 Lake St., Delaware, SG100008393

OREGON

Multnomah County

Eastmoreland Historic District, (Historic Residential Suburbs in the United States, 1830–1960 MPS), Generally bounded by SE Woodstock Blvd., Eastmoreland Golf Course, Johnson Cr., and SE Crystal Springs Blvd., Portland, MP100008367

PENNSYLVANIA

Centre County

Marsh Creek Advent Church, 1303 Moose Run Rd., Bellefonte, SG100008385

Luzerne County

Fort Pittston School, (Educational Resources of Pennsylvania MPS), 255 North Main St., Pittston, MP100008384

SOUTH DAKOTA

Clay County

Jacobson, Basil H. & Frances, House, 1101 James St., Vermillion, SG100008376

Jolley Historic District, Roughly bounded by East Main, South Pine, East Lewis, East Canby, and South Harvard St., Vermillion, SG100008377

TENNESSEE

Monroe County

Akins House, Citico Rd., Vonore, SG100008378

Rutherford County

Cemetery School, Mt. Olive Rd., Murfreesboro, SG100008375

Shelby County

Audubon Park Historic District, 750 Cherry Rd., Memphis, SG100008389

VIRGINIA

New Kent County

South Garden, 6331 Pocahontas Trail, Providence Forge, SG100008391

Staunton Independent City, Goodloe House, 25 Ridgeview Rd., Staunton, SG100008392

WEST VIRGINIA

Ohio County

Virginia Apartments, 902 Main St., Wheeling, SG100008380

WISCONSIN

Marinette County

SIDNEY O. NEFF Shipwreck (steambarge), (Great Lakes Shipwreck Sites of Wisconsin MPS), .35 mi. southwest of the Marinette Harbor entrance in Green Bay, Marinette vicinity, MP100008394

Additional documentation has been received for the following resources:

ALABAMA

Covington County

Andalusia Commercial Historic District (Additional Documentation), Court Sq., O'Neal Ct., Central, Church, Coffee, North Cotton, South Cotton, Crescent, Dunson, Historic Central, Pear, East Three Notch, and South Three Notch Sts., Andalusia, AD88003238

IOWA

Greene County

Jefferson Square Commercial Historic District (Additional Documentation), Courthouse Sq. East Lincoln Way, and the 100 blks. of North Wilson, North Chestnut, East State and the NW and NE 1/4 blocks, & 115 South Wilson Sts., Jefferson, AD11000503

Linn County

Cornell College-Mount Vernon Historic District (Additional Documentation), Bounded by RR tracks, College Blvd., North 10th, North 8th, and South 3rd Aves., North. 2nd and South. 4th Sts., Mount Vernon, AD80001456

Authority: Section 60.13 of 36 CFR part 60.

Dated: October 12, 2022.

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2022–22832 Filed 10–20–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–MWR–ISRO–33985; PPWONRADE2, PMP00EI05.YP0000]

Notice of Intent To Prepare an Environmental Impact Statement for a Wilderness Stewardship Plan for Isle Royale National Park, Michigan

AGENCY: National Park Service, Interior.

ACTION: Notice of intent.

SUMMARY: The National Park Service (NPS) is preparing an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) for a Wilderness Stewardship Plan (WSP) for Isle Royale National Park (ISRO or the park).

DATES: The NPS requests comments concerning the scope of the analysis, and identification of relevant information, studies, and analyses. All comments must be received or postmarked by November 21, 2022.

ADDRESSES: Information will be available for public review and comment will only be accepted at *http://parkplanning.nps.gov/ISROWilderness.* Information will also be available at Isle Royale National Park, 800 East Lakeshore Drive, Houghton, Michigan and by request.

FOR FURTHER INFORMATION CONTACT: Superintendent Denice Swanke, Isle Royale National Park, Wilderness Stewardship Plan, 800 East Lakeshore Drive, Houghton, Michigan 49931, or by telephone at (906) 482–0984, or email at *denice_swanke@nps.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Purpose and Need for the Proposed Action

The purpose of this plan is to outline strategies for preserving wilderness character, including the treatment of cultural resources in wilderness, while also providing for the use and enjoyment of the park by current and future generations. This plan would determine preservation and use of historic structures in potential and designated wilderness.

The NPS identified the following needs for this WSP/EIS:

- NPS *Management Policies 2006* requires that each park containing wilderness maintain an up-to-date and approved wilderness management plan (NPS 2006, section 6.3.4.2).
- The previous ISRO Backcountry Wilderness Plan and Final EIS (2011; no Record of Decision) did not provide a decision for treatments and use of historic structures in potential and designated wilderness.
- The 1998 General Management Plan (GMP) specified that a wilderness and backcountry management plan is needed to guide the management of wilderness resources and ensure consistency in such management over time.
- Preliminary inventory and monitoring of wilderness and backcountry resources indicate a difference between existing conditions and desired conditions. Changes in backcountry use, management actions, increasing visitation, and associated human-caused adverse impacts suggest an underlying need to more proactively manage human activities that directly or indirectly affect wilderness conditions.

Preliminary Proposed Action and Alternatives

The NPS's proposed action is to prepare and implement a Wilderness Stewardship Plan that provides the park with tools to enhance wilderness character with specific emphasis on improving the visitors' wilderness experience while maintaining the park's natural and wilderness qualities. This proposed action also provides for access opportunities consistent with the public purposes of wilderness. Treatment of historic structures in wilderness could include: preservation, stabilization or mouldering, or demolition.

Actions Common to All Alternatives

- *Vegetation Clearing.* In select locations, the park may clear vegetation around installations and structures for historic preservation. Vegetation would continue to be cleared around mine shaft fencing. Hazard trees would be removed in the vicinity of Senter Point powder house and steam hoist, and limited vegetation removal would be performed at Island Mine and Island Mine Cemetery. Vegetation overgrowth would be removed to maintain visibility at cemeteries and burial sites.
- *Damaged or Destroyed Historic Structures.* Damaged or destroyed historic structures may be removed following NPS *Management Policies 2006.*
- *Management of Public Use in Wilderness.* The park would continue to use boardwalks in order to minimize damage to wetlands and other natural wilderness qualities. The park may maintain picnic tables in some campgrounds when they are determined necessary for the protection of nearby vegetation and soils. Interpretive, educational and outreach programs would be provided to encourage park visitors to minimize their impacts to park resources and visitor experiences by applying the following principles of Leave No Trace.

Actions Common to All Action Alternatives

The following actions are being considered within the WSP/EIS

- *Trail Maintenance.* Protecting fragile habitats from trampling, trail widening, and erosion as well as minimizing hazardous trail conditions would remain a primary objective of trail construction and maintenance.
- *Administrative Overnight Use of Historic Structures in Wilderness (except Amygdaloid and Davidson).* Historic structures in wilderness or potential wilderness may periodically be utilized for administrative overnight

use by NPS staff, tribal partners, volunteers, park partners, researchers, and roving caretakers.

• *Fire Management for Historic Structures.* The park would develop Defensible Spaces standard operating procedures as it relates to protecting NPS infrastructure from wildfire.

• *Backcountry Office and Processing Fees.* A mainland-based backcountry office would be established.

• *Campground/Campfire Management.* Campfires contained within designated campfire rings may be allowed in designated areas provided that enough down and dead wood is available within a collectable distance and campfire rings may be rotated periodically.

• *Human Waste Management.* Privies would be retained for use and the appropriate number and location would be determined through this process. Privies are associated with existing campgrounds, administrative sites or historic structures and are necessary for the health and safety of wilderness users and to limit impacts from human waste on the natural quality of wilderness.

• *Wilderness Interpretation and Public Signage.* The NPS would review current signage and limit to only those necessary for safety or protection of resources, such as route markers, distance and directions, and hazard signage. Some signage would be removed.

Alternative A—No Action Alternative—Current Management

The ''no-action alternative'' describes the continuation of existing management practices as described in the 1998 GMP and as implemented through the compendium. The GMP does not include an overarching stewardship component designed to enhance wilderness character. There would be no formal priority or treatment distinction for historic structures in wilderness.

Alternative B—Enhancing Wilderness Character While Improving the Visitor Wilderness Experience (Proposed Action)

Alternative B focuses on enhancing wilderness character with specific emphasis on improving the wilderness experience while maintaining Isle Royale's natural and untrammeled wilderness qualities. This alternative would provide for additional access opportunities consistent with the public purposes of wilderness, including additional trails, a new campground, and additional campsites in existing campgrounds.

The alternative designates day use group size limitations by zones to enhance opportunities for unconfined recreation and solitude, while providing opportunities and access for more family groups. The alternative would provide flexibility for managers to reroute trails and bridges in order to avoid sensitive species and address changes in the environment, benefiting Isle Royale's natural quality.

Isle Royale wilderness includes a number of historic structures, most of which are Nationally Significant and listed on the National Register of Historic Places. Many of these structures contribute to the cultural and historic value of Isle Royale's wilderness. Treatment of historic structures in wilderness would include preservation, stabilization, mouldering, or demolition.

Groups of 9 to 12 people would be required to register for group campsite reservations in advance. Groups from the same organization would not be allowed to camp in the same campground at the same time. Tents would be required to be placed within designated tent pads. If a group exceeds 12 people they must split into 2 parties, each independent and traveling on separate itineraries. Organizations may not have more than 24 people camping on the island at one time. The park would implement monitoring to determine if changes to the group size limits should be adjusted.

In order to reduce visitor conflict and provide for opportunities for solitude in the pristine and backcountry zone, the following day use groups size limits would apply:

• *Front Country Zone:* Group size limit of 40. The Front Country Zone includes limited areas within wilderness and most of the areas outside of wilderness. Attractions such as Edisen Fishery, Scoville Point, Raspberry Island, Passage Island trail, and Suzy's Cave are in this zone.

• *Wilderness Portal, Backcountry, and Primitive Zone Trails:* Group size limit of 24 (2 groups of 12 or fewer). This includes most trails and campgrounds. Group sizes of up to 40 people would be allowed at the following locations: Hidden Lake, Lookout Louise, McCargoe Cove, and the Minong.

Alternative C—Enhancing Wilderness Character While Improving Solitude

Like alternative B, alternative C focuses on enhancing wilderness character, but does so by focusing primarily on improving solitude. Solitude is generally preserved or improved by management actions that reduce visitor encounters, signs of modern civilization inside wilderness, facilities, and management restrictions on visitor behavior. The alternative emphasizes solitude by decreasing day use group size, reducing the number of campsites within campgrounds, eliminating trails, allowing winter public use, and implementing a camping permit system. The alternative proposes eliminating commercial use within Isle Royale wilderness which would enhance solitude through reducing visitor encounters with large groups. The alternative would also remove shelters and structures in wilderness to improve the primitive and unconfined recreation qualities, natural, and undeveloped qualities of wilderness character. Like alternative B, historic structures in wilderness could be classified for treatment as preservation, stabilization, mouldering, or demolition.

Under this alternative, overnight group size would remain unchanged from current conditions (alternative A). Day use group size limits would be limited to:

• *Front Country Zones:* Group size limit of 20. The Front Country Zone includes limited areas within wilderness and most of the areas outside of wilderness including attractions such as Edisen Fishery, Scoville Point, Raspberry Island, Passage Island trail, and Suzy's Cave.

• *Wilderness Portal, Backcountry, and Primitive Zone:* Group size limit of 10. This includes most trails and campgrounds. Hidden Lake, Lookout Louise, McCargoe Cove and the Minong Mine would be exceptions, with group sizes of up to 20 people allowed.

Summary of Expected Impacts

The proposed action alternatives are expected to result in improvements to wilderness character. Changes to camping practices, including proposed permitting changes, additional trails, and changes in campgrounds would improve the opportunity for solitude in the wilderness, reduce visitor conflicts and address overcrowding and capacity concerns. Some of the alternatives include elements that detract from opportunities for unconfined recreation, including reservations systems, permitting, designated camping areas, and other features associated with campgrounds. However, these generally improve other aspects of wilderness character, including the opportunity for solitude and they reduce the extent of impacts to natural and cultural features in the park. Alternatives including the retention and preservation of Nationally Significant historic structures enhance cultural and historic values of wilderness. The preservation of these

structures, however, detract from the undeveloped quality of wilderness. Seasonal closure of the Park detracts from the opportunity for unconfined wilderness recreation.

Anticipated Permits and Authorizations

The NPS anticipates informally consulting with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act for unlikely impacts to threatened and endangered species. The NPS will use and coordinate the NEPA public scoping process to help fulfill the public involvement requirements under the National Historic Preservation Act (54 U.S.C. 306108) as provided in 36 CFR 800.2(d)(3).

NPS initiated consultation for this undertaking in compliance with Section 106 of the National Historic Preservation Act regarding the treatments of historic properties in wilderness beginning in 2010. These consultation efforts and documented meetings will be used to inform this effort, as well as continuing consultation efforts.

Schedule for the Decision-Making Process

- Agencies have two years from the date of the issuance of the notice of intent, to the date a record of decision is signed, to complete an Environmental Impact Statement (40 CFR 1501.10).
- The NPS expects to make the Draft EIS available to the public in Fall 2022.
- After public review and comment, the NPS expects to make the Final EIS available to the public in Spring 2023.
- At least 30 days after the Final EIS is available, the record of decision will be completed in accordance with applicable timeframes established in 40 CFR 1506.11.

Public Scoping Process

This notice of intent initiates the scoping process, which guides the development of the EIS. Written comments may be submitted at any time during the scoping process. See the **ADDRESSES** section (above) and the *Submitting Comments* section (below) for more information. There will be no public meetings during the public scoping period.

Reasonable Accommodations

Persons needing reasonable accommodations should contact the park, using one of the methods listed in the **FOR FURTHER INFORMATION CONTACT** section as soon as possible.

Request for Identification of Potential Alternatives, Information, and Analyses Relevant to the Proposed Action

The NPS requests possible alternatives, information, and analyses from all interested parties. The NPS will consider these comments in developing the Draft EIS. Specifically, the NPS is seeking:

- Potential effects that the alternatives could have on other aspects of the human environment, including ecological, aesthetic, historic, cultural, economic, social, environmental justice, or health effects;
- Other possible reasonable alternatives that the NPS should consider, including additional or alternative avoidance, minimization, and mitigation measures;
- Other information relevant to the Wilderness Stewardship Plan and its impacts on the human environment.

Submitting Comments

If you wish to comment, you may submit comments by the methods listed above in the **ADDRESSES** section. Comments will not be accepted by fax, email, or by any method other than those specified above. Bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted. Comments must be provided prior to the close of the comment period and should clearly articulate the reviewer's concerns and contentions.

Public Availability of Comments

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. Comments submitted anonymously will be accepted and considered.

Decision Maker

The Decision Maker is the NPS Regional Director for Interior Regions 3, 4, and 5.

Termination of 2001 EIS Process

This notice also terminates the EIS for a Wilderness Management Plan initiated by the NPS on October 2, 2001 (66 FR 50207).

Herbert Frost,

Regional Director, DOI Interior Regions 3, 4, and 5.

[FR Doc. 2022–22971 Filed 10–20–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2022–0017]

Pacific Wind Lease Sale 1 (PACW–1) for Commercial Leasing for Wind Power on the Outer Continental Shelf in California—Final Sale Notice

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Final sale notice.

SUMMARY: This Final Sale Notice (FSN) contains information pertaining to the areas available for commercial wind energy leasing on the Outer Continental Shelf (OCS) offshore California. Specifically, this FSN details certain provisions and conditions of the leases, auction details, the lease form, criteria for evaluating competing bids, award procedures, appeal procedures, and lease execution. The Bureau of Ocean Energy Management (BOEM) will offer five leases for sale using a multiple-factor bidding auction format: Lease OCS–P 0561, Lease OCS–P 0562, Lease OCS–P 0563, Lease OCS–P 0564, and Lease OCS–P 0565 (Lease Areas). The issuance of any lease resulting from this sale would not constitute approval of project-specific plans to develop offshore wind energy. Such plans, if submitted by the Lessee, would be subject to subsequent environmental, technical, and public reviews prior to a BOEM decision on whether the proposed development should be authorized.

DATES: BOEM will hold an online mock auction for potential bidders starting at 7:00 a.m. Pacific Standard Time (PST)/ 10 a.m. Eastern Standard Time (EST) on December 5, 2022. The monetary auction will be held online and will begin at 7 a.m. PST/10 a.m. EST on December 6, 2022. Additional details are provided in the section entitled ''Deadlines and Milestones for Bidders.''

FOR FURTHER INFORMATION CONTACT: Sara Guiltinan, Bureau of Ocean Energy Management, Pacific Regional Office, Mail Stop CM 102, 760 Paseo Camarillo (Suite 102), Camarillo, California 93010–6002, (805) 384–6345, or *sara.guiltinan@boem.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

The OCS Lands Act authorizes BOEM to offer renewable energy leases for sale on the OCS competitively, unless BOEM determines there is no competitive interest. On October 19, 2018, BOEM published a *Call for Information and Nominations* in the **Federal Register** (83 FR 53096) (''2018 Call'') that identified three geographically distinct Call Areas on the OCS offshore California, delineated as the Humboldt Call Area (offshore the north coast) and the Morro Bay Call Area and the Diablo Canyon Call Area (offshore the central coast). On July 29, 2021, BOEM published a *Call for Information and Nominations* in the **Federal Register** (86 FR 40869) (''2021 Call'') that delineated two extensions to the Morro Bay Call Area, known as the East and West Extensions. In response to the 2018 Call and 2021 Call, BOEM identified the Humboldt Wind Energy Area (WEA) on July 28, 2021, and the Morro Bay WEA on November 12, 2021, which together total 373,267 acres. BOEM proposed this lease sale on May 31, 2022, in a Proposed Sale Notice (PSN) published in the **Federal Register** (87 FR 32443). A 61-day comment period followed. BOEM requested any prospective bidders wishing to participate in a California lease sale to submit qualification materials postmarked no later than August 1, 2022. BOEM also hosted an auction seminar for prospective bidders on June 16, 2022, to discuss the proposed auction format. BOEM received 84 comment submissions in response to the PSN, which are available on *regulations.gov* (Docket ID: BOEM–2022–0017) at: *https://www.regulations.gov/document/BOEM-2022-0017-0001.* BOEM has posted its responses to the comments that were submitted during the PSN comment period. The document entitled, *Response to Comments,* can be found on BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/california.*

In response to the comments received, BOEM made several changes to the PACW–1 sale format and procedures from those proposed in the PSN and to the lease stipulations in the Proposed Leases. The changes include alterations to the sale format, which is now a single auction in which all the Lease Areas will be offered. In each round of the auction, a bidder can bid for at most one of the offered leases at a time. A bidder can switch between different Lease Areas from round to round, but it must bid in each round, and ultimately it can acquire at most one of the leases in the auction. Other changes from the PSN include the addition of a 5 percent bidding credit for bidders who have committed to a qualifying General Community Benefit Agreement (CBA); an increase in the amount of the credit offered for the Lease Area Use CBA bidding credit from 2.5 to 5 percent; and removal of the requirement for a 25 percent commitment of funds associated with the workforce training and/or supply chain development bidding credit at the time of the submission of the Lessee's first Construction and Operations Plan (COP). In addition, BOEM developed and refined a number of lease stipulations, based on feedback solicited in the PSN, including provisions to: advance Lessee engagement with Tribes and parties that may be affected by the Lessee's activities on the OCS; protect national security; require the Lessee to coordinate with the California Coastal Commission on plan submissions; require the Lessee to use an independent Fisheries Liaison and protect the environment through the imposition of vessel speed requirements, marine mammal monitoring measures, a site-specific spill prevention and response plan, a critical operations and curtailment plan, requirements related to the avoidance of intentional contact within hard substrate, rock outcroppings, seamounts, or deep-sea coral/sponge habitat, and use of low-energy geophysical survey equipment.

II. List of Eligible Bidders

BOEM has determined that the following 43 entities are legally, technically, and financially qualified to hold a commercial wind lease offshore California, pursuant to 30 CFR 585.106 and 585.107, and therefore may participate in this lease sale as bidders subject to meeting the requirements outlined in this notice. Those entities are listed below:

Company name	Company No.
547 Energy LLC	15123
AEUG Offshore LLC	15158
Algonquin Power Fund (America) Inc	15090
Arevia Power LLC	15129
Avangrid Renewables, LLC	15019
BP US Offshore Wind Energy LLC	15122
California North Floating LLC	15145
California Offshore Wind Development LLC	15147
California South Floating LLC	15146
Castle Wind LLC	15085
Central California Offshore Wind LLC	15110
Cademo Corporation	15093
Cierco Project Corporation	15149
Clearway Renew LLC	15109
Corio OSW Investments LLC	15148
CPV Offshore Wind LP	15114
EDF Renewables Development, Inc	15027
EDPR Offshore North America LLC	15074
Equinor Wind US LLC	15058
Ferrovial Energy US 1, LLC	15150
GW Offshore Wind LLC	15121
Hexicon USA, LLC	15151
Ideol USA Inc	15163
Invenergy California Offshore LLC	15152
JERA Renewables NA, LLC	15131
Marubeni Power International, Inc	15128
Mission Floating Wind LLC	15087
Northcoast Floating Wind LLC	15088
Northland Power America Inc	15068

Company name	Company No.
Orsted North America Inc.	15059
Pacific Moon Offshore Wind LLC	15159
Pacific Offshore Wind LLC	15153
Redwood Coast Energy Authority (RCEA)	15084
Redwood Coast Offshore Wind LLC	15106
RWE Renewables Development, LLC	15080
RWE Offshore Wind Holdings, LLC	15061
Seaglass Offshore Wind I, LLC	15154
Seaglass Offshore Wind II, LLC	15155
Shell New Energies US LLC	15140
SSE Renewable North America Offshore Wind LLC	15124
TotalEnergies Renewables USA, LLC	15136
US Mainstream Renewable Power Inc	15089
wpd offshore Alpha, LLC	15060

a. *Affiliated Entities:* On the Bidder's Financial Form (BFF), discussed in sections III(a)(i) and X below, eligible bidders must list any other eligible bidders with whom they are affiliated. For the purpose of identifying affiliated entities, ''person'' means any individual, firm, corporation, association, partnership, consortium, or joint venture (when established as a separate entity). BOEM considers two entities to be affiliated if:

(1) They own or have common ownership of more than 50 percent of the voting securities, or instruments of ownership or other forms of ownership, of another person. Such ownership of less than 10 percent of a person constitutes a presumption of non-control that BOEM may rebut.

(2) They own or have common ownership of 10 through 50 percent of the voting securities or instruments of ownership, or other forms of ownership, of another person, and BOEM determines that there is control upon consideration of the following factors:

(i) The extent to which there are common officers or directors.

(ii) With respect to the voting securities, or instruments of ownership or other forms of ownership: The percentage of ownership or common ownership, the relative percentage of ownership or common ownership compared to the percentage(s) of ownership by other persons, if a person is the greatest single owner, or if there is an opposing voting bloc of greater ownership.

(iii) Shared operation of a lease, grant, or facility as defined in BOEM's regulations at 30 CFR 585.112.

(iv) The extent of other owners' participation in operations and day-to-day management of a lease, grant, or facility as defined in BOEM's regulations at 30 CFR 585.112.

(v) Other evidence of power to exercise control over or common control with another person.

(3) Regardless of any percentage of ownership or common ownership, they are relatives, either by blood or marriage.

(4) They are both direct, or indirect, subsidiaries of the same parent company.

Affiliated eligible bidders are not permitted to compete against each other in the auction. Where multiple affiliated bidders have qualified to bid in the auction, bidders must decide prior to the auction which one eligible affiliated bidder (if any) will participate in the auction. If two or more affiliated bidders attempt to participate in the auction, BOEM will disqualify such bidders from the auction.

III. Deadlines and Milestones for Bidders

This section describes the major deadlines and milestones in the auction process from publication of this FSN to execution of the lease pursuant to this sale.

a. *FSN Waiting Period:* During the period between FSN publication and the lease auction (i.e., minimum 30 days), qualified bidders must take several steps to remain eligible to participate in the auction.

i. Bidder's Financial Form: Each bidder must submit a BFF to BOEM to participate in the auction. The BFF must contain each bidder's conceptual strategy for each non-monetary credit (also referred to herein as ''bidding credit'') for which the bidder wishes to be considered. BOEM will consider any BFF received on or before November 4, 2022, and it is each bidder's responsibility to ensure BOEM's timely receipt. If a bidder does not submit a BFF by this deadline, BOEM, in its sole discretion, may grant an extension to that bidder only if BOEM determines the bidder's failure to timely submit a BFF was caused by events beyond the bidder's control. The BFF can be downloaded at: *https://www.boem.gov/renewable-energy/state-activities/california.*

For purposes of this auction, BOEM will not consider BFFs submitted by bidders for previous lease sales. The BFF must be executed by an authorized representative listed on the bidder's legal qualifications in the BFF, in accordance with 18 U.S.C. 1011 (Fraud and False Statements). Further information about the BFF can be found in the ''Bidder's Financial Form'' section IX of this notice.

ii. Bid Deposit: Once BOEM has processed a BFF and provided the appropriate information to Office of Natural Resources Revenue (ONRR), ONRR will populate the Bid Deposit Forms and then will notify the bidders that they should have access to pay.gov for the bid deposits. The bidder must log into *pay.gov* to submit a bid deposit. To participate in the mock auction and the monetary auction, each qualified bidder must provide a bid deposit of $5,000,000 no later than November 21, 2022. BOEM will consider extensions to this deadline only if BOEM, in its sole discretion, determines that the failure to timely submit the bid deposit was caused by events beyond the bidder's control. Further information about bid deposits can be found in the ''Bid Deposit'' section XI of this notice. Per 30 CFR 585.222(e), BOEM will send a written notice of its decision to accept or reject bids to all bidders whose deposits we hold.

b. *Conducting the Auction:*

i. Affirmative Action: Prior to bidding in the monetary auction, each bidder must file the Equal Opportunity Affirmative Action Representation Form BOEM–2032 (February 2020, available on BOEM's website at *http://www.boem.gov/BOEM-2032/*) and Equal Opportunity Compliance Report Certification Form BOEM–2033 (February 2020, available on BOEM's website at *http://www.boem.gov/BOEM-2033/*) with the BOEM Pacific Regional Office. This certification is required by

41 CFR part 60 and Executive Order (E.O.) 11246, issued September 24, 1965, as amended by E.O. 11375, issued October 13, 1967, and by E.O. 13672, issued July 21, 2014. Both forms must be on file for the bidder(s) in the BOEM Pacific Regional Office prior to the execution of any lease contract.

ii. Mock Auction: BOEM will hold a Mock Auction on December 5, 2022, beginning at 7:00 a.m. PST/10:00 a.m. EST. BOEM will hold the Mock Auction online. BOEM will contact each bidder that has timely submitted a BFF and bid deposit and provide instructions for participation. Only bidders that have timely submitted BFFs and bid deposits may participate in the Mock Auction.

iii. Multiple-factor Auction: On December 6, 2022, BOEM, through its contractor, will commence the monetary auction. The first round of the auction will start at 7:00 a.m. PST/10:00 a.m. EST. The auction will proceed electronically according to a schedule to be distributed by the BOEM Auction Manager at the beginning of the auction, subject to any revisions that will be communicated to bidders during the auction. BOEM anticipates that the auction may extend over two or more consecutive business days, as necessary, until the auction ends in accordance with the procedures described in the ''Auction Procedures'' section of this notice.

iv. Announce Provisional Winners: BOEM will announce the provisional winners of the lease sale after the auction ends.

c. *From the Auction to Lease Execution:*

i. Notice and Refunds to Non-Winners: Once the provisional winners have been announced, BOEM will return the non-winners bid deposits.

ii. Department of Justice (DOJ) Review: DOJ will have 30 days in which to conduct an antitrust review of the auction, pursuant to 43 U.S.C. 1337(c).

iii. Delivery of the Lease: BOEM will send three copies of the lease to each provisional winner, with instructions for executing the lease. The first year's rent is due 45 calendar days after the winners receive the lease copies for execution.

iv. Return the Lease: Within 10 business days of receiving the lease copies, the auction winners must post financial assurance, pay any outstanding balance of their bonus bids (*i.e.,* winning monetary bid minus applicable non-monetary bidding credit and bid deposit), and sign and return the three executed lease copies. In the event of a delay, BOEM may extend the 10-business-day-time period for executing and returning the lease if BOEM, in its sole discretion, determines the delay to be caused by events beyond the winner's control, pursuant to 30 CFR 585.224(e).

v. Execution of Lease: Once BOEM has received the signed lease copies and verified that all other required obligations have been met, BOEM will make a final determination regarding its issuance of the leases and will execute the leases, if appropriate.

IV. Areas Offered for Leasing

BOEM considered the following factors in delineating the Lease Areas included in this FSN: reasonably comparable commercial viability and size; prevailing wind direction and minimal wake effects; maximized energy generating potential; mooring system anchor footprints; distance to shore, port infrastructure, and electrical grid interconnections; and fair return to the Federal Government pursuant to the OCS Lands Act through competition for commercially viable lease areas.

All five Lease Areas included in this FSN are the size and orientation that BOEM described in the Proposed Sale Notice. BOEM's designation of the five Lease Areas offered in the FSN was informed by its years-long coordination with BOEM's intergovernmental task force members, consultation and engagement with Tribes, stakeholder engagement, consideration of the 84 comments that BOEM received in response to the PSN, and the U.S. Coast Guard's (USCG's) Draft Pacific Coast Port Access Route Study (PAC–PARS). BOEM is offering five Lease Areas totaling 373,268 acres for sale through this notice (Figure 1).

The areas available for lease will be auctioned in a single auction as listed in the table below.

TABLE 1 TO SECTION IV—PACW–1 FINAL LEASE AREAS

Lease	Total acres
OCS–P 0561	63,338
OCS–P 0562	69,031
OCS–P 0563	80,062
OCS–P 0564	80,418
OCS–P 0565	80,418

BOEM is aware that NOAA's Office of National Marine Sanctuaries has initiated a designation process for the proposed Chumash Heritage National Marine Sanctuary, an area comprising approximately 7,000 square miles off the central coast of California adjacent to the Morro Bay Lease Areas. BOEM does not have authority under the OCS Lands Act to issue leases, right-of-way grants, or right-of-use and easement grants within any unit of the National Marine Sanctuary System. Potential bidders should note that future designation of a National Marine Sanctuary adjacent to a Lease Area may have implications for development of OCS leases for commercial wind energy due to BOEM's lack of authority in National Marine Sanctuaries. BOEM is coordinating closely with the NOAA Office of National Marine Sanctuaries to advance both offshore wind energy projects and conservation and restoration of ocean and coastal habitats. BOEM is a cooperating agency on NOAA's Environmental Impact Statement on the *Proposed Designation of the Chumash Heritage National Marine Sanctuary* and is providing input on the ongoing renewable energy leasing process, as well as contributing special expertise in marine energy and mineral matters. More information on the proposed designation of Chumash Heritage National Marine Sanctuary is available at: *https://sanctuaries.noaa.gov/chumash-heritage/.*

BOEM is also aware that the USCG has published a Draft PAC–PARS that evaluates safe access routes for the movement of vessel traffic proceeding to or from ports or places along the western seaboard of the United States and aims to determine whether a Shipping Safety Fairway and/or routing measures should be established, adjusted, or modified. The recommendation found in the Draft PAC–PARS calls for the establishment of voluntary fairways to coordinate the flow of vessel traffic along several USCG districts from California to Washington. The Draft PAC–PARS recommends that offshore fairways traverse near the Humboldt and Morro Bay lease areas and states that these recommended fairway routes would allow for the continued flow of vessel traffic without interference from wind energy leasing activities in California. BOEM is coordinating closely with the USCG to address potential maritime impacts from any future offshore wind development in the Lease Areas. More information on the PAC–PARS is available at *http://www.regulations.gov/*, under Docket No. USCG–2021–0345.

Additional information on potential restrictions due to navigation and safety concerns can be found below in the *Potential Future Restrictions to Ensure Navigational Safety* section VII(a).

BOEM is aware of two submarine cable systems that are scheduled for installation or that are already installed in cable corridors that overlap the Lease Areas. A planned submarine telecommunications cable system,

known as the Bifrost Cable System, is expected to be installed in 2023 and completed in 2024 in a cable corridor that would overlap with the southern portion of Lease OCS–P 0565. A telecommunications cables project, known as RTI Infrastructure, Inc. Eureka Subsea Fiber Optic Cables Project, was installed in August 2022 and overlaps with Lease OCS–P 0561 and Lease OCS–P 0562.

a. *Map of the Areas for Leasing:* A map of the Lease Areas and GIS spatial files X, Y (eastings, northings) UTM Zone 18, NAD83 Datum, and geographic X, Y (longitude, latitude), NAD83 Datum can be found on BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/california.*

V. Environmental Review

On January 11, 2022, BOEM announced the availability of the Draft Environmental Assessment (EA) that assesses potential environmental impacts from site characterization and site assessment activities expected to take place after the issuance of commercial leases within the identified Humboldt WEA. On April 6, 2022, BOEM announced the availability of the Draft EA that assesses potential environmental impacts from site characterization and site assessment activities expected to take place after the issuance of commercial leases within the identified Morro Bay WEA. The EAs focus on potential environmental consequences of site characterization activities (*i.e.,* biological, archaeological, geological, and geophysical surveys and core samples) and site assessment activities (*i.e.,* installation of meteorological buoys) expected to take place after issuance of wind energy leases in the Humboldt and Morro Bay WEAs. Concurrently with its preparation of the EAs, BOEM conducted consultations under the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act regarding potential impacts to listed species, designated critical habitat, and essential fish habitat, and conducted consistency reviews under the Coastal Zone Management Act. BOEM prepared and executed a programmatic agreement (PA) to guide its consultations under section 106 of the National Historic Preservation Act. The PA provides for consultations to continue through BOEM's decision-making process regarding the issuance of leases, right-of-way grants, and right-of-use and easement grants on the OCS offshore California. The PA also includes BOEM's phased identification and evaluation of historic properties. The availability of the Final EA and Finding of No Significant Impact for the Humboldt WEA was announced on May 5, 2022, and the documents are available at: *https://www.boem.gov/renewable-energy/state-activities/humboldt-wind-energy-area.* The availability of the Final EA and Finding of No Significant Impact for the Morro Bay WEA was announced on October 5, 2022, and the documents are available at: *https://www.boem.gov/renewable-energy/state-activities/morro-bay-wind-energy-area.* BOEM determined that the Proposed Actions would not cause any significant impacts and that implementing the Proposed Actions do not constitute major Federal actions significantly affecting the quality of the human environment within the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969. BOEM will conduct additional environmental reviews upon receipt of a lessee's proposed project-specific plans, such as a Site Assessment Plan (SAP) or Construction and Operations Plan (COP).

VI. New and Modified Lease Stipulations

Based on feedback on the Proposed Sale Notice, BOEM is adding lease stipulations that: (i) were discussed conceptually in the PSN, (ii) include conditions of the California Coastal Commission's conditional concurrence with the consistency determinations for the Humboldt and Morro Bay WEAs, and (iii) include conditions from the Department of Defense (DoD) to protect national defense capabilities and military operations. BOEM is also refining some stipulations identified in the PSN and proposed leases.

a. *Reporting requirements:* BOEM is building upon stipulations in previous leases requiring a semi-annual progress report from lessees and regular engagement with Tribes and parties that may be affected by lessees' activities on the OCS. The lease stipulations include working with: the California Native American Heritage Commission to identify Tribes that have cultural and or historical ties to the Lease Areas; coastal communities; commercial and recreational fishing industries and stakeholders; educational and research institutions; environmental and public interest non-governmental organizations; federal, state, and local agencies; Tribes; mariners and the maritime industry; ocean users; submarine cable operators; and underserved communities, as defined in Section 2 of Executive Order 13985. Within the progress report, lessees will be required to identify Tribes and parties that may be affected by lessees' activities on the OCS and with whom the lessees have engaged; provide updates on engagement activities; document potential adverse effects to the interests of Tribes and parties; document how, if at all, a project has been informed or altered to address those potential effects; include feedback from engagement regarding transmission planning prior to proposing any export cable route; provide information that can be made available to the public; and include strategies to reach potentially affected individuals with Limited English Proficiency.

The stipulations include requirements for lessees to engage in ways that minimize linguistic, technological, cultural, capacity, or other obstacles. The stipulations encourage lessees to work collaboratively with governments, community leadership and organizations, and Tribes and to develop specific frameworks for capacity building.

In acknowledgment of the existing and growing consultation burden placed on many of the Tribes and parties, the stipulation also requires, to the maximum extent practicable, that lessees coordinate with one another on engagement activities. It is BOEM's intention that this requirement to coordinate engagement apply not only to meetings proposed by lessees, but also to reasonable requests to coordinate engagement made by Tribes and parties. Coordinated engagement among Tribes and lessees is strongly encouraged and is in addition to BOEM's responsibilities to federally recognized Tribes under Executive Order 13175.

In addition, the reporting stipulation requires that the progress report incorporate separate lease requirements for the development of communication plans for Tribal governments (Native American Tribes Communications Plan), agencies (Agency Communications Plan), and fisheries (Fisheries Communications Plan). Lastly, the progress report must also include an update on activities executed under any survey plan.

b. *Expanding Engagement with Potentially Impacted Communities:* Executive Order 13985, ''Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,'' directs advancement of equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Executive Order 14008, ''Tackling the Climate Crisis at Home and Abroad,'' establishes a policy to secure

environmental justice and spur economic opportunity for disadvantaged communities through investing in and building a clean energy economy and making environmental justice part of every agency's mission.

Consistent with its statutory and regulatory authorities, BOEM is including lease stipulations designed to ensure that offshore wind development projects are implemented in a manner that minimizes, mitigates, and/or redresses the project's potential adverse effects, if any, on Tribes and parties. The Lessee will engage in ways that minimize linguistic, technological, cultural, capacity, or other obstacles to Tribes and parties.

c. *Commercial Fisheries:* BOEM is including a stipulation in the lease entitled, ''Commercial Fisheries,'' which would contain components of stipulations in prior commercial leases issued by BOEM, including a requirement for a Fisheries Communications Plan (FCP). BOEM is adding elements to this stipulation in response to its extensive engagement with Tribal governments, the fishing industry, and governmental agencies. Major revisions include: (i) identifying dock space and transit routes that would minimize space use conflicts and potential impacts to protected species; (ii) minimizing both congestion and the creation of obstacles that could result in an increased risk of entanglement; (iii) to the extent practicable, prioritizing Federal and state climate change adaptation strategies for fisheries; and (iv) requiring that the Lessee contact potentially affected commercial fishing communities prior to submitting its COP to discuss potential conflicts between seasonal fishing operations and the Lessee's survey and development activities.

d. *Protected Species:* In May 2022, BOEM published a Final Humboldt WEA EA which includes the most current measures to minimize potential adverse impacts to protected species, including Endangered Species Act (ESA)-listed species of marine mammals and sea turtles. Similar measures are included in the final Morro Bay WEA EA, published in October 2022. BOEM has included in the leases these measures from the EAs and from the ESA Concurrence Letter and EFH Response issued on September 21, 2022 (*https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/LOC-EFH%20for%20OSW%20leases%20in%20CA.pdf*).

e. *Project Labor Agreements (PLAs) and Supply Chain:* BOEM is committed to workforce development and safety and the establishment of a durable domestic supply chain that can sustain the U.S. offshore wind energy industry. To advance this vision, BOEM is including two lease stipulations, one that encourages construction efficiency for projects and the other that contributes towards establishing a domestic supply chain:

i. The first stipulation requires lessees to make every reasonable effort to enter into a PLA covering the construction stage of any project for the Lease Areas. The PLA provisions for the construction of an offshore wind project apply to all contractors.

ii. The second stipulation requires lessees to establish a Statement of Goals in which the Lessee describes its plans for contributing to the creation of a robust and resilient U.S.-based floating offshore wind industry supply chain that would facilitate this or other renewable energy projects permitted by BOEM. The Lessee is required to provide regular progress updates on the achievement of those goals to BOEM, and BOEM will make those updates publicly available.

f. *Research Site Access:* This stipulation makes explicit that BOEM, its designated representative, or any entity to which the Lessor provides access retains the right to access the Lease Area for purposes of future research and other activities conducted under the lease.

g. *Archaeological Survey Requirements:* BOEM is including a modification of lease stipulations in previous commercial leases regarding archaeological survey requirements. The revised stipulation requires that the Lessee provide to BOEM, in the associated plan submissions, a description of the methods it uses to conduct archaeological surveys in support of plans (*i.e.,* SAP and/or COP), in addition to the survey results. The Lessee is required to coordinate a Tribal pre-survey meeting with Tribes that have cultural and/or historical ties to the Lease Area; the Lessee must work with BOEM and the California Native American Heritage Commission to identify such Tribes). In the post-review discovery clauses, the revised stipulation requires that, in the event of unanticipated discovery of a potential archaeological resource, the Lessee will immediately halt bottom-disturbing activities within the area of discovery by a minimum of 50 meters (164 feet), and the avoidance distance must be calculated from the maximum discernible extent of the archaeological resource. The revised stipulation also adds a requirement in the post-review discovery clauses that the Lessee refers to the NATCP for additional guidance on notifications.

h. *Foreign Interest:* To protect national defense capabilities and military operations, BOEM is requiring the Lessee to provide to DoD specific information, including names of entities or persons having a direct ownership interest in an offshore wind facility, and changes in ownership interests; the names of the material vendors, entities, and persons with which the Lessee will potentially execute contracts to perform construction, supply turbines or other components, or conduct construction and operational activities at the facility; and the names of any foreign entities and persons (as those terms are defined at 31 CFR 800.220 and 31 CFR 800.224) allowed to access the wind turbine structures and associated data systems. In addition, security concerns raised by DoD must be resolved prior to allowing access to the site by foreign persons or representatives of foreign entities for which DoD has raised concerns or the use of wind turbines or other permanent on-site equipment manufactured by such an entity.

i. Notice of Assignment to the Committee on Foreign Investment in the United States (CFIUS): Under BOEM's regulations, a lessee must be one of the following: (1) a citizen or national of the United States; (2) an alien lawfully admitted for permanent residence in the United States as defined in 8 U.S.C. 1101(a)(20); (3) a private, public, or municipal corporation organized under the laws of any State of the United States, the District of Columbia, or any territory or insular possession subject to U.S. jurisdiction; (4) an association of such citizens, nationals, resident aliens, or corporations; (5) an Executive Agency of the United States as defined in section 105 of Title 5 of the U.S. Code; (6) a State of the United States; or (7) a political subdivision of States of the United States. However, this condition addresses a situation where a proposed Lessee, even if in compliance with BOEM's regulations, is a foreign-controlled business entity under the regulations at 31 CFR part 800. In this situation, BOEM and the proposed Lessee must jointly provide notice of the proposed transaction to CFIUS in accordance with applicable regulations (subpart D of 31 CFR part 800) and provide a copy of the notice to the DoD. Approval of any assignment of lease interest that is subject to this stipulation would only take place after CFIUS provides notice that it has concluded all action under section 721 of the Defense Production Act of 1950, as amended, with respect to the assignment.

j. California Coastal Commission Consistency Determination Conditions: The following conditions were the result of the California Coastal Commission consistency determination for the Morro Bay and Humboldt WEAs [CD–0004–22 and CD–0001–22]. Upon consideration of the record, BOEM has determined that these stipulations are appropriate and reasonable as a means of balancing the factors set forth in OCSLA Section 8(p) or to further expeditious development of the lease.

i. Vessel Speed Requirements: Vessels conducting lease characterization studies, surveys, metocean buoy installation, maintenance, or decommissioning, or any other survey activities must travel at speeds of no more than 10 knots during all related activities, including vessel transit.

ii. Marine Mammal Monitoring Measures: Lessees must implement all marine wildlife and protection and monitoring measures during all marine operations (*e.g.,* surveys, buoy installation and removal), consistent with vessel and worker safety. In addition, prior to the start of offshore activities, the Lessee must provide awareness training to all Project-related personnel and vessel crew, including viewing of an applicable wildlife and fisheries training video, on the most common types of marine wildlife likely to be encountered in the project area and the types of activities that have the most potential for affecting the animals.

iii. Site-specific Spill Prevention and Response Plan: The Lessee must submit a site-specific Spill Prevention and Response Plan a minimum of 30 days before commencement of any in-water survey activities or as part of any survey plan or SAP. The Plan must be kept on the appropriate survey vessels during all survey and SAP operations. The Plan must identify the worst-case spill scenario and demonstrate that adequate spill response equipment will be available. The Plan must also include preventative measures the Lessee will implement to avoid spills; clearly identify responsibilities of onshore and offshore contractors and the Lessee's personnel; and must list and identify the location of oil spill response equipment (including booms), appropriate protocols, and response times for deployment. Petroleum-fueled equipment on the main deck of all vessels must have drip pans or other means of collecting dripped petroleum, which must be collected and treated with onboard equipment.

iv. Critical Operations and Curtailment Plan (COCP): The Lessee must include a COCP as part of any survey plan. The COCP must define the limiting conditions of sea state, wind, or any other weather conditions that exceed the safe operation of offshore vessels, equipment, or divers in the water; that hinder potential spill cleanup; or that in any way pose a threat to personnel or the safety of the environment. The COCP must provide for a minimum ongoing five-day advance weather forecast during offshore operations. The Plan must also identify the onsite person with authority to determine critical conditions and suspend work operations when needed. The COCP must be kept on the appropriate survey vessels during all survey and SAP operations.

v. Anchoring Plan: The Lessee must submit an Anchoring Plan to BOEM as part of any survey plan that requires vessel anchoring. The Plan must describe how the Lessee will avoid placing anchors on sensitive ocean floor habitats, cables, and pipelines and must include supporting information.

vi. Bottom Contact: The Lessee must avoid intentional contact with hard substrate, rock outcroppings, seamounts, or deep-sea coral/sponge habitat, and include a buffer of at least 40 feet (12 meters) from hard bottom substrates that fully protects these habitats from bottom contact, including, but not limited to, anchoring, mooring, and sediment sampling.

vii. Use Low-Energy Equipment: The Lessee must use low-energy equipment, as defined by California State Regulation 2 CCR § 2100.03(g), to complete its geophysical surveys. Low-energy equipment is limited to sub-bottom profilers (*e.g.,* mini-sparkers). The Lessee is encouraged to use geophysical survey operators that conduct their surveys consistent with the provisions of the California State Lands Commission's low-energy geophysical survey program.

viii. Coordination with the California Coastal Commission: The Lessee must coordinate with the California Coastal Commission to ensure the Lessee's survey and SAP submissions are coordinated and consistent, minimize impacts to coastal resources, and provide the data and information necessary for analysis of future consistency certifications.

ix. Fisheries Liaison: The Lessee is required to use an independent Fisheries Liaison that is responsible for the coordination and communication of site activities with affected commercial, recreational, and subsistence fishing communities and harbor districts, including such coordination and communication concerning development and implementation of survey plans and SAPs.

VII. Potential Future Restrictions

a. Potential Future Restrictions to Ensure Navigational Safety:

i. USCG Navigational Safety Measures: Potential bidders should note that the USCG has conducted the Pacific Coast Port Access Route Study (PAC–PARS) (draft report dated September 2022) to evaluate safe access routes for the movement of vessel traffic proceeding to or from ports or places along the western seaboard of the United States and to determine whether a Shipping Safety Fairway and/or routing measures should be established, adjusted, or modified. The draft PAC–PARS evaluated the continued applicability of, and the need for modifications to, current vessel routing measures. The draft PAC–PARS recommends a voluntary fairway system with a 15-nautical-mile (NM)-wide major thoroughfare that generally follows the existing offshore route used by commercial container and bulk carrying vessels. The main trunk of the fairway runs north-south, down to the Santa Barbara TSS north of the Channel Islands. This fairway provides a voluntary, recommended route for coastwise vessel traffic. Port approaches connect vessel traffic entering and departing major California ports to the offshore fairway. These fairways are generally 5 NMs wide, except for a larger opening at the San Francisco east/west Transit Separation Scheme. While data gathered during the finalization of the PAC–PARS may result in the establishment of one or more new vessel routing measures, modification of existing recommended routing measures, or disestablishment of existing recommended routing measures off the Pacific Coast between Washington and California, the draft PAC–PARS recommends offshore fairways that traverse near the Humboldt and Morro Bay Lease Areas, which are found in locations that allow for the continued flow of vessel traffic along recommended fairway routes without interference from wind energy leasing activities. The PAC–PARS study did not consider issues that may arise relating to vessel anchorage needs, particularly during emergency situations. Potential bidders should note that the USCG is undertaking a national review of anchorage regulatory standards. This may result in new recommendations from the USCG relating to allowances for vessel anchors in certain portions of the Lease Areas. BOEM may require mitigation measures in a COP once the Lessee's site-specific navigational safety risk assessment is available to inform BOEM's decision-

making. The final PAC–PARS and the review of vessel anchorage regulatory standards may result in additional navigational mitigation measures at the COP review stage.

ii. Measures for Vessel Transit: The information currently available does not indicate that vessel routing mitigation measures are warranted in the Lease Areas at lease execution and the Draft PAC–PARS study recommends fairways that avoid the Lease Areas entirely. However, at the COP stage BOEM may nonetheless consider designating portions of the Lease Areas as areas of no surface occupancy to facilitate vessel transit and continuance of existing uses.

b. Potential Future Restrictions to Mitigate Potential Conflicts with Department of Defense Activities: In 2018, DoD reviewed the Humboldt and Morro Bay Call Areas (83 FR 53096) in support of BOEM's efforts to deconflict potential wind energy development in the areas in northern and central California, respectively. DoD provided its assessment of the California Offshore Planning Areas, and the 2018 DoD assessment indicated that its mission activities along most of the central coast, including the Morro Bay Call Area, are incompatible with wind energy development. DoD determined that the Humboldt Call Area, located off the coast of northern California, was DoD-mission compatible, with site-specific stipulations.

On May 25, 2021, the Departments of the Interior and Defense and the State of California announced an agreement to accelerate wind energy offshore the central and northern coasts of California. The Department of the Interior, in cooperation with DoD and the State of California, identified the Morro Bay 399 Area that could support approximately three gigawatts of offshore wind on roughly 399 square miles off California's central coast, northwest of Morro Bay. The announcement also acknowledged the critical nature of current and future military testing, training, and operations in the central coast and noted the parties' commitment to ensuring long-term protection of military testing, training, and operations in the area while pursuing new domestic clean energy resources. This announcement came after years of collaboration between the Departments of the Interior and Defense to find areas offshore the central coast of California that are compatible with DoD's training and testing operations. The Lease Areas offshore Morro Bay are all located within the Morro Bay 399 Area and have been determined by DoD to be suitable for development, with site-specific stipulations.

Prospective bidders should be aware that site specific terms and conditions of any COP approval, such as curtailment protocol, will be required by DoD. Any such terms and conditions will result from consultation with DoD on development within the Lease Areas. For example, DoD will likely require a curtailment protocol with the Lessee to avoid conflicts with electromagnetically sensitive activities conducted in the area, including those associated with the Point Mugu Sea Range, Vandenberg Space Force Base, and North American Aerospace Defense Command (NORAD). DoD has indicated to BOEM that curtailment will be temporary and limited to instances where it is necessary to avoid conflicts with national security or defense requirements.

BOEM will coordinate with DoD and the Lessee to deconflict these potential impacts throughout the project review stage. Mitigation measures or terms and conditions of a plan approval may result from this coordination effort.

Potential bidders should be aware that there may be national security considerations associated with any request by DoD for curtailment and any curtailment resulting therefrom. Future Lessees will not be allowed to disclose any such request or any curtailment resulting therefrom without the prior consent of DoD. DoD has stated that consent to disclose to a business entity with a need to know and with which a non-disclosure agreement is in place will not be unreasonably withheld.

The DoD is exploring potential national security threats from deployment of Distributed Optical Fiber Sensing (DOFS) technology associated with offshore energy projects. BOEM retains the right to unilaterally require a Lessee to implement mitigation measures necessary to safeguard against these potential threats to national security and military operations, as identified by the DoD.

VIII. Lease Terms and Conditions

BOEM has included terms and conditions for the OCS commercial wind leases to be offered through this sale. After the leases are issued, BOEM reserves the right to require compliance with additional terms and conditions associated with approval of a SAP and COP. The leases are available on BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/california.* Each lease would include the following attachments:

1. Addendum A (''Description of Leased Area and Lease Activities'');
2. Addendum B (''Lease Term and Financial Schedule'');
3. Addendum C (''Lease-Specific Terms, Conditions, and Stipulations'');
4. Addendum D (''Project Easement''); and
5. Addendum E (''Rent Schedule'').

Addenda A, B, and C provide detailed descriptions of lease terms and conditions. Addenda D and E will be completed at the time of COP approval or approval with modifications, should a COP be approved.

a. *Required Plans for Potential Development of Executed Leases:* Under 30 CFR 585.601, if site assessment activities will be conducted, the Lessee will be required to submit a SAP within 12 months of lease issuance. Approval of the SAP will initiate the Lessee's five-year site assessment term. If the Lessee intends to continue its commercial lease with an operations term, the Lessee will be required to submit a COP at least six months before the end of the site assessment term.

IX. Financial Terms and Conditions

This section provides an overview of the annual payments required of the Lessee that are more fully described in the lease, and the financial assurance requirements that will be associated with the lease.

a. *Rent:* Pursuant to 30 CFR 585.224(b) and 585.503, the first year's rent payment of $3 per acre would be due within 45 calendar days after the Lessee receives the lease copies from BOEM for execution. For example, for a 69,031-acre lease (the size of OCS–P 0562), the rent payment will be $207,093 per year until commercial operations begin. Thereafter, until commercial operations begin, annual rent payments would be due on the anniversary of the effective date of the lease (the ''Lease Anniversary''). Once commercial operations under the lease begin, BOEM will charge rent only for the portions of the Lease Area remaining undeveloped (*i.e.,* non-generating acreage).

If the Lessee submits an application for relinquishment of a portion of its leased area within the first 45 calendar days after receiving the lease copies from BOEM and BOEM approves that application, no rent payment will be due on the relinquished portion of the Lease Area. Later relinquishments of any portion of the Lease Area will reduce the Lessee's rent payments starting in the year following BOEM's approval of the relinquishment. A lease issued under this part confers on the Lessee the right to one or more project easements, without further competition, for the purpose of installing gathering,

transmission, and distribution cables, pipelines, and appurtenances on the OCS as necessary for the full enjoyment of the lease. A Lessee must apply for the project easement as part of the COP or SAP, as provided under subpart F of 30 CFR part 585.

The Lessee must also pay rent for any project easement associated with the lease, commencing on the date that BOEM approves the COP (or modification thereof) that describes the project easement, with the first rent payment due when the operations term begins, as outlined in 30 CFR 585.500(a)(5) and 585.507(b). Annual rent for a project easement is $5 per acre, subject to a minimum of $450 per year.

b. *Operating Fee:* For purposes of calculating the initial annual operating fee payment under 30 CFR 585.506, BOEM applies an operating fee rate to a proxy for the wholesale market value of the electricity expected to be generated from the project during its first 12 months of operations. This initial payment would be prorated to reflect the period between the commencement of commercial operations and the Lease Anniversary. The initial annual operating fee payment would be due within 45 days after commencement of commercial operations. Thereafter, subsequent annual operating fee payments would be due on or before the Lease Anniversary.

The subsequent annual operating fee payments are calculated by multiplying the operating fee rate by the imputed wholesale market value of the projected annual electric power production. For the purposes of this calculation, the imputed market value would be the product of the project's annual nameplate capacity, the total number of hours in the year (8,760), the capacity factor, and the annual average price of electricity derived from a regional wholesale power price index. For example, the annual operating fee for a 976-megawatt (MW) wind facility operating at a 40 percent capacity (*i.e.,* capacity factor of 0.4) with a regional wholesale power price of $40 per megawatt hour (MWh) and an operating fee rate of 0.02 will be calculated as follows:

$$\text{Annual Operating Fee} = 976\ \text{MW} \times 8{,}760\,\frac{\text{hrs}}{\text{year}} \times 0.4 \times \frac{\$40}{\text{MWh}}\,\text{Power Price} \times 0.02 = \$2{,}736{,}820.22$$

i. Operating Fee Rate: The operating fee rate is the share of imputed wholesale market value of the projected annual electric power production due to ONRR as an annual operating fee. For the Lease Areas, BOEM will set the fee rate at 0.02 (*i.e.,* 2 percent) for the entire life of commercial operations.

ii. Nameplate Capacity: Nameplate capacity is the maximum rated electric output, expressed in MW, that the turbines of the wind facility under commercial operations can produce at their rated wind speed, as designated by the turbine's manufacturer. The nameplate capacity available at the start of each year of commercial operations on the lease will be the capacity provided in the Fabrication and Installation Report (FIR). For example, if the Lessee installed 100 turbines as documented in its FIR, and each is rated by the manufacturer at 12 MW, the nameplate capacity of the wind facility would be 1,200 MW.

iii. Capacity Factor: The capacity factor relates to the amount of energy delivered to the grid during a period of time compared to the amount of energy the wind facility would have produced at full capacity during that same period of time. This factor is represented as a decimal between zero (0) and one (1). There are several reasons why the amount of power delivered is less than the theoretical 100 percent of capacity. For a wind facility, the capacity factor is mostly determined by the availability of wind. Transmission line loss and downtime for maintenance or other purposes also affect the capacity factor.

BOEM will set the capacity factor at 0.4 (*i.e.,* 40 percent) for the year in which the commercial operation date occurs and for the first six full years of commercial operations on the lease. At the end of the sixth year, BOEM may adjust the capacity factor to reflect the performance over the previous five years based upon the actual metered electricity generation at the delivery point to the electrical grid. BOEM may make similar adjustments to the capacity factor once every five years thereafter.

iv. Wholesale Power Price Index: Under 30 CFR 585.506(c)(2)(i), the wholesale power price, expressed in dollars per MWh, is determined at the time each annual operating fee payment is due. For the leases offered in this sale, BOEM will use the annual average of the California Independent System Operator (California ISO) North of Path 15 (NP15) market hub price. The Lessee may also use aggregated data from commercial subscription services, such as S&P Global Market Intelligence Platform or Hitachi ABB Velocity Suite and this may be posted by BOEM for reference.

c. *Financial Assurance:* Within 10 business days after receiving the lease copies for execution and pursuant to 30 CFR 585.515–585.516, each provisional winner must provide an initial lease-specific bond or other BOEM-approved financial assurance instrument in the amount of $100,000. The provisional winners may meet financial assurance requirements by posting a surety bond or financial assurance instrument or alternative detailed in 30 CFR 585.526–585.529. BOEM encourages the provisionally winning bidders to discuss the financial assurance instrument requirements with BOEM as soon as possible after the auction has concluded.

BOEM will base the amount of all SAP, COP, and decommissioning financial assurance on cost estimates for meeting all accrued lease obligations at the respective stages of development. BOEM will determine the required amount of supplemental and decommissioning financial assurance on a case-by-case basis.

d. *Payments:* The annual lease payments and financial assurance requirements described above can be found in Addendum ''B'' of the leases, which BOEM has made available with this notice on its website at: https: *https://www.boem.gov/renewable-energy/state-activities/california.*

X. Bidder's Financial Form

Each bidder must fill out the BFF referenced in this FSN. A copy of the form is available at: *https://www.boem.gov/renewable-energy/state-activities/california.* Bidders seeking to use the bidding credits must mark the appropriate box(es) on their BFF and submit a conceptual strategy(ies) with their BFF as described in the BFF Addendum. Bidders are encouraged to carefully read the BFF and BFF Addendum. Bidders who do not elect to attempt to qualify for a bidding credit should mark the box on their BFF next to the paragraph declining the bidding credits. If the bidder does not select bid credits on the BFF or does not submit

conceptual strategy(ies), then BOEM will assume that the bidder has no interest in a bidding credit. BOEM must receive each BFF and conceptual strategy(ies), as appropriate, no later than November 4, 2022. If a bidder does not submit a BFF for this sale by the deadline, BOEM, in its sole discretion, may grant an extension to that bidder only if BOEM determines the bidder's failure to timely submit a BFF was caused by events beyond the bidder's control.

BFFs submitted by bidders for previous lease sales will not satisfy the requirements of this auction. For the PACW–1, BOEM will accept bidder's BFFs and conceptual strategies electronically or by mail. Instructions for submission can be found in the BFF. The BFF must be executed by an authorized representative listed in the qualifications package on file with BOEM as authorized to bind the company. Winning bidders committing to the bidding credit(s) must meet the bidding credit requirements no later than submission of their first Facility Design Report (FDR).

XI. Bid Deposit

A bid deposit is an advance cash payment submitted to BOEM to participate in the auction. ONRR will notify the bidders that they have access to the Bid Deposit Form in *pay.gov*, and bidders must use the Bid Deposit Form on the *pay.gov* website to leave a deposit. Bidders may need to create an account in *pay.gov* to access the Bid Deposit Form and leave a deposit. Each bidder must submit a bid deposit of $5,000,000 no later than November 21, 2022, to be eligible to bid for one lease area. Any bidder who fails to submit the bid deposit by this deadline may be disqualified from participating in the auction. BOEM will consider extensions to this deadline only if BOEM, in its sole discretion, determines that the failure to timely submit the bid deposit was caused by events beyond the bidder's control.

Following the auction, bid deposits will be applied against bonus bids. Once BOEM has announced the provisional winners, BOEM will refund bid deposits to the other bidders.

If BOEM offers a lease to a provisionally winning bidder and that bidder fails to timely return the signed lease form, establish financial assurance, or pay the balance of its bid, BOEM may retain the bidder's $5,000,000 bid deposit. In such a circumstance, BOEM may determine which bid would have won in the absence of the bid previously determined to be the winning bid and may offer a lease pursuant to this next highest bid if the Lessee that provided it has not won one of the other Lease Areas.

XII. Minimum Bid

The minimum bid is the lowest bid BOEM will accept as a winning bid, and it is where BOEM will start the bidding in the auction. BOEM has established a minimum bid of $100.00 per acre for this lease sale. See table in section XIII.e below for total minimum bids for each lease to be offered in these sales.

XIII. Auction Procedures

Multiple-Factor Bidding Auction: As authorized under 30 CFR 585.220(a)(4) and 585.221(a)(6), BOEM will use a multiple-factor bidding auction for this lease sale. The bidding system for this lease sale will be a multiple-factor combination of a monetary bid and a non-monetary factor. BOEM will grant bidding credits to potential bidders for commitments to:

(1) support workforce training programs for the floating offshore wind industry and/or develop a U.S. domestic supply chain for the floating offshore wind industry;

(2) establish a Lease Area Use CBA with one or more communities, stakeholder groups, or Tribal entities whose use of the geographic space of the Lease Area, or whose use of resources harvested from that geographic space, is expected to be impacted by the Lessee's potential offshore wind development, and

(3) establish a General CBA with one or more communities, Tribes, or stakeholder groups that are expected to be affected by the potential impacts on the marine, coastal, and/or human environment (such as impacts on visual or cultural resources) from activities resulting from lease development that are not otherwise addressed by the Lease Area Use CBA.

This auction format was selected to:

(1) enhance, through training, the floating offshore wind workforce and enhance the establishment of a domestic supply chain for floating offshore wind manufacturing, assembly, or services, and that is designed to lead to expeditious and orderly development of offshore wind resources on the OCS;

(2) support the expeditious and orderly development of OCS resources by mitigating potential direct impacts from proposed projects and encouraging the investment in infrastructure germane to the offshore wind industry; and

(3) advance the purposes of OCSLA by facilitating the coexistence of multiple ocean uses on the OCS, promoting meaningful comment and participation in the leasing and plan review process, and mitigating potential economic impacts on communities impacted by potential offshore wind development.

BOEM will appoint a panel to review the non-monetary component after the BFFs and bid deposits have been received but before the auction, and the panel will verify the results of the lease sale. Following review of the strategy to support workforce training programs for the floating offshore wind industry; development of a U.S. domestic supply chain for the floating offshore wind energy industry; either CBA; or a combination thereof, BOEM will notify bidders if they qualify for the credit prior to the mock auction. BOEM reserves the right to change the composition of this panel at any time. The bid made by a particular bidder in each round will represent the sum of a monetary (cash) amount and a non-monetary factor (bidding credit). The structure of this bidding credit is explained in the subsection below.

A bidder will be eligible to elect to qualify for one or more of the bidding credits. A bidder may target either workforce training, supply chain development, or a combination thereof for a 20 percent credit. The Lease Area Use CBA bidding credit will be worth 5 percent of the cash bid. The General CBA bidding credit will be worth 5 percent of the cash bid. If a bidder qualifies for all three bidding credits, the credits will be additive, for a total potential credit of a maximum 30 percent of the cash bid. Bidders are encouraged to review the BFF Addendum if they are interested in qualifying for these bidding credits.

a. *Bidding credit calculation:* BOEM provides the following example. For a cumulative 30 percent of cash bid bidding credit with a $50 million Asking Price, the bidding credit will be calculated (subject to rounding) as follows:

$$\text{Cash Bid} = \left\{\frac{\text{Asking Price}}{1 + \text{Credit\%}}\right\} = \left\{\frac{\$50 \text{ million}}{1 + 30\%}\right\} = \$38{,}461{,}538$$

$$\text{Credit} = \$50 \text{ million} - \$38{,}461{,}538 = \$11{,}538{,}462$$

Only the 20 percent workforce training and/or supply chain development credit will require an explicit financial commitment. Bidders seeking a CBA credit will retain the flexibility to determine the optimal benefits (both monetary and non-monetary) on which the parties can agree. Thus, per the example above, the required financial commitment for the workforce training and/or supply chain development credit is calculated as 20 percent of the cash bid. It will be calculated as follows:

Commitment = Cash Bid * Workforce Training Supply Chain Credit% = $38,461,538 * 20% = $7,692,308

Though no specific financial commitment is required, the value of the credit for the two CBAs are similarly calculated, but for 5 percent of the cash bid.

BOEM has prepared a table demonstrating the credit value calculations if a $50 million Asking Price is paid for in part with various bidding credits. Any financial commitment is calculated solely from the value of the 20 percent workforce training and/or supply chain development bidding credit, with no financial commitment required for a CBA credit. The same calculations of cash bids and credits are applicable to exit bids, as well as to live bids. Note that, in the monetary auction, all fractional dollar amounts will be subject to rounding to the nearest dollar.

Bidding credits qualified for	Asking price	Cash bid	Percent credit	Credit value	Workforce training/ supply chain credit (20%)	Lease area use CBA credit (5%)	General CBA credit (5%)
Workforce Training/Supply Chain Development; *and* Lease Area Use CBA *and* General CBA.	$50 million	$38,461,538	30	$11,538,462	$7,692,308	$1,923,077	$1,923,077
Workforce Training/Supply Chain Development; *and* Lease Area Use CBA.	$50 million	40,000,000	25	10,000,000	8,000,000	2,000,000	N/A
Workforce Training/Supply Chain Development; *and* General CBA.	$50 million	40,000,000	25	10,000,000	8,000,000	N/A	2,000,000
Workforce Training/Supply Chain Development *only*.	$50 million	41,666,667	20	8,333,333	8,333,333	N/A	N/A
Both CBA Credits *only*	$50 million	45,454,545	10	4,545,455	N/A	2,272,727	2,272,727
Lease Area Use CBA Credit *only*	$50 million	47,619,048	5	2,380,952	N/A	2,380,952	N/A
General CBA Credit *only*	$50 million	47,619,048	5	2,380,952	N/A		2,380,952

Note: *Cash bid and credit values are rounded to the nearest dollar in the Power Auctions software. BOEM will then use those values to calculate the credit values and will also round to the nearest dollar.*

b. *20 Percent Non-Monetary (Bidding) Credit for Workforce Training or Supply Chain Development or a Combination of Both:* This type of bidding credit allows a bidder to receive a credit of 20 percent of its cash bid in exchange for committing to make a qualifying monetary contribution (''Contribution'') to programs or initiatives, as described in the BFF Addendum and lease. The workforce training programs must support the floating offshore wind industry, development of a U.S. domestic supply chain for the floating offshore wind energy industry, or both. To qualify for this credit, the winning bidder is required to financially contribute the value of this bidding credit toward a workforce training program or the development of a domestic supply chain, as described in the BFF Addendum and lease.

i. The Contribution to workforce training must result in a better trained and/or larger domestic floating offshore wind workforce that would provide for more efficient operations via increasing the supply of fully trained personnel.

ii. The Contribution to domestic supply chain development must result in (i) overall benefits to the U.S. floating offshore wind supply chain available to all potential purchasers of offshore wind services, components, or subassemblies, not solely the Lessee's project; (ii) either the demonstrable development of new domestic capacity (including vessels) or the demonstrable buildout of existing capacity; or (iii) a more robust floating offshore wind domestic supply chain by reducing the upfront capital or certification cost for manufacturing offshore wind components, including the building of facilities, the purchasing of capital equipment, and the certifying of existing manufacturing or assembly facilities.

iii. No portion of the Contribution may also be used to meet the requirements of any other bidding credits for which the Lessee qualifies.

iv. Bidders seeking to use the bidding credit under this provision can choose to commit to workforce training programs, domestic supply chain initiatives, or a combination of both. The strategy must describe the verifiable actions to be taken by the Lessee that would allow BOEM to confirm compliance when the documentation for satisfying the bidding credit is submitted. The Contribution must be made no later than the time of the submission of the Lessee's first FDR. Lessees must provide documentation showing that the Lessee has made the Contribution and complied with the applicable requirements no later than the submission of the first FDR for the Lease. Deferring the payment until no later than the FDR will enable the Lessee to identify programs or recipients with the greatest potential to expedite or facilitate orderly OCS renewable energy development.

v. Contributions to workforce training must be to one or more of the following: (i) Contributions toward union apprenticeships, labor management training partnerships, stipends for workforce training, or other technical training programs or institutions focused on providing skills necessary for the planning, design, construction,

operation, maintenance, or decommissioning of floating offshore wind energy projects in the United States; (ii) Contributions toward maritime training necessary for the crewing of vessels to be used for the construction, servicing, and/or decommissioning of floating offshore wind energy projects in the United States; (iii) Contributions toward training workers in skills or techniques necessary to manufacture or assemble floating offshore wind components, subcomponents, or subassemblies. Examples of these skills and techniques include those in the areas of welding; floating offshore wind energy technology; hydraulic maintenance; braking systems; mechanical systems, including blade inspection and maintenance; or computers and programmable logic control systems; (iv) Contributions toward Tribal workforce development programs or training for employees of wholly owned Tribal corporations that lead to the expeditious and orderly development of floating offshore wind; or (v) Contributions toward training in any other job skills that the Lessee can demonstrate are necessary for the planning, design, construction, operation, maintenance, or decommissioning of floating offshore wind energy projects in the United States.

vi. Contributions to domestic supply chain development must be one or more of the following: (i) Contributions supporting the development of a domestic supply chain for the floating offshore wind industry, including manufacturing of components and sub-assemblies and the expansion of related services; (ii) Contributions to domestic Tier 2 and Tier 3 floating offshore wind component suppliers, such as mooring line manufacturers, and domestic Tier 1 supply chain efforts, including quay-side fabrication of floating foundations and assembly of the floating tower, as defined in the Lease and BFF Addendum; (iii) Contributions for technical assistance grants to help U.S. manufacturers re-tool or certify (*e.g.,* ISO–9001) for floating offshore wind manufacturing; (iv) Contributions for the development of Jones Act-compliant vessels for the construction, servicing, and/or decommissioning of floating offshore wind energy projects in the United States, including semi-submersible barges for use during quayside manufacturing, assembly, or installation; (v) Contributions to the purchase and installation of self-propelled modular transporter systems (SPMTs), lift cranes capable of installing foundations, towers, and nacelles quayside, and domestic mooring manufacturing facilities; (vi) Contributions to port infrastructure related to floating offshore wind component manufacturing and preparation of quayside manufacturing and assembly areas for the construction and deployment of floating foundations for, or other components of, offshore wind turbines; (vii) Contributions to establish a new or existing bonding support reserve or revolving fund available to all businesses providing goods and services to floating offshore wind energy companies, including disadvantaged businesses, and/or wholly owned Tribal corporations; or (viii) Other Contributions to supply chain development efforts that the Lessee can demonstrate further the manufacture of floating offshore wind components or subassemblies, or the provision of floating offshore wind services, in the United States.

vii. Documentation: If a lease is awarded pursuant to a winning bid that includes a bidding credit for workforce training and/or supply chain development, the Lessee must provide documentation to BOEM showing that the Lessee has met the commitment no later than the submission of the first FDR. The documentation must enable BOEM to objectively verify the amount of the Contribution and the beneficiary(ies) of the Contribution.

At a minimum, this documentation must include: all written agreements between the Lessee and beneficiary(ies) of the Contribution, which must detail the amount of the Contribution and how they will be used by the beneficiaries of the Contribution in order to satisfy the goals of the bidding credit for which the Contribution was made; all receipts documenting the amount, date, financial institution, and the account and owner of the account to which the Contribution was made; and sworn statements by the entity that made the Contribution and the beneficiary(ies) of the Contribution, attesting that all information provided is true and accurate in the above documentation. The documentation must describe how the funded initiative or program has advanced, or is expected to advance, U.S. floating offshore wind workforce training and/or supply chain development. The documentation must also provide qualitative and/or quantitative information that includes the estimated number of trainees or jobs supported, and/or the estimated leveraged supply chain investment resulting or expected to result from the Contribution. The documentation must contain and elaborate on for the information specified in the conceptual strategy submitted with the BFF and must allow BOEM to objectively verify (i) the amount of the Contribution and the beneficiary(ies) of the Contribution; and (ii) compliance with the bidding credit criteria provided in Addendum ''C'' of the Lease. If the Lessee's implementation strategy has changed from that in the conceptual strategy due to market needs or other factors, the Lessee must explain the changed approach. BOEM reserves the right to determine that the bidding credit has not been satisfied if changes to the Lessee's conceptual strategy do not meet the criteria for the bidding credit described in Addendum ''C'' of the Lease or the BFF Addendum.

viii. Enforcement: The commitment for the bidding credit would be made in the BFF and would be included in a lease addendum that would bind the Lessee and all future assignees of the lease. If BOEM were to determine that a Lessee or assignee had failed to satisfy the requirements of the bidding credit, or if a Lessee were to relinquish or otherwise fail to develop the lease by the tenth anniversary date of lease issuance, the amount corresponding to the bidding credit awarded would be immediately due and payable to ONRR with interest from the date of lease execution. The interest rate would be the underpayment interest rate identified by ONRR. BOEM could, at its sole discretion, extend the documentation deadline beyond first FDR submission or the 10-year timeframe.

c. *5 Percent Non-Monetary (Bidding) Credit for a Lease Area Use CBA:* The second bidding credit will allow a bidder to receive a credit of 5 percent of its cash bid in exchange for an existing CBA or a commitment to enter into a new CBA with one or more communities, stakeholder groups, or Tribal entities whose use of the geographic space of the Lease Area, or whose use of resources harvested from that geographic space, is expected to be impacted by the Lessee's potential offshore wind development (hereinafter, in the context of the Lease Area Use CBA bidding credit, referred to as ''impacted community''). The Lease Area Use CBA may assist fishing and related industries (including Tribal fisheries) by supporting their resilience and ability to adapt to gear changes or any potential gear loss or damage, as well as any loss of income, or other similar potential impacts that may arise from the development of the Lease Area. The Lease Area Use CBA may include payments into a special purpose fund, such as payments to support gear changes, navigation technology

improvements, and other efforts to improve safety and navigation, or to compensate the fishing and related industries whose use of the geographic space of the Lease Area is impacted by the Lessee's potential offshore wind development. To qualify for the credit, the bidder will be required to commit to the requirements in the BFF Addendum and the lease, and to submit a strategy as described in the BFF Addendum. A bidder that is qualified to bid for a Lease Area and would like to qualify for the Lease Area Use CBA credit may do so with an executed CBA, even if future revisions to the CBA are necessary to comply with the conceptual strategy described in the BFF Addendum. However, in order to satisfy the requirements for this bidding credit, such bidders must ensure compliance with the conceptual strategy by the time the Lessee's first FDR is submitted.

i. Bidders seeking the bidding credit must submit their conceptual strategy with their BFF, further described below and in the BFF Addendum. The conceptual strategy must contain either a qualifying executed Lease Area Use CBA or a conceptual strategy describing how the bidder intends to qualify for the Lease Area Use CBA bidding credit, which can be accomplished through the execution of a new CBA or revising an already executed CBA. Bidders qualifying using a conceptual strategy must: (i) Explain how the Lessee will select or identify impacted communities with whom to enter into a Lease Area Use CBA; (ii) Describe the provisions that may be included in the Lease Area Use CBA and how the provisions mitigate potential impacts from the proposed development of the Lease Area; and (iii) Describe the process for documentation and verification that the Lease Area Use CBA has been executed according to the requirements in the BFF Addendum and the Lease. A Lessee will be required to provide documentation showing that the Lessee has met the commitment and complied with the applicable requirements no later than the submission of the Lessee's first FDR. Deferring the fulfillment of the commitment until the first FDR will enable the Lessee to identify stakeholders with impacts in need of mitigation.

ii. A qualifying CBA must meet the following requirements: (i) Be between the Lessee or its affiliated entity, or if appropriate, its assignee(s), and an impacted community; (ii) Specify how the impacted community's use of the Lease Area or how the impacted community's use of resources harvested from the geographic space of the Lease Area is expected to be impacted by the Lessee's potential offshore wind development; (iii) Address impacts to the impacted community arising from lease development; (iv) Specify any monetary, material, or other benefits provided, or to be provided, by the Lessee to the impacted community, including any mitigation or other compensatory measures provided by the Lessee to the impacted community, such as the establishment of any special purpose funds and the mechanisms through which monies therein will be disbursed; (v) Indicate the commitment of the parties to collaboration and resolution of issues. This commitment may be indicated by a statement that the parties will agree to mediation, a strategy for collaboration, or other type of plan describing how the parties will collaborate or resolve issues as needed; (vi) Describe communication methods, engagement methods, or educational opportunities for the impacted community; and (vii) Specify plans (or strategies) to mitigate potential impacts from the proposed development of the Lease Area on the impacted community.

iii. No CBA otherwise eligible for a bidding credit may include exclusivity or preferential clauses that prevent or disincentivize an impacted community from entering into such agreements with other lessees or potential lessees.

iv. No portion of a CBA, fund, or agreement used for this credit may be used to meet the requirements of any other bidding credit for which the Lessee qualifies.

v. Lessees may execute a Lease Area Use CBA with a single entity, which may be a coalition that represents the diverse interests and inclusive needs of more than one impacted community, or multiple entities, or multiple impacted communities, and may execute more than one Lease Area Use CBA.

vi. Any benefits provided to the impacted community should not duplicate benefits or mitigation measures imposed on the Lessee through, or pursuant to, statutes other than OCSLA.

vii. A bidder who receives this credit must use best efforts to provide benefits at least commensurate to the value of the bidding credit received. This may include both monetary and non-monetary benefits.

viii. Documentation: If a lease is awarded pursuant to a winning bid that includes this CBA credit, the Lessee must provide written documentation to BOEM demonstrating execution of the CBA commitment no later than submission of the Lessee's first FDR. The documentation must enable BOEM to objectively verify the CBA has met all applicable requirements as outlined in the BFF Addendum and Lease. At a minimum, this documentation must include: all written agreements between the Lessee and the impacted community, including the executed Lease Area Use CBA; description of work done with impacted communities, including the monetary and non-monetary commitments that reflect the value of the bidding credit received; and sworn statements by the Lease Area Use CBA signatories or their assignees, attesting to the truth and accuracy of all the information provided in the above documentation. The documentation must contain and elaborate on the information specified in the conceptual strategy that was submitted with the BFF. If the Lessee's conceptual strategy has changed due to market needs or other factors, the Lessee must explain this change.

ix. Enforcement: The commitment for the Lease Area Use Bidding Credit will be made in the BFF and will be included in a lease addendum that binds the Lessee and all assignees of the lease. If BOEM were to determine that a Lessee or assignee had failed to enter into a Lease Area Use CBA that satisfies the commitment by the Lessee's first FDR submission, or if a Lessee were to relinquish or otherwise fail to develop the lease by the tenth anniversary date of lease issuance, the amount corresponding to the bidding credit awarded will be immediately due and payable to ONRR with interest from the date of lease execution. The interest rate will be the underpayment interest rate identified by ONRR. BOEM can, at its sole discretion, extend the documentation deadline beyond the first FDR submission or the 10-year timeframe.

d. *5 Percent Non-Monetary (Bidding) Credit for a General CBA:* The third bidding credit will allow a bidder to receive a credit of 5 percent of its cash bid in exchange for an existing CBA or a commitment to enter into a new CBA with one or more communities, Tribes, or stakeholder groups that are expected to be affected by the potential impacts on the marine, coastal, and/or human environment (such as impacts on visual or cultural resources) from activities resulting from lease development that are not otherwise addressed by the Lease Area Use CBA (hereinafter, in the context of the General CBA bidding credit, referred to as ''impacted community''). The General CBA credit is designed mitigate effects from OCS energy development and promote that development by enabling greater collaboration between lessees and the impacted communities on which the development depends. To qualify for

the credit, the bidder must commit to the requirements in the BFF Addendum and the lease, and submit a strategy as described in the BFF Addendum. A bidder that is qualified to bid for a Lease Area and would like to qualify for the General CBA credit may do so with an executed CBA, even if future revisions to the CBA are necessary to comply with the conceptual strategy described in the BFF Addendum. However, in order to satisfy the requirements for this bidding credit, such bidders must ensure compliance with the conceptual strategy by the time the Lessee's first FDR is submitted.

i. Bidders seeking the bidding credit must submit their conceptual strategy with their BFF, further described below and in the BFF Addendum. The conceptual strategy must contain either a qualifying executed General CBA or a conceptual strategy describing how the bidder intends to qualify for the General CBA bidding credit, which can be accomplished through the execution of a new CBA or revising an already executed CBA. Bidders qualifying using a conceptual strategy must: (i) Explain how the Lessee will identify impacted communities with whom to enter into a General CBA; (ii) Describe the bidder's commitments, including the form of investments, that will be made, subject to the requirements and restrictions described above and in the BFF Addendum; (iii) Describe the provisions that will be included in the General CBA and how the provisions will address the potential impacts arising from activities performed in connection with lease development; and (iv) Describe the process for documentation and verification through which the General CBA has been executed according to the requirements in the BFF Addendum. A Lessee will be required to provide documentation showing that the Lessee has met the commitment and complied with the applicable requirements no later than the submission of the Lessee's first FDR. Deferring the fulfillment of the commitment until the first FDR will enable the Lessee to identify impacted communities likely affected by the impacts on the marine, coastal, and/or human environment from activities resulting from lease development.

ii. A qualifying CBA must meet the following requirements: (i) Be between the Lessee or its affiliated entity, or, if appropriate, its assignee(s), and an impacted community; (ii) Specify how the impacted community is likely to be affected by the potential impacts on the marine, coastal, and/or human environment from activities resulting from lease development; (iii) Address impacts to the impacted community arising from lease development that are not addressed by a Lease Area Use CBA; (iv) Specify the monetary, material, or other benefits provided, or to be provided, by the Lessee to the impacted community, including any mitigation or other compensatory measures provided by the Lessee to the impacted community; (v) Indicate commitment of parties to collaboration and resolution of issues. This commitment may be indicated by a statement that the parties will agree to mediation, a strategy for collaboration, or other type of plan describing how the parties will collaborate or resolve issues as needed; (vi) Describe communication methods, engagement methods, or educational opportunities for the impacted community; and (vii) Specify plans (or strategies) to mitigate potential impacts from the proposed development of the Lease Area on the impacted community.

iii. No General CBA otherwise eligible for a bidding credit may include exclusivity or preferential clauses that prevent or disincentivize an impacted community from entering into such agreements with other lessees or potential lessees.

iv. No portion of a CBA, fund, or agreement used for this credit may be used to meet the requirements of any other bidding credit for which the Lessee qualifies.

v. Lessees may execute a General CBA with a single entity, which may be a coalition that represents the diverse interests and inclusive needs of more than one impacted community, or multiple entities, or multiple impacted communities, and may execute more than one General CBA.

vi. Any benefits provided to the impacted community should not duplicate benefits or mitigation measures imposed on the Lessee through, or pursuant to, statutes other than OCSLA. For example, such benefits could include: (i) Contributions to a community benefit fund whose purpose is to provide funds for infrastructure to impacted communities to alleviate impacts from the Lessee's project; (ii) Increased support to facilitate engagement in the process through which the lease will be developed; and (iii) Mitigating potential impacts to cultural viewsheds or potential impacts on marine and land species that are of significance to Tribal culture or impacted communities.

vii. A bidder who receives this credit must use best efforts to provide benefits at least commensurate to the value of the bidding credit received. This may include both monetary and non-monetary benefits.

viii. Documentation: If a lease is awarded pursuant to a winning bid that includes this CBA credit, the Lessee must provide written documentation to BOEM demonstrating execution of the CBA commitment no later than submission of the Lessee's first FDR. The documentation must enable BOEM to objectively verify the CBA has met all applicable requirements as outlined in the BFF Addendum and lease. At a minimum, this documentation must include: all written agreements between the Lessee and beneficiary(ies), including the executed CBA; description of work done with impacted communities to reach monetary and non-monetary commitments that reflect the value of the bidding credit received; and sworn statements by the CBA signatories or their assignees attesting to the truth and accuracy of all the information provided in the above documentation. The documentation must contain and elaborate on the information specified in the conceptual strategy that was submitted with the BFF. If the Lessee's conceptual strategy has changed due to market needs or other factors, the Lessee must explain this change.

ix. Enforcement: The commitment for the General CBA Bidding Credit will be made in the BFF and will be included in a lease addendum that binds the Lessee and all assignees of the lease. If BOEM were to determine that a Lessee or assignee had failed to enter into a General CBA that satisfies the commitment by the Lessee's first FDR submission, or if a Lessee were to relinquish or otherwise fail to develop the lease by the tenth anniversary date of lease issuance, the amount corresponding to the bidding credit awarded will be immediately due and payable to ONRR with interest from the date of lease execution. The interest rate will be the underpayment interest rate identified by ONRR. BOEM can, at its sole discretion, extend the documentation deadline beyond the first FDR submission or the 10-year timeframe.

e. *The Auction:* Using an online bidding system to host the auction, BOEM will start the bidding for Leases OCS–P 0561 through 0565, as described below. All five of the Lease Areas will be offered in a single auction, and there will be no distinction made between Lease Areas in the Humboldt WEA and the Morro Bay WEA within the auction process. Each bidder may only bid for one of the offered Lease Areas at a time and, ultimately, acquire only one of the Lease Areas in the auction.

Lease area ID	Acres	Minimum bid
OCS–P 0561	63,338	$6,333,800
OCS–P 0562	69,031	6,903,100
OCS–P 0563	80,062	8,006,200
OCS–P 0564	80,418	8,041,800
OCS–P 0565	80,418	8,041,800
Total	*373,268*	

f. *Live Bids:* The auction will be conducted in a series of rounds. At the start of each round, BOEM will state an asking price for each Lease Area. If a bidder is willing to meet that asking price for one of the Lease Areas, it will indicate its intent by submitting a bid equal to the asking price for the selected lease area. A bid at the full asking price is referred to as a ''live bid.'' If the bidder has qualified for a non-monetary credit, it will meet the asking price by submitting a multiple-factor bid—that is, a live bid that consists of a monetary (cash) element and a non-monetary credit (5%, 10%, 20%, 25%, or 30% of the cash element, depending on the bidder's qualification for bidding credits), the sum of which equals the asking price. Bidders without a non-monetary credit will submit a cash bid equal to the asking price. To participate in the next round of the auction, a bidder is required to have submitted a live bid for one of the Lease Areas (or have a carried-forward bid) in each previous round.

As long as there are two or more live bids (including carried-forward bids) for at least one of the Lease Areas, the auction moves to the next round. BOEM will raise the asking price for each Lease Area that received two or more live bids in the previous round. Asking price increments will be determined based on several factors, including, but not necessarily limited to, the expected time needed to conduct the auction and the number of rounds that have already occurred. BOEM reserves the right to increase or decrease bidding increments as it deems appropriate. If there was only one live bid (including carried-forward bids) or no live bids for a Lease Area in the previous round, the asking price would not be increased.

A live bid would automatically be carried forward if it was uncontested in the previous round (*i.e.,* if it was the only live bid for that Lease Area in the previous round), and the bidder who placed the uncontested bid would not be permitted to place any other bid in the current round of the auction.

Conversely, if a live bid was contested in the previous round (*i.e.,* if there was at least one other live bid for the same Lease Area, including carried-forward bids), the bidder who placed the contested bid would be free to bid on any Lease Area in the auction in the next round, at the new asking price.

A bidder's eligibility is for either one or zero lease areas and corresponds to the maximum number of lease areas that a bidder may include in a live bid during a single round of the auction.

If a bidder decides to stop bidding before the final round of the auction, there are circumstances in which the bidder could nonetheless win a lease. For example, that bidder could be ultimately selected in the winner determination that is described in detail below, or the provisionally winning bidder could be disqualified at the award stage of the auction. In these circumstances, the bidder will be bound by its bid and thus obligated to pay the full bid amount. Bidders therefore might be bound by any of their bids up to and until the point at which the auction results are finalized.

Between rounds, BOEM will disclose to all bidders that submitted bids: (1) the number of live bids (including carried-forward bids) for each Lease Area in the previous round of the auction (*i.e.,* the level of demand at the asking price); and (2) the asking price for each Lease Area in the upcoming round of the auction.

g. *Exit Bids:* In any round after the first round, a bidder may submit an ''exit bid'' (also known as an ''intra-round bid'') only for the same Lease Area as the bidder's contested live bid in the previous round. An exit bid is a bid that is greater than the previous round's asking price, but less than the current round's asking price. An exit bid is *not* a live bid, and it represents the final bid that a bidder may submit in the auction. A bidder may not submit both an exit bid on one of the Lease Areas and a live bid on a different Lease Area. During the auction, the exit bid can be seen only by BOEM and not by other bidders.

The auction ends when a round occurs in which each of the Lease Areas in the auction receives one or zero live bids (including carried-forward bids), regardless of the number of exit bids on any Lease Area.

h. *Determination of Provisional Winners:* After the bidding ends, BOEM will determine the provisionally winning bid for each Lease Area by the following two-stage procedure.

In stage one, the highest bid (live bid or exit bid) received for each Lease Area in the final round will be designated the provisionally winning bid, if there is a single highest bid. In the event of a tie (*i.e.,* if two or more bidders submitted identical highest exit bids for the same Lease Area), the selection of one of the highest exit bids will be deferred until stage two.

In stage two, BOEM will consider bids from all bidding rounds for Lease Areas that were not assigned in stage one made by bidders who were not assigned a Lease Area in stage one. BOEM will select the combination of such bids that maximizes the sum of the bid amounts of the selected bids, subject to the following constraints: (1) each Lease Area that received multiple highest exit bids in the final round (but no live bid) must be assigned to one of the bidders that submitted the highest exit bid; (2) at most one bid from each bidder can be selected; and (3) at most one bid for each Lease Area can be selected. If there is a unique combination of bids that solves this maximization problem, then these bids will be deemed to be the remaining provisionally winning bids. If two or more combinations of bids tie by producing the same maximized sum of bid amounts, the auction system will select one of the combinations by use of pseudorandom numbers. The provisional winners will pay the amounts of their provisionally winning bids, or risk forfeiting their bid deposits. A provisional winner will be disqualified if it is subsequently found to have violated auction rules or BOEM regulations, or otherwise engaged in conduct detrimental to the integrity of the competitive auction. If a bidder submits a bid that BOEM determines to be a provisionally winning bid, the bidder must sign the applicable lease documents, establish financial assurance, and submit the cash balance (if any) of its bid (*i.e.,* its winning cash bid less its bid deposit) within 10 business days of receiving the lease copies, pursuant to 30 CFR 585.224. BOEM reserves the right not to issue the lease to a provisionally winning bidder if that bidder fails to: timely return the signed lease form, establish adequate financial assurance, pay the balance of its winning bid, or otherwise comply with applicable regulations or the terms of the FSN. In that case, the bidder would forfeit its bid deposit.

BOEM will publish the provisional winners and the provisionally winning bid amounts shortly after the conclusion of the sale. Full bid results, including round-by-round results of the entire sale, including exit bids, will be published on BOEM's website after review of the results and announcement of the provisional winners.

i. *Additional Information Regarding the Auction Format:*

i. Authorized Individuals and Bidder Authentication: A company that is eligible to participate in the auction will identify on its BFF up to three

individuals who would be authorized to bid on behalf of the company, including their names, business telephone numbers, and email addresses. After BOEM has processed the bid deposits, the auction contractor will send several emails to the authorized individuals. The emails will contain user login information and instructions for accessing the bidder manual for the auction system and any auction system technical supplement (ASTS) that may be issued.

The auction system will require software tokens for two-factor authentication. To set up the tokens, authorized individuals will download an app onto their smartphone or tablet with a recent operating system. One of the emails sent to authorized individuals will contain instructions for installing the app and the credentials needed to activate the software token. A short telephone conversation with the auction contractor may also be required to use the credentials. The login information, along with the tokens, will be tested during the mock auction. If an eligible bidder fails to submit a bid deposit or does not participate in the auction, BOEM will deactivate that bidder's tokens and login information.

ii. Timing of Auction: The auction will begin at 10:00 a.m. EST on December 6, 2022. Bidders may log in as early as 9:30 a.m. EST on that day. BOEM recommends that bidders log in earlier than 10:00 a.m. EST on that day to ensure that any login issues are resolved prior to the start of the auction. Once bidders have logged in, they should review the auction schedule, which lists the anticipated start times, end times, and recess times of each round in the auction. Each round is structured as follows:

- Round bidding begins;
- Bidders enter their bids;
- Round bidding ends and the recess begins;
- During the recess, previous round results and next round asking prices are posted;
- Bidders review the previous round results and prepare their next round bids; and
- Next round bidding begins.

The first round will last about 30 minutes, though subsequent rounds will be substantially shorter. Recesses are anticipated to last approximately 10 minutes. This description of the auction schedule is tentative. Bidders should consult the auction schedule on the auction system during the auction for updated times. Bidding will continue until about 6:00 p.m. EST each day. BOEM anticipates that the auction will last one to two business days, but may continue for additional business days as necessary until the auction has concluded.

iii. Messaging service: BOEM and the auction contractors will use the auction platform messaging service to keep bidders informed on issues of interest during the auction. For example, BOEM may change the schedule at any time, including during the auction. If BOEM changes the schedule during an auction, it will use the messaging feature to notify bidders that a revision has been made and will direct bidders to the relevant page. BOEM will also use the messaging system for other updates during the auction.

Bidders may place bids at any time during the round. At the top of the bidding page, a countdown clock shows how much time remains in the round. Bidders have until the end of the round to place bids. Bidders should place bids according to the procedures described in this notice and the Bidder Manual. Information about the round results will only be made available after the round has closed, so there is no strategic advantage to placing bids early or late in the round.

BOEM may issue an ASTS to elaborate on the auction procedures described in this FSN. In the event of any inconsistency between the Bidder Manual, the ASTS, and the FSN, the FSN will be controlling.

iv. Alternate Bidding Procedures: Redundancy is the most effective way to mitigate technical and human issues during an auction. Bidders should strongly consider authorizing more than one individual to bid in the auction—and confirming during the mock auction that each individual is able to access the auction system. A 4G card or other form of wireless access is helpful in case a company's main internet connection should fail. As a last resort, an authorized individual facing technical issues may request to submit its bid by telephone. In order to be authorized to place a telephone bid, an authorized individual must call the help desk number listed in the auction manual *before* the end of the round. BOEM will authenticate the caller's identity, including requiring the caller to provide a code from the software token. The caller must also explain the reasons why a telephone bid needs to be submitted. BOEM may, in its sole discretion, permit or refuse to accept a request for the placement of a bid using this alternate telephonic bidding procedure.

j. *Prohibition on Communications Between Bidders During Auction:* During the auction, bidders are prohibited from communicating with each other regarding their participation in the auction. Also, during the auction, bidders are prohibited from communicating to the public regarding any aspect of their participation or lack thereof in the auction, including, but not limited to, through social media, updated websites, or press releases.

XIV. Post-Auction Procedures

a. Rejection or Non-Acceptance of Bids

BOEM reserves the right to reject any and all bids that do not satisfy the requirements and rules of the auction, the FSN, or applicable regulations and statutes.

b. Anti-Competitive Review

Bidding behavior in this sale is subject to Federal antitrust laws. Following the auction, but before the acceptance of bids and the issuance of the lease, BOEM will ''allow the Attorney General, in consultation with the Federal Trade Commission, thirty days to review the results of [the] lease sale.'' 43 U.S.C. 1337(c)(1). If a provisionally winning bidder is found to have engaged in anti-competitive behavior in connection with this lease sale, BOEM will reject its provisionally winning bid. Compliance with BOEM's auction procedures and regulations is not an absolute defense to violations of antitrust laws.

Anti-competitive behavior determinations are fact-specific. Such behavior may manifest itself in several different ways, including, but not limited to:

1. An express or tacit agreement among bidders not to bid in an auction, or to bid a particular price;
2. An agreement among bidders not to bid;
3. An agreement among bidders not to bid against each other; or
4. Other agreements among bidders that have the potential to affect the final auction price.

Pursuant to 43 U.S.C. 1337(c)(3), BOEM will decline to award a lease if the Attorney General, in consultation with the Federal Trade Commission, determines that awarding the lease would be inconsistent with antitrust laws.

For more information on whether specific communications or agreements could constitute a violation of Federal antitrust law, please see *https://www.justice.gov/atr/business-resources* or consult legal counsel.

c. Process for Issuing the Lease

Once all post-auction reviews have been completed to BOEM's satisfaction, BOEM will provide three unsigned copies of the lease to each provisionally

winning bidder. Within 10 business days after receiving the lease copies, the provisionally winning bidders must:

1. Sign and return the lease copies on the bidder's behalf;

2. File financial assurance, as required under 30 CFR 585.515–537; and

3. Pay by electronic funds transfer (EFT) the balance (if any) of the bonus bid (winning monetary bid less the applicable non-monetary bidding credit and bid deposit). BOEM requires bidders to use EFT procedures (not *pay.gov,* the website bidders used to submit bid deposits) for payment of the balance of the bonus bid, following the detailed instructions contained in the ''Instructions for Making Electronic Payments'' available on BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/eft-payment-instructions-ca.*

BOEM will not execute the lease until the three requirements above have been satisfied, BOEM has accepted the provisionally winning bidder's financial assurance pursuant to 30 CFR 585.515, and BOEM has processed the provisionally winning bidder's payment. BOEM may extend the 10-business-day deadline for signing a lease, filing the required financial assurance, and paying the balance of the bonus bid if BOEM determines, in its sole discretion, that the provisionally winning bidder's inability to comply with the deadline was caused by events beyond the provisionally winning bidder's control pursuant to 30 CFR 585.224(e).

If a provisionally winning bidder does not meet these requirements or otherwise fails to comply with applicable regulations or the terms of the FSN, BOEM reserves the right not to issue the lease to that bidder. In such a case, the provisionally winning bidder will forfeit its bid deposit. Also, in such a case, BOEM reserves the right to identify the next highest bid for that Lease Area submitted during the lease sale by a bidder who has not won one of the other Lease Areas and to offer the lease to that bidder pursuant to its bid.

Within 45 calendar days of the date that a provisionally winning bidder receives lease copies, each provisionally winning bidder will be required to pay the first year's rent using the ''ONRR Renewable Energy Initial Rental Payments'' form available at: *https://www.pay.gov/public/form/start/27797604/.*

Subsequent annual rent payments will be required to be made following the detailed instructions contained in the ''Instructions for Making Electronic Payments,'' available on BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/california.*

d. Non-Procurement Debarment and Suspension Regulations

Pursuant to 43 CFR part 42, subpart C, an OCS renewable energy Lessee will be required to comply with the Department of the Interior's non-procurement debarment and suspension regulations at 2 CFR parts 180 and 1400. The Lessee must also communicate this requirement to persons with whom the Lessee does business relating to this lease by including this requirement as a condition in their contracts and other transactions.

e. Changes to Auction Details

The Regional Director of BOEM's Pacific Regional Office has the discretion to change any auction detail specified in the FSN, including the date and time, if s/he deems that events outside BOEM's control may interfere with a fair and proper lease sale. Such events may include, but are not limited to, natural disasters (*e.g.,* earthquakes, hurricanes, floods, and blizzards), wars, riots, act of terrorism, fire, strikes, civil disorder, Federal Government shutdowns, cyberattacks against relevant information systems, or other events of a similar nature. In case of such events, BOEM would notify all qualified bidders via email, phone, and BOEM's website at: *https://www.boem.gov/renewable-energy/state-activities/california.* Bidders should call (703) 787–1121 if they have concerns.

f. Withdrawal of Blocks

BOEM reserves the right to withdraw all or portions of the Lease Areas prior to executing the leases with the winning bidders. If BOEM exercises this right, it will refund bid deposits to winning bidders, without interest, as provided in 30 CFR 585.224(f).

g. Appeals

The bid rejection procedures are provided in BOEM's regulations at 30 CFR 585.225 and 585.118(c). Under 30 CFR 585.225:

(a) If BOEM rejects your bid, BOEM will provide a written statement of the reasons and will refund any money deposited with your bid, without interest.

(b) You will then be able to ask the BOEM Director for reconsideration, in writing, within 15 business days of bid rejection, under 30 CFR 585.118(c)(1). The Director will send you a written response either affirming or reversing the rejection.

The procedures for requesting reconsideration of a bid rejection are described in 30 CFR 585.118(c).

h. Protection of Privileged or Confidential Information

BOEM will protect privileged or confidential information that the Lessee submits, as authorized by the Freedom of Information Act (FOIA), 30 CFR 585.113, or other applicable statutes. If the Lessee wishes to protect the confidentiality of information, the Lessee should clearly mark it ''Contains Privileged or Confidential Information'' and consider submitting such information as a separate attachment. BOEM will not disclose such information, except as required by FOIA. If your submission is requested under the FOIA, your information will only be withheld if a determination is made that one of the FOIA's exemptions to disclosure applies. Such a determination will be made in accordance with the Department's FOIA regulations and applicable law. Labeling information as privileged or confidential will alert BOEM to more closely scrutinize whether it warrants withholding. Further, BOEM will not treat as confidential aggregate summaries of otherwise nonconfidential information.

XV. Compliance With the Inflation Reduction Act (Pub. L. 117–169 (Aug. 16, 2022)(Hereinafter, the ''IRA''):

Section 50265(b)(2) of the IRA provides that ''[d]uring the 10-year period beginning on the date of enactment of this Act . . . the Secretary may not issue a lease for offshore wind development under section 8(p)(1)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(p)(1)(C)) unless— (A) an offshore lease sale has been held during the 1-year period ending on the date of the issuance of the lease for offshore wind development; and (B) the sum total of acres offered for lease in offshore lease sales during the 1-year period ending on the date of the issuance of the lease for offshore wind development is not less than 60,000,000 acres.'' Section 50264(d) of the IRA provides that ''. . . not later than March 31, 2023, the Secretary shall conduct Lease Sale 259[.]'' Conducting Lease Sale 259 is needed for BOEM to satisfy the requirements in section 50265(b)(2) of the IRA and issue the leases resulting from this lease sale. Notwithstanding the foregoing, nothing in the IRA prevents BOEM from holding this auction.

Authority: 43 U.S.C. 1337(p); 30 CFR 585.211 and 585.216.

Amanda Lefton,

Director, Bureau of Ocean Energy Management.

[FR Doc. 2022–22871 Filed 10–20–22; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–1338]

Certain Smart Televisions; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 15, 2022, under section 337 of the Tariff Act of 1930, as amended, on behalf of Maxell, Ltd. of Japan. A supplement was filed on September 26, 2022. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain smart televisions by reason of the infringement of certain claims of U.S. Patent No. 8,549,109 (''the '109 patent''); U.S. Patent No. 8,170,394 (''the '394 patent''); U.S. Patent No. 10,958,971 (''the '971 patent''); and U.S. Patent No. 11,017,815 (''the '815 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Jessica Mullan, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205–1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2022).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 17, 2022, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claim 4 of the '109 patent; claims 2, 4, 5, 7, and 8 of the '394 patent; claim 1 of the '971 patent; and claims 1 and 21 of the '815 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''certain smart televisions, *i.e.,* certain VIZIO-branded smart televisions'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: Maxell, Ltd., 1 Koizumi, Oyamazaki, Oyamazaki-cho, Otokuni-gun, Kyoto, 618–8525 Japan.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: VIZIO, Inc., 39 Tesla, Irvine, CA 92628.

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not participate as a party in this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: October 18, 2022.

Jessica Mullan,

Attorney Advisor.

[FR Doc. 2022–22954 Filed 10–20–22; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–552 and 731–TA–1308 (Review)]

Pneumatic Off-the-Road (OTR) Tires From India; Scheduling of Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of full reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty and countervailing duty orders on pneumatic off-the-road (''OTR'') tires from India would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission has determined to exercise its authority to extend the review period by up to 90 days.

DATES: October 17, 2022.

FOR FURTHER INFORMATION CONTACT: Julie Duffy ((202) 708–2579), Office of Investigations, U.S. International Trade

Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On May 9, 2022, the Commission determined that responses to its notice of institution of the subject five-year reviews were such that full reviews should proceed (87 FR 33209, June 1, 2022); accordingly, full reviews are being scheduled pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)). A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's website.

Participation in the reviews and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in these reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the reviews need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the reviews. A party granted access to BPI following publication of the Commission's notice of institution of the reviews need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the reviews will be placed in the nonpublic record on February 8, 2023, and a public version will be issued thereafter, pursuant to section 207.64 of the Commission's rules.

Hearing.— The Commission will hold an in-person hearing at the U.S. International Trade Commission Building in connection with these reviews beginning at 9:30 a.m. on Thursday, March 2, 2023. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Wednesday, February 22, 2023. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the reviews, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID–19 test result may be submitted by 3pm the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html.*

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on Friday, February 24, 2023, if deemed necessary. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than 4:00 p.m. on March 1, 2023. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony in camera no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party to the reviews may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is February 17, 2023. Parties may also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is March 9, 2023. In addition, any person who has not entered an appearance as a party to the reviews may submit a written statement of information pertinent to the subject of the reviews on or before March 9, 2023. On March 31, 2023, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before April 4, 2023, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely

filed. The Secretary will not accept a document for filing without a certificate of service.

The Commission has determined that these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C.1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 18, 2022.

Jessica Mullan,

Attorney Advisor.

[FR Doc. 2022–22953 Filed 10–20–22; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–540–541 (Fifth Review)]

Certain Welded Stainless Steel Pipe From South Korea and Taiwan; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty orders on certain welded stainless steel pipe from South Korea and Taiwan would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: August 5, 2022.

FOR FURTHER INFORMATION CONTACT: Charles Cummings (202–708–1666), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background—On August 5, 2022, the Commission determined that the domestic interested party group response to its notice of institution (87 FR 25668, May 2, 2022) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on November 3, 2022. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[2] and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before November 10, 2022 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to these reviews by November 10, 2022. However, should the Department of Commerce (''Commerce'') extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.62 of the Commission's rules.

By order of the Commission.

Issued: October 18, 2022.

Jessica Mullan,

Attorney Advisor.

[FR Doc. 2022–22956 Filed 10–20–22; 8:45 am]

BILLING CODE 7020–02–P

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.

[2] The Commission has found the response filed on behalf of Bristol Metals, LLC; Felker Brothers Corporation; and Primus Pipe & Tube, Inc., domestic producers, to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–1337]

Institution of Investigation; Certain Hazelnuts and Products Containing the Same

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 15, 2022, under section 337 of the Tariff Act of 1930, as amended, on behalf of Pratum Farm, LLC of Salem, Oregon. Letters supplementing the complaint were filed on September 15, October 3, and October 4, 2022. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States and sale of certain hazelnuts and products containing the same by reason of false

advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States or to prevent the establishment of such an industry. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2022).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 17, 2022, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(A) of section 337 in the importation into the United States or in the sale of certain products identified in paragraph (2) by reason of false advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States or to prevent the establishment of such an industry;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''certain hazelnuts advertised as 'organic' or 'certified organic' including kernels, paste and flour, and hazelnut spread'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Pratum Farm, LLC, 120 95th Ave. NE, Salem, OR 97317

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Arslanturk Tarim Urunleri San Ihr Ve Ihr A.S., Ozgen Mahallesi Bayburt Cad. No. 194, 61700 Arakli-Trabzon Turkey

Balsu Gida San Ve Tic. A.S., Pasabahce Mahallesi, Cemal Bey, Sokak, No:11/1, 34800 Beykoz Istanbul Turkey

Balsu USA, 3250 NE 1st Avenue, Ste. 305, Miami, FL 33137

Farmeks Tarim Urunleri San Ve Tic. A.S., Aegean Free Zone Mumtaz Sok. No:16, PK.35410 Gaziemir/Izmir Turkey

Nimeks Organik Tarim Urun San Ve Tic Ltd STI, A.O.S.B. 10001 Sk. No: 25, 35620 Cigli/Izmir Turkey

Natural Food Source Inc., 1139 Lehigh Ave., Suite 300, Whitehall, PA 18052

Progida Tarim Urunleri San Ve Tic. A.S., Iz Giz Plaza, Eski Buyukdere Cad. No: 9, Floor: 1, Flat 4, 34398 Maslak/Sariyer/Istanbul Turkey

Ofi d/b/a Olam Edible Nuts, 205 East River Park Circle, Suite 310, Fresno, CA 93720

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: October 18, 2022.

Jessica Mullan,

Attorney Advisor.

[FR Doc. 2022–22955 Filed 10–20–22; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–475 and 731–TA–1177 (Second Review)]

Aluminum Extrusions From China

Determinations

On the basis of the record [1] developed in the subject five-year reviews, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that revocation of the antidumping and countervailing duty orders on aluminum extrusions from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on March 1, 2022 (87 FR 11470) and determined on June 6, 2022 that it would conduct expedited reviews (87 FR 57518, September 20, 2022).

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on October 17, 2022. The views of the Commission are contained in USITC Publication 5375 (October 2022), entitled *Aluminum Extrusions from China: Investigation Nos. 701–TA–475 and 731–TA–1177 (Second Review).*

By order of the Commission.

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Issued: October 17, 2022.

Jessica Mullan,

Attorney Advisor.

[FR Doc. 2022–22865 Filed 10–20–22; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0004]

Agency Information Collection Activities; Proposed eCollection of eComments Requested; Revision of a Previously Approved Collection; Interstate Firearms Shipment Theft/Loss Report—ATF F 3310.6

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice (DOJ), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 1140–0004 (Interstate Firearms Shipment Theft/Loss Report—ATF F 3310.6) is being revised to include minor edits, formatting changes and addition of the Privacy Act Notice to the form.

DATES: Comments are encouraged and will be accepted for 60 days until December 20, 2022.

FOR FURTHER INFORMATION CONTACT: If you have additional comments regarding the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact: Neil Troppman, Program Manager, ATF National Tracing Center either by mail at 244 Needy Road, Martinsburg, WV 25405, by email at *neil.troppman@atf.gov,* or by telephone at 304–260–3643.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of this information collection:

1. *Type of Information Collection:* Revision of a Currently Approved Collection.

2. *The Title of the Form/Collection:* Interstate Firearms Shipment Theft/Loss Report.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF F 3310.6.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other (if applicable): Federal Government.

Abstract: Shipping/Carrier companies can submit a voluntary report of a firearm(s) lost in shipment to the ATF Stolen Firearms Program. Reports can be filed using the Interstate Firearms Shipment Theft/Loss Report—ATF Form 3310.6.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 950 respondents will utilize the form, and it will take each respondent approximately 20 minutes to complete their responses.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 317 hours, which is equal to 950 (# of respondents) * 1 (# of responses per respondents) * .3333 (20 minutes).

If additional information is required contact: Robert Houser, Department Clearance Officer, Policy and Planning Staff, Office of the Chief Information Officer, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, Mail Stop 3.E–206, Washington, DC 20530.

Dated: October 18, 2022.

Robert Houser,

Department Clearance Officer, Policy and Planning Staff, Office of the Chief Information Officer, U.S. Department of Justice.

[FR Doc. 2022–22883 Filed 10–20–22; 8:45 am]

BILLING CODE 4410–FY–P

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Meeting of the Criminal Justice Information Services (CJIS) Advisory Policy Board

AGENCY: Federal Bureau of Investigation, Department of Justice.

ACTION: Meeting notice.

SUMMARY: The purpose of this notice is to announce a meeting of the Federal Bureau of Investigation's (FBI) Criminal Justice Information Services (CJIS) Advisory Policy Board (APB). The CJIS APB is a federal advisory committee established pursuant to the Federal Advisory Committee Act (FACA). This meeting announcement is being published as required by Section 10 of the FACA.

DATES: The APB will meet in open session from 8:30 a.m. until 5 p.m. on December 7–8, 2022.

ADDRESSES: The meeting will take place at the Omni Oklahoma City Hotel, 100 West Oklahoma City Boulevard, Oklahoma City, OK 73109 telephone 405–438–6500. Due to COVID–19 safety precautions limit meeting space accommodations the CJIS Division is offering a blended participation option that allows for a limited number of individuals to participate in person and additional individuals to participate via a telephone bridge line. The public will be permitted to provide comments and/or questions related to matters of the APB prior to the meeting. In-person gallery participation will be limited to the first 140 external participants who register to attend in person. Additional participants may also participate via a telephone bridge line. Please see details in **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Inquiries may be addressed to Ms. Melissa Abel, Management and Program Analyst, Advisory Process Management Office, Law Enforcement Support Section; 1000 Custer Hollow Road, Clarksburg, West Virginia 26306; email *agmu@leo.gov,* telephone 304–625–5670.

SUPPLEMENTARY INFORMATION: The FBI CJIS APB is responsible for reviewing policy issues and appropriate technical and operational issues related to the programs administered by the FBI's CJIS Division, and thereafter, making appropriate recommendations to the FBI Director. The programs administered by the CJIS Division are the Law Enforcement Enterprise Portal, National Crime Information Center, Next Generation Identification, National Instant Criminal Background Check System, National Data Exchange System, and Uniform Crime Reporting.

The meeting will be conducted with a blended participation option. The public may participate as follows: Public registrations will be processed on a first-come, first-served basis. The first 140 individuals to register will be afforded the opportunity to participate in person and are required to check-in at the meeting registration desk. Any additional registrants will be provided with a phone bridge number to participate in a listen-only mode.

Registrations will be taken via email to *agmu@leo.gov.* Information regarding the phone access will be provided prior to the meeting to all registered individuals. Interested persons whose registrations have been accepted may be permitted to participate in the discussions at the discretion of the meeting chairman and with approval of the Designated Federal Officer (DFO).

Any member of the public may file a written statement with the APB. Written comments shall be focused on the APB's current issues under discussion and may not be repetitive of previously submitted written statements. Written comments should be provided to Mr. Nicky J. Megna, DFO, at least seven (7) days in advance of the meeting so the comments may be made available to the APB members for their consideration prior to the meeting.

Individuals requiring special accommodations should contact Mr. Megna by no later than November 28, 2022. Personal registration information will be made publicly available through the minutes for the meeting published on the FACA website.

Nicky J. Megna,

CJIS Designated Federal Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.

[FR Doc. 2022–22944 Filed 10–20–22; 8:45 am]

BILLING CODE 4410–02–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the National Marine Sanctuaries Act

On October 17, 2022, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of California in the lawsuit entitled *United States* v. *Vigor Industrial, LLC, et al.,* Civil Action No. 3:22–cv–06101.

The Consent Decree resolves claims against Vigor Industrial, LLC, Vigor Marine, LLC, the Puget Sound Commerce Center Incorporated, and Amaya Curiel Corporation for recovery of damages under the National Marine Sanctuaries Act, 16 U.S.C. 1443(a)(1), arising from injury to sanctuary resources that occurred due to the sinking of the YFD–70 Drydock on October 25–26, 2016, inside the Monterey Bay National Marine Sanctuary. The proposed Consent Decree resolves the claim for $9,135,134.80.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Vigor Industrial, LLC, et al.,* D.J. Ref. No. 90–5–1–1–12343. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $4.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Lori Jonas,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2022–22846 Filed 10–20–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Notice of Termination, Suspension, Reduction, or Increase in Benefit Payments

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Office of Workers' Compensation Programs (OWCP)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before November 21, 2022.

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.

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

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: Coal mine operators who pay monthly benefits must notify the Department's Division

of Coal Mine Workers' Compensation (DCMWC) of any change in payments and the reason for that change. DCMWC uses this notification to monitor payments and ensure that beneficiaries receive the correct benefit rate. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on July 6, 2022 (87 FR 40276).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless 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.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OWCP.

Title of Collection: Notice of Termination, Suspension, Reduction, or Increase in Benefit Payments.

OMB Control Number: 1240–0030.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 325.

Total Estimated Number of Responses: 6,081.

Total Estimated Annual Time Burden: 1,216 hours.

Total Estimated Annual Other Costs Burden: $2,578.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2022–22841 Filed 10–20–22; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Arts Advisory Panel Meetings

AGENCY: National Endowment for the Arts.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that 37 meetings of the Arts Advisory Panel to the National Council on the Arts will be held by teleconference or videoconference.

DATES: See the **SUPPLEMENTARY INFORMATION** section for individual meeting times and dates. All meetings are Eastern time and ending times are approximate:

ADDRESSES: National Endowment for the Arts, Constitution Center, 400 7th St., SW, Washington, DC, 20506.

FOR FURTHER INFORMATION CONTACT: Further information with reference to these meetings can be obtained from Daniel Beattie, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506; *beattied@arts.gov,* or call 202/682–5688.

SUPPLEMENTARY INFORMATION: The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chair of March 11, 2022, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of title 5, United States Code.

The Upcoming Meetings Are

Dance (review of applications): This meeting will be closed.

Date and time: November 1, 2022; 12:00 p.m. to 2:00 p.m.

Dance (review of applications): This meeting will be closed.

Date and time: November 1, 2022; 3:00 p.m. to 5:00 p.m.

Dance (review of applications): This meeting will be closed.

Date and time: November 3, 2022; 12:00 p.m. to 2:00 p.m.

Dance (review of applications): This meeting will be closed.

Date and time: November 3, 2022; 3:00 p.m. to 5:00 p.m.

Dance (review of applications): This meeting will be closed.

Date and time: November 7, 2022; 12:00 p.m. to 2:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 7, 2022; 12:00 p.m. to 2:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 7, 2022; 3:00 p.m. to 5:00 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 8, 2022; 12:00 p.m. to 2:00 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 8, 2022; 3:00 p.m. to 4:00 p.m.

Opera (review of applications): This meeting will be closed.

Date and time: November 9, 2021; 12:00 p.m. to 2:00 p.m.

Opera (review of applications): This meeting will be closed.

Date and time: November 9, 2022; 3:00 p.m. to 5:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 9, 2022; 11:30 a.m. to 1:30 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 9, 2022; 2:30 p.m. to 4:30 p.m.

Arts Education (review of applications): This meeting will be closed.

Date and time: November 10, 2022; 12:00 p.m. to 2:00 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 10, 2022; 12:00 p.m. to 2:00 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 19, 2022; 3:00 p.m. to 4:00 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 14, 2022; 1200 p.m. to 2:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 14, 2022; 12:00 p.m. to 2:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 14, 2022; 3:00 p.m. to 5:00 p.m.

Musical Theater (review of applications): This meeting will be closed.

Date and time: November 15, 2022; 12:00 p.m. to 2:00 p.m.

Theater (review of applications): This meeting will be closed.

Date and time: November 15, 2022; 3:00 p.m. to 5:00 p.m.

Visual Arts (review of applications): This meeting will be closed.

Date and time: November 15, 2022; 12:00 p.m. to 2:00 p.m.

Visual Arts (review of applications): This meeting will be closed.

Date and time: November 15, 2022; 3:00 p.m. to 5:00 p.m.

Literary Arts (review of applications): This meeting will be closed.

Date and time: November 16, 2022; 1:00 p.m. to 3:00 p.m.

Visual Arts (review of applications): This meeting will be closed.

Date and time: November 16, 2022; 12:30 p.m. to 2:30 p.m.

Visual Arts (review of applications): This meeting will be closed.

Date and time: November 16, 2022; 3:30 p.m. to 5:30 p.m.

Music (review of applications): This meeting will be closed.

Date and time: November 16, 2022; 2:00 p.m. to 4:00 p.m.

Arts Education (review of applications): This meeting will be closed.

Date and time: November 17, 2022; 2:30 p.m. to 4:30 p.m.

Literary Arts (review of applications): This meeting will be closed.

Date and time: November 17, 2022; 1:00 p.m. to 3:00 p.m.

Theater (review of applications): This meeting will be closed.

Date and time: November 17, 2022; 1:00 p.m. to 3:00 p.m.

Theater (review of applications): This meeting will be closed.

Date and time: November 17, 2022; 4:00 p.m. to 5:00 p.m.

Media Arts (review of applications): This meeting will be closed.

Date and time: November 17, 2022; 2:30 p.m. to 4:30 p.m.

Literary Arts (review of applications): This meeting will be closed.

Date and time: November 18, 2022; 1:30 p.m. to 3:30 p.m.

Theater (review of applications): This meeting will be closed.

Date and time: November 22, 2022; 1:00 p.m. to 3:00 p.m.

Theater (review of applications): This meeting will be closed.

Date and time: November 22, 2022; 4:00 p.m. to 6:00 p.m.

Our Town (review of applications): This meeting will be closed.

Date and time: November 30, 2022; 12:00 p.m. to 2:00 p.m.

Our Town (review of applications): This meeting will be closed.

Date and time: November 30, 2022; 3:00 p.m. to 5:00 p.m.

Dated: October 17, 2022.

Daniel Beattie,

Director, National Endowment for the Arts.

[FR Doc. 2022–22825 Filed 10–20–22; 8:45 am]

BILLING CODE 7537–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board's (NSB) Committee on External Engagement hereby gives notice of a change in a previously scheduled meeting for the transaction of National Science Board business pursuant to the National Science Foundation Act and the Government in the Sunshine Act.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 87 FR 52419, August 25, 2022.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Monday, October 24, 2022, from 5:00–5:30 p.m. EDT.

CHANGES IN THE MEETING: The meeting will occur at the same date and time. The matter to be considered is changed to consideration of 2023 NSB Honorary Award nominations. The meeting will be closed to the public.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, *cblair@nsf.gov,* 703/292–7000.

Chris Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2022–22993 Filed 10–19–22; 11:15 am]

BILLING CODE 7555–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–38, OMB Control No. 3235–0045]

Proposed Collection; Comment Request; Extension: Rule 19b–4 and Form 19b–4

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 19b–4 (17 CFR 240.19b–4), under the Securities Exchange Act of 1934 (''Act'') (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Section 19(b) of the Act (15 U.S.C. 78s(b)) requires each self-regulatory organization (''SRO'') to file with the Commission copies of any proposed rule, or any proposed change in, addition to, or deletion from the rules of such SRO. Rule 19b–4 implements the requirements of Section 19(b) by requiring the SROs to file their proposed rule changes on Form 19b–4 and by clarifying which actions taken by SROs are subject to the filing requirement set forth in Section 19(b). Rule 19b–4(n) requires a designated clearing agency to provide the Commission advance notice (''Advance Notice'') of any proposed change to its rules, procedures, or operations that could materially affect the nature or level of risks presented by such clearing agency. Rule 19b–4(o) requires a registered clearing agency to submit for a Commission determination any security-based swap, or any group, category, type, or class of security-based swaps it plans to accept for clearing (''Security-Based Swap Submission''), and provide notice to its members of such submissions.

The collection of information is designed to provide the Commission with the information necessary to determine, as required by the Act, whether the proposed rule change is consistent with the Act and the rules thereunder. The information is used to determine if the proposed rule change should be approved, disapproved, suspended, or if proceedings should be instituted to determine whether to approve or disapprove the proposed rule change.

The respondents to the collection of information are SROs (as defined by Section 3(a)(26) of the Act),[1] including national securities exchanges, national securities associations, registered clearing agencies, notice registered securities future product exchanges, and the Municipal Securities Rulemaking Board.

In calendar year 2021, each respondent filed an average of approximately 34 proposed rule changes. Each filing takes approximately 32 hours to complete on average. Thus, the total annual reporting burden for filing proposed rule changes with the Commission is 50,048 hours (34 proposals per year × 46 SROs × 32 hours per filing) for the estimated future number of 46 SROs.[2] In addition to filing their proposed rule changes with the Commission, the respondents also are required to post each of their proposals on their respective websites, a process that takes approximately four hours to complete per proposal. Thus, the total annual reporting burden on respondents to post the proposals on their websites is 6,256 hours (34 proposals per year × 46 SROs × 4 hours per filing) for the estimated future number of 46 SROs. Further, the respondents are required to update their rulebooks, which they maintain on their websites, to reflect the changes that they

[1] 15 U.S.C. 78c(a)(26).

[2] Currently, there are 43 SROs, though not all of those SROs filed a proposed rule change in 2021. The Commission expects three additional respondents to register during the three-year period for which this Paperwork Reduction Act extension is applicable (one as a registered clearing agency and two as national securities exchanges), bringing the total number of respondents to 46.

make in each proposal they file. The total annual reporting burden for updating online rulebooks is 4,996 hours ((1,564 filings per year − 293 withdrawn filings [3] − 22 disapproved filings [4]) × 4 hours). Finally, a respondent is required to notify the Commission if it does not post a proposed rule change on its website on the same day that it filed the proposal with the Commission. The Commission estimates that SROs will fail to post proposed rule changes on their websites on the same day as the filing 16 times a year (across all SROs), and that each SRO will spend approximately one hour preparing and submitting such notice to the Commission, resulting in a total annual burden of 16 hours (16 notices × 1 hour per notice).

Designated clearing agencies have additional information collection burdens. As noted above, pursuant to Rule 19b–4(n), a designated clearing agency must file with the Commission an Advance Notice of any proposed change to its rules, procedures, or operations that could materially affect the nature or level of risks presented by such designated clearing agency. The Commission estimates, based on historical rulemaking data that each designated clearing agency submitting Advance Notices will each submit two Advance Notices per year, with each submission taking 90 hours to complete. The total annual reporting burden for filing Advance Notices is therefore 900 hours (5 designated clearing agencies × 2 Advance Notices per year × 90 hours per response).

Designated clearing agencies are required to post all Advance Notices to their websites, each of which takes approximately four hours to complete. For five Advance Notices, the total annual reporting burden for posting them to respondents' websites is 40 hours (5 designated clearing agencies × 2 Advance Notices per year × 4 hours per website posting). Respondents are required to update the postings of those Advance Notices that become effective, each of which takes approximately four hours to complete. The total annual reporting burden for updating Advance Notices on the respondents' websites is 40 hours (5 designated clearing agencies × 2 Advance Notices per year × 4 hours per website posting).

Pursuant to Rule 19b–4(n)(5), the respondents are also required to provide copies of all materials submitted to the Commission relating to an Advance Notice to the Board of Governors of the Federal Reserve System (''Board'') contemporaneously with such submission to the Commission, which is estimated to take two hours. The total annual reporting burden for designated clearing agencies to meet this requirement is 20 hours (5 designated clearing agencies × 2 Advance Notices per year × 2 hours per response).

The Commission estimates that three security-based swap clearing agencies will each submit 20 Security-Based Swap Submissions per year, with each submission taking 140 hours to complete resulting in a total annual reporting burden of 5,880 hours (3 respondent clearing agencies × 14 Security-Based Swap Submissions per year × 140 hours per response). Respondent clearing agencies are required to post all Security-Based Swap Submissions to their websites, each of which takes approximately four hours to complete. For 14 Security-Based Swap Submissions, the total annual reporting burden for posting them to the three respondents' websites is 168 hours (3 respondent clearing agencies × 14 Security-Based Swap Submissions per year × 4 hours per website posting). In addition, three clearing agencies that have not previously posted Security-Based Swap Submissions on their websites may need to update their existing websites to post such filings online. The Commission estimates that each of these three clearing agencies would spend approximately 15 hours updating their existing websites, resulting in a total one-time burden of 45 hours (3 respondent clearing agencies × 15 hours per website update) or 15 hours annualized over three years.

Respondent SROs will also have to provide training to staff members using the Electronic Form 19b–4 Filing System (''EFFS'') to submit Security-Based Swap Submissions, Advance Notices, and/or proposed rule changes electronically. The Commission estimates that two anticipated national securities exchanges and one anticipated clearing agency will spend approximately 60 hours training all staff members who will use EFFS to submit Security-Based Swap Submissions, Advance Notices, and/or proposed rule changes electronically, or 20 hours annualized over three years. The Commission also estimates that these newly-registered and anticipated SROs will have a one-time burden of 390 hours to draft and implement internal policies and procedures for using EFFS to make these submissions, or 130 hours annualized over three years. The Commission estimates that each of the 46 respondents will spend 10 hours each year training new compliance staff members and updating the training of existing compliance staff members to use EFFS, for a total annual burden of 460 hours (46 respondent SROs × 10 hours).

In connection with Security-Based Swap Submissions, counterparties may apply for a stay from a mandatory clearing requirement under Rule 3Ca–1. The Commission estimates that each clearing agency will submit five applications for stays from a clearing requirement per year and it will take approximately 18 hours to retrieve, review, and submit each application. Thus, the total annual reporting burden for the Rule 3Ca–1 stay of clearing requirement would be 270 hours (3 respondent clearing agencies × 5 stay of clearing applications per year × 18 hours to retrieve, review, and submit the stay of clearing information).

Based on the above, the total estimated annual response burden pursuant to Rule 19b–4 and Form 19b–4 is the sum of the total annual reporting burdens for filing proposed rule changes, Advance Notices, and Security-Based Swap Submissions; training staff to file such proposals; drafting, modifying, and implementing internal policies and procedures for filing such proposals; posting each proposal on the respondents' websites; updating websites to enable posting of proposals; updating the respondents' online rulebooks to reflect the proposals that became effective; submitting copies of Advance Notices to the Board; and applying for stays from clearing requirements, which is 69,259 hours.

Compliance with Rule 19b–4 is mandatory. Information received in response to Rule 19b–4 shall not be kept confidential; the information collected is public information.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing by December 20, 2022.

[3] For 43 SROs, 274 withdrawn filings equal approximately 6.37 filings per SRO. For 46 SROs, the figure would increase to 293 withdrawn filings.

[4] For 43 SROs, 20 disapproved filings equal approximately 0.47 filings per SRO. For 46 SROs, the figure would increase to 22 disapproved filings.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 17, 2022.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2022–22853 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96090; File No. SR–Phlx–2022–38]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing of Proposed Rule Change To Permit the Listing and Trading of P.M.-Settled Nasdaq 100 Micro Index Options That Expire on Tuesday or Thursday Under Its Nonstandard Expirations Pilot Program

October 17, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 4, 2022, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to permit Phlx to open for trading Weekly Expirations on Nasdaq 100 Micro Index Options (''XND'') that expire on any Tuesday or Thursday within the Nonstandard Expirations Pilot Program.

The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/phlx/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Phlx proposes to amend its Options 4A, Section 12(b)(5) which governs its Nonstandard Expirations Pilot Program to permit Phlx to open for trading Weekly Expirations on Nasdaq 100 Micro Index Options (''XND'') that expire on any Tuesday or Thursday within the Nonstandard Expirations Pilot Program.

Phlx's Nonstandard Expirations Pilot Program permits the listing and trading of P.M.-settled options on broad-based indexes with nonstandard expirations dates.[3] Under the Nonstandard Expirations Pilot Program the Exchange may open for trading Weekly Expirations on the Nasdaq-100 Index options (''NDX'') to expire on any Tuesday or Thursday (other than days that coincide with the third Friday-of-the-month or an End of Month (''EOM'') expiration).[4] Additionally, the Exchange may open for trading EOMs on any broad-based index eligible for standard options trading to expire on last trading day of the month.[5]

At this time, the Exchange proposes to permit Phlx to open for trading Weekly Expirations on XND options[6] that expire on Tuesday or Thursday within the Nonstandard Expirations Pilot Program. XND options that expire on Tuesday or Thursday would be listed under the Nonstandard Expirations Pilot Program. The Exchange notes that permitting XND options with Tuesday and Thursday expirations, as proposed, would be in addition to the XND options with Monday, Wednesday and Friday expirations that the Exchange may (and does) already list, as they are permissible Weekly Expirations for options on a broad based index (*e.g.,* the Nasdaq-100 Index) pursuant to Options 4A, Section 12(b)(5)(A). Specifically, with this proposal, the Exchange may open for trading Weekly Expirations on XND options to expire on any Tuesday or Thursday (other than days that coincide with the third Friday-of-the-month or an EOM expiration), similar to options on the Nasdaq-100 Index.

The Nonstandard Expirations Pilot Program will apply to XND options with Tuesday and Thursday expirations in the same manner as it currently applies to all other P.M.-settled broad-based index options with Monday, Wednesday, and Friday expirations and to Nasdaq-100 Index options with Tuesday and Thursday expirations. Specifically, the proposed rule change amends Options 4A, Section 12(b)(5)(A) to add XND options (P.M.-settled) that expire on Tuesday or Thursday as permissible Weekly Expirations. Options with Tuesday and Thursday expirations, including the proposed XND Tuesday and Thursday expirations, would be subject to all provisions within Options 4A, Section 12(b)(5) and treated the same as options on the same underlying index that

[3] *See* Securities Exchange Act Release No. 82341 (December 15, 2017), 82 FR 60651 (December 21, 2017) (approving SR–Phlx–2017–79) (Order Approving a Proposed Rule Change, as Modified by Amendment No. 1 and Granting Accelerated Approval of Amendment No. 2, of a Proposed Rule Change To Establish a Nonstandard Expirations Pilot Program) (''Nonstandard Expirations Pilot Program Approval Order'').

[4] *See* Options 4A, Section 12(b)(5)(A). Further, Cboe is permitted to list P.M.-settled S & P 500 Index options and Mini-S&P 500 Index options that expire on Tuesday or Thursday under its Nonstandard Expirations Pilot Program. See Securities Exchange Act Release No. 94682 (April 12, 2022), 87 FR 22993 (April 18, 2022) (SR–CBOE–2022–005) (Notice of Filing of Amendment No. 1 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, To Expand the Nonstandard Expirations Pilot Program To Include P.M.-Settled S&P 500 Index Options That Expire on Tuesday or Thursday). See also Securities Exchange Act Release No. 95795 (September 15, 2022), 87 FR 57745 (September 21, 2022 (SR–CBOE–2022–039) (Order Approving a Proposed Rule Change To Expand the Nonstandard Expirations Pilot Program To Include P.M.-Settled Options on the Mini-S&P 500 Index That Expire on Tuesday or Thursday).

[5] *See* Options 4A, Section 12(b)(5)(B).

[6] XND options trade independently of and in addition to NDX options, and the XND options are subject to the same rules that presently govern the trading of index options based on the Nasdaq-100 Index, including sales practice rules, margin requirements, trading rules, and position and exercise limits. Similar to NDX, XND options are European-style and cash-settled, and have a contract multiplier of 100. The contract specifications for XND options mirror in all respects those of the NDX options contract already listed on the Exchange, except that XND options are based on 1/100th of the value of the Nasdaq-100 Index, and are P.M.-settled pursuant to Options 4A, Section 12(f)(i). Similar to other broad-based, the Exchange may open for trading Weekly Expirations on XND options to expire on any Monday, Wednesday, or Friday (other than the third Friday-of-the-month or days that coincide with an EOM expiration).

expire on the third Friday of the expiration month; provided, however, that Weekly Expirations are P.M.-settled, and new series in Weekly Expirations may be added up to and including on the expiration date for an expiring Weekly Expiration.

The maximum number of XND options expirations that may be listed for each Weekly Expiration (*i.e.,* a Monday expiration, Tuesday expiration, Wednesday expiration, Thursday expiration, or Friday expiration, as applicable) in a given class is the same as the maximum number of expirations permitted in Options 4A, Section 12(a)(4)[7] for standard options on the same broad-based index.

Weekly Expirations need not be for consecutive Monday, Tuesday, Wednesday, Thursday, or Friday expirations as applicable; however, the expiration date of a non-consecutive expiration may not be beyond what would be considered the last expiration date if the maximum number of expirations were listed consecutively. Weekly Expirations that are initially listed in a given class may expire up to four weeks from the actual listing date. If the Exchange lists EOMs and Weekly Expirations as applicable in a given class, the Exchange will list an EOM instead of a Weekly Expiration that expires on the same day in the given class. Other expirations in the same class are not counted as part of the maximum number of Weekly Expirations for an applicable broad-based index class.

If the Exchange is not open for business on a respective Monday, the normally Monday expiring Weekly Expirations will expire on the following business day. If the Exchange is not open for business on a respective Tuesday, Wednesday, Thursday, or Friday, the normally Tuesday, Wednesday, Thursday, or Friday expiring Weekly Expirations will expire on the previous business day. If two different Weekly Expirations on XND options would expire on the same day because the Exchange is not open for business on a certain weekday, the Exchange will list only one of such Weekly Expirations. The Exchange will list just one Weekly Expiration in such a case, as the two Weekly Expirations would essentially be the same options contract. For example, if the Exchange listed XND options with proposed Thursday expirations and Friday expirations and the Exchange was closed for business on a Friday then, pursuant to current Options 4A, Section 12(b)(5)(A) the normally expiring Friday expiration would expire on the previous business day—essentially making it an XND option with a Thursday expiration. Thus, expiring XND options in this case will always have the same weekday expiration (per the example, it is an XND option with a Thursday expiration, whether it was listed as an XND with a Thursday expiration or a Friday expiration). As such, when the Exchange is closed for business, the Exchange will list just one Weekly Expiration if two Weekly Expirations would expire on the same day due to the Exchange being closed for business.

Transactions in Weekly Expirations may be effected on the Exchange between the hours of 9:30 a.m. (Eastern Time) and 4:15 p.m. (Eastern Time), except that that on the last trading day, transactions in expiring p.m.-settled broad-based index options may be effected on the Exchange between the hours of 9:30 a.m. (Eastern time) and 4:00 p.m. (Eastern time).[8]

The Exchange believes that that the introduction of XND options with Tuesday and Thursday expirations will expand hedging tools available to market participants while also providing greater trading opportunities. By offering XND options with Tuesday and Thursday expirations along with the current Monday, Wednesday and Friday expirations, the proposed rule change will allow market participants to purchase XND options in a manner more aligned with specific timing needs and more effectively tailor their investment and hedging strategies and manage their portfolios. In particular, the proposed rule change will allow market participants to roll their positions on more trading days, thus with more precision, spread risk across more trading days and incorporate daily changes in the markets, which may reduce the premium cost of buying protection.

The Exchange proposes to abide by the same reporting requirements for the trading of XND options that expire on any Tuesday or Thursday that it does for the trading of P.M.-settled options on broad-based indexes that expire on any Monday, Wednesday, or Friday and for Nasdaq-100 Index options that expire on Tuesday or Thursday pursuant to the Nonstandard Expirations Pilot Program.

Pilot Report

The Exchange intends to submit a rule change proposing permanency of the Nonstandard Expirations Pilot Program to the Commission and would include data regarding XND options that expire on Tuesdays or Thursdays as it does for current Weekly Expirations on any broad-based index option either by providing additional data in such proposal or in an annual report regarding XND options that expire on each trading day of the week, as proposed. The Exchange would continue to provide the Commission with ongoing data regarding XND options that expire on Tuesdays or Thursdays unless and until the Nonstandard Expirations Pilot Program is made permanent or discontinued.

As provided in the Nonstandard Expirations Pilot Program Approval Order,[9] the annual report will contain an analysis of volume, open interest and trading patterns. In addition, for series that exceed certain minimum open interest parameters, the annual report will provide analysis of index price volatility and, if needed, share trading activity.[10] Additionally, the Exchange will provide the Commission with any additional data or analyses the Commission requests because it deems such data or analyses necessary to determine whether the Nonstandard Expirations Pilot Program, including XND options with Tuesday and Thursday expirations as proposed, is consistent with the Exchange Act. As it does for current Nonstandard Expirations Pilot Program products, the Exchange will make public on its website all data and analyses in connection with XND options with Tuesday and Thursday expirations it submits to the Commission under the

[7] Options 4A, Section 12(a)(4) provides, ''Index options contracts may expire at three (3)-month intervals or in consecutive weeks or months. The Exchange may list: (i) up to six (6) standard monthly expirations at any one time in a class, but will not list index options that expire more than twelve (12) months out; (ii) up to 12 standard monthly expirations at any one time for any class that the Exchange (as the Reporting Authority) uses to calculate a volatility index; and (iii) up to 12 standard (monthly) expirations in NDX options.''

[8] *See* Options 4A, Section 12(b)(5)(D).

[9] *See supra* note 3.

[10] Specifically, for all Weekly Expirations and EOM series, the annual report will contain the following volume and open interest data for each broad-based index overlying Weekly Expiration and EOM options: (1) Monthly volume aggregated for all Weekly Expiration and EOM series, (2) Volume in Weekly Expiration and EOM series aggregated by expiration date, (3) Month-end open interest aggregated for all Weekly Expiration and EOM series, (4) Month-end open interest for EOM series aggregated by expiration date and open interest for Weekly Expiration series aggregated by expiration date, (5) Ratio of monthly aggregate volume in Weekly Expiration and EOM series to total monthly class volume, and (6) Ratio of month-end open interest in EOM series to total month-end class open interest and ratio of open interest in each Weekly Expiration series to total class open interest. In addition, the annual report will contain the information noted above for standard Expiration Friday, AM-settled series, if applicable, for the period covered in the pilot report as well as for the six-month period prior to the initiation of the pilot. *See* Nonstandard Expirations Pilot Program Approval Order at 60652 and 60653.

Nonstandard Expirations Pilot Program. Going forward, the Exchange will include the same areas of analysis for XND options with Tuesday and Thursday expirations. The Exchange also proposes to include the following market quality data, over sample periods determined by the Exchange and the Commission, for XND options (XND and standard NDX options) as part of the annual reports going forward: (1) time-weighted relative quoted spreads; (2) relative effective spreads; and (3) time-weighted bid and offer sizes.

The Exchange believes there is sufficient investor interest and demand in XND options with Tuesday and Thursday expirations to warrant inclusion in the Nonstandard Expirations Pilot Program and that the Nonstandard Expirations Pilot Program, as amended, will continue to provide investors with additional means of managing their risk exposures and carrying out their investment objectives. The Exchange notes that during the Nonstandard Expirations Pilot Program's 4 year tenure, the Exchange has not observed any significant adverse market effects or identified any regulatory concerns as a result of the Nonstandard Expirations Pilot Program, nor does it believe that additional expirations listed under the Nonstandard Expirations Pilot Program would result in any such impact or regulatory concerns. Based on a study conducted by Commission staff on the pilot data (including quarterly, weekly, EOM and third Friday expirations for P.M.-settled NDX options),[11] there is no evidence of any significant adverse economic impact to the futures, index, or underlying index component securities markets as a result of the quantity of P.M.-settled NDX options that settle at the close or the amount of expiring open interest in P.M.-settled NDX options.[12]

With regard to the impact of this proposal on System capacity, the Exchange has analyzed its capacity and represents that it believes that the Exchange and OPRA have the necessary systems capacity to handle any potential additional traffic associated with trading of XND options with Tuesday and Thursday expirations. The Exchange does not believe that its members or member organizations will experience any capacity issues as a result of this proposal and represents that it will monitor the trading volume associated with any possible additional options series listed as a result of this proposal and the effect (if any) of these additional series on market fragmentation and on the capacity of the Exchange's automated systems. While this proposal may increase the number of strike intervals listed on Phlx, the amount of additional strike intervals added should be insignificant.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,[13] in general, and with Section 6(b)(5) of the Act,[14] in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest; and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers, or to regulate by virtue of any authority conferred by the Act matters not related to the purposes of the Act or the administration of the Exchange. The Exchange believes that the proposed rule change is also consistent with Section 6(b)(8) of the Act [15] in that it does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

In particular, the Exchange believes that the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest by providing investors with greater trading and hedging opportunities and flexibility, allowing them to transact in XND options in a manner more aligned with specific timing needs and more effectively tailor their investment and hedging objectives by listing XND options that expire each trading day of the week. The Exchange does not believe that the addition of XND options with Tuesday and Thursday expirations to the Nonstandard Expirations Pilot Program will raise any prohibitive regulatory concerns or adversely impact fair and orderly markets on expiration days. The Exchange has not experienced any meaningful regulatory concerns, nor adverse impact on fair and orderly markets, in connection with the listing of XND options with Monday, Wednesday and Friday expirations or the listing and trading of Nasdaq-100 Index options with Tuesday and Thursday expirations. Particularly, the Exchange does not believe increases in the number P.M.-settled XND options series will have any significant adverse economic impact on the futures, index, or underlying index component securities markets.

The Exchange believes that the proposed rule change will provide investors with greater trading and hedging opportunities and flexibility, allowing them to transact in XND options in a manner more aligned with specific timing needs and more effectively tailor their investment and hedging objectives by listing XND options that expire each trading day of the week.

The Exchange represents that it believes that it has the necessary systems capacity to support any additional traffic associated with trading of XND options with Tuesday and Thursday expirations and does not believe that its Members will experience any capacity issues as a result of this proposal. The Exchange will monitor the trading volume associated with any possible additional options series listed and the effect (if any) of these additional series on market fragmentation and on the capacity of the Exchange's automated systems. The Exchange again notes that, as a result of an options strike mitigation initiative recently implemented by the Exchange, the number of XND options series listed on the Exchange once Tuesday and Thursday expirations become available will be less than the number of such series that were listed prior to the implementation of the strike mitigation initiative.

The Exchange will include analysis in connection with XND options that expire on Tuesdays and Thursdays in its rule change proposing permanency of the Nonstandard Expirations Pilot Program to the Commission and would include data regarding XND options that expire on Tuesdays or Thursdays as it does for current Weekly Expirations on any broad-based index option either by providing additional data in such

[11] *See* Securities and Exchange Commission, Division of Economic Risk and Analysis, Memorandum, Cornerstone Analysis of PM Cash-Settled Index Option Pilots (February 2, 2021) (''DERA Staff PM Pilot Memo''), available at: *https://www.sec.gov/dera/staff-papers/studies-and-reports/analysis-of-pm-cash-settled-index-option-pilots.*

[12] *See* DERA Staff PM Pilot Memo at 3. For example, the largest settlement event that occurred during the time period of the study (a settlement of $100.4 billion of notional on December 29, 2017) had an estimated impact on the futures price of only approximately 0.02% (a predicted impact of $0.54 relative to a closing futures price of $2,677).

[13] 15 U.S.C. 78f.

[14] 15 U.S.C. 78f(b)(5).

[15] 15 U.S.C. 78f(b)(8).

proposal or in an annual report regarding XND options that expire on each trading day of the week, as proposed. The Exchange also will provide the Commission with any additional data or analyses that it may request if it deems such data or analyses necessary to determine whether the Nonstandard Expirations Pilot Program, including XND options with Tuesday and Thursday expirations as proposed, is consistent with the Exchange Act.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition that is not necessary or appropriate in furtherance of the purposes of the Act because XND options with Tuesday and Thursday expirations will be available to all market participants. By listing XND options that expire Tuesdays and Thursdays, the proposed rule change will provide all investors that participate in the NDX options market greater trading and hedging opportunities and flexibility to meet their investment and hedging needs. Additionally, Tuesday and Thursday expiring XND options will trade in the same manner as Weekly Expirations currently trade.

The Exchange does not believe that the proposal to list XND options with Tuesday and Thursday expirations will impose any burden on inter-market competition that is not necessary or appropriate in furtherance of the purposes of the Act because NDX options (including XND options) are proprietary Exchange products. Also, Cboe similarly lists Tuesday and Thursday options within their non-standard program.[16] To the extent that the addition of XND options that expire on Tuesdays and Thursdays available for trading on the Exchange makes the Exchange a more attractive marketplace to market participants at other exchanges, such market participants are free to elect to become market participants on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

[16] *See supra* note 5.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–Phlx–2022–38 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–Phlx–2022–38. 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–Phlx–2022–38, and should be submitted on or before November 14, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–22838 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–633, OMB Control No. 3235–0713]

Proposed Collection; Comment Request; Extension: Rule 15Fi–2

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 15Fi–2 (17 CFR 240.15Fi–2) under the Securities Exchange Act of 1934 (''Exchange Act'') (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 15Fi–2 requires security-based swaps (''SBS'') dealers and major SBS participants (collectively, ''SBS Entities'') to provide to their counterparties a trade acknowledgment, to provide prompt verification of the terms provided in a trade acknowledgment of transactions from other SBS Entities, and to have written policies and procedures that are reasonably designed to obtain prompt verification of the terms provided in a trade acknowledgment. The Rule promotes the efficient operation of the SBS market and facilitate market participants' management of their SBS-related risk.

The Commission estimates that approximately 48 entities fit within the definition of SBS dealer, and zero entities fit within the definition of major SBS participant. Thus, we expect that approximately 48 entities will be required to register with the Commission as SBS Entities and will be subject to the trade acknowledgment provision and verification requirements of Rule 15Fi–2. The total estimated annual time burden of Rule 15Fi–2 is 22,848 hours.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted by December 20, 2022.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 17, 2022.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2022–22854 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96091; File No. SR–NASDAQ–2022–053]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend its Schedule of Credits at Equity 7, Section 118(a)

October 17, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 3, 2022, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's schedule of credits, at Equity 7, Section 118(a), as described further below. The text of the proposed rule change is available on the Exchange's website at *https://listingcenter.nasdaq.com/rulebook/nasdaq/rules,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's schedule of credits, at Equity 7, Section 118(a). Specifically, with respect to its schedule of credits for displayed quotes/orders (other than Supplemental Orders or Designated Retail Orders) that provide liquidity, the Exchange proposes to amend the criteria for an existing credit of $0.0029 per share executed.

The Exchange proposes to amend its existing credit of $0.0029 per share executed to a member: (i) with shares of liquidity provided in all securities through one or more of its Nasdaq Market Center MPIDs that represent more than 0.60% of Consolidated Volume during the month, including shares of liquidity provided with respect to securities that are listed on exchanges other than Nasdaq or NYSE that represent more than 0.10% of Consolidated Volume, and (ii) that adds at least 0.175% of Consolidated Volume during the month in non-displayed orders (excluding midpoint orders) for securities in any tape during the month. The Exchange proposes to amend this credit by lowering the threshold percentage of Consolidated Volume added during the month in non-displayed orders (excluding midpoint orders) for securities in any tape during the month. Specifically, the Exchange proposes lowering this threshold percentage from 0.175% to 0.15%.

The Exchange proposes to amend the existing criteria because it proved too difficult for members to meet in combination with the other criterion set forth in the credit, and has hindered the credit in achieving its intended effect. The Exchange has limited resources at its disposal to devote to incentives and it periodically reassesses the allocation of those resources when they prove to be ineffective. The lower threshold proposed will be more readily attainable for members and will continue to incent members to add substantial volumes of non-displayed liquidity to the Exchange. From time to time, the Exchange believes it is reasonable to recalibrate the criteria for credits such as this one to ensure that the credits remain relevant to current levels of liquidity providing activity on the Exchange.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[3] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[4] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposed change to its schedule of credits is reasonable in several respects. As a threshold matter, the Exchange is subject to significant competitive forces in the market for equity securities transaction services that constrain its pricing determinations in that market. The fact that this market is competitive has long been recognized by the courts. In *NetCoalition* v.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(4) and (5).

Securities and Exchange Commission, the D.C. Circuit stated as follows: ''[n]o one disputes that competition for order flow is 'fierce.' . . . As the SEC explained, '[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution'; [and] 'no exchange can afford to take its market share percentages for granted' because 'no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers'. . . .'' [5]

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [6]

Numerous indicia demonstrate the competitive nature of this market. For example, clear substitutes to the Exchange exist in the market for equity security transaction services. The Exchange is only one of several equity venues to which market participants may direct their order flow. Competing equity exchanges offer similar tiered pricing structures to that of the Exchange, including schedules of rebates and fees that apply based upon members achieving certain volume thresholds.

Within this environment, market participants can freely and often do shift their order flow among the Exchange and competing venues in response to changes in their respective pricing schedules. As such, the proposal represents a reasonable attempt by the Exchange to increase its liquidity and market share relative to its competitors.

The Exchange believes that it is reasonable to require a member to (i) provide shares of liquidity provided in all securities through one or more of its Nasdaq Market Center MPIDs that represent more than 0.60% of Consolidated Volume during the month, including shares of liquidity provided with respect to securities that are listed on exchanges other than Nasdaq or NYSE that represent more than 0.10% of Consolidated Volume, and (ii) add at least 0.15% (instead of 0.175%) of Consolidated Volume during the month in non-displayed orders (excluding midpoint orders) for securities in any tape during the month in order to qualify for the existing $0.0029 per share executed credit. The Exchange believes that it is reasonable to lower the threshold percentage of Consolidated Volume in non-displayed orders (excluding midpoint orders) for securities in any tape in order to qualify for the credit to ensure that this credit remains relevant to current levels of liquidity providing activity on the Exchange.

The Exchange believes it is reasonable to establish a lower threshold because it proved too difficult for members to meet in combination with the other criterion set forth in the credit, and has hindered the credit in achieving its intended effect. The Exchange has limited resources at its disposal to devote to incentives and it periodically reassesses the allocation of those resources when they prove to be ineffective. The proposal to lower the requirement that a member add at least 0.175% of Consolidated Volume to 0.15% of Consolidated Volume (during the month in non-displayed orders (excluding midpoint orders)) is reasonable because the proposed amendment will be more readily attainable for members and will still incent members to add substantial volumes of non-displayed liquidity to the Exchange.

The Exchange believes its proposal will allocate its charges and credits fairly among its market participants. The Exchange also believes it is equitable to recalibrate or revise existing criteria for its credits to ensure that the credits remain appropriate for participants to attain.

The Exchange believes that its proposal is not unfairly discriminatory. As an initial matter, the Exchange believes that nothing about its volume-based tiered pricing model is inherently unfair; instead, it is a rational pricing model that is well-established and ubiquitous in today's economy among firms in various industries—from co-branded credit cards to grocery stores to cellular telephone data plans—that use it to reward the loyalty of their best customers that provide high levels of business activity and incent other customers to increase the extent of their business activity. It is also a pricing model that the Exchange and its competitors have long employed with the assent of the Commission. It is fair because it enhances price discovery and improves the overall quality of the equity markets.

The Exchange believes that its proposal to decrease the non-displayed volume threshold percentage to qualify for an existing $0.0029 transaction credit is not unfairly discriminatory because the credit is available to all members. The Exchange also believes it is not unfairly discriminatory to recalibrate or revise existing criteria for its credits to ensure that the credits are effective and readily attainable.

Any Participant that is dissatisfied with the proposal is free to shift their order flow to competing venues that provide more generous pricing or less stringent qualifying criteria.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Intramarket Competition

The Exchange does not believe that its proposal will place any category of Exchange participant at a competitive disadvantage. Any member may elect to achieve the levels of liquidity required in order to qualify for the credit. The Exchange notes that its members are free to trade on other venues to the extent they believe that the Exchange's credits are not attractive. As one can observe by looking at any market share chart, price competition between exchanges is fierce, with liquidity and market share moving freely between exchanges in reaction to fee and credit changes.

Intermarket Competition

The Exchange believes that the proposed change to its schedule of credits to amend the criteria to qualify for an existing $0.0029 transaction credit as noted above will not impose a burden on competition because the Exchange's execution services are completely voluntary and subject to extensive competition both from the other live exchanges and from off-exchange venues, which include alternative trading systems that trade national market system stock. The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its

[5] *NetCoalition* v. *SEC,* 615 F.3d 525, 539 (D.C. Cir. 2010) (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca–2006–21)).

[6] Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (''Regulation NMS Adopting Release'').

fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

The proposed change to the qualifying criteria for an existing credit is reflective of this competition because, as a threshold issue, the Exchange is a relatively small market so its ability to burden intermarket competition is limited. In this regard, even the largest U.S. equities exchange by volume only has 17–18% market share, which in most markets could hardly be categorized as having enough market power to burden competition. Moreover, as noted above, price competition between exchanges is fierce, with liquidity and market share moving freely between exchanges in reaction to fee and credit changes. This is in addition to free flow of order flow to and among off-exchange venues which comprises more than 40% of industry volume in recent months.

If the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[7] and paragraph (f) of Rule 19b–4[8] thereunder.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2022–053 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–NASDAQ–2022–053. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2022–053 and should be submitted on or before November 14, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[9]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–22839 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

[7] 15 U.S.C. 78s(b)(3)(A).

[8] 17 CFR 240.19b–4(f).

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold an Open Meeting on Wednesday, October 26, 2022 at 10:00 a.m.

PLACE: The meeting will be webcast on the Commission's website at *www.sec.gov.*

STATUS: This meeting will begin at 10:00 a.m. (ET) and will be open to the public via webcast on the Commission's website at *www.sec.gov.*

MATTERS TO BE CONSIDERED:

1. The Commission will consider whether to adopt final rules to implement of Section 10D of the Securities Exchange Act of 1934, as added by Section 954 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

2. The Commission will consider whether to adopt rule and form amendments that would require open-end management investment companies to transmit concise and visually engaging annual and semi-annual reports directly to shareholders that highlight key information for investors. The Commission also will consider whether to amend the advertising rules for registered investment companies and business development companies.

3. The Commission will consider whether to propose a new rule under the Investment Advisers Act of 1940 to establish minimum and consistent oversight requirements for registered investment advisers that outsource certain services or functions to service providers, and whether to propose amendments to related recordkeeping and Form ADV reporting requirements.

CONTACT PERSON FOR MORE INFORMATION: For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Authority: 5 U.S.C. 552b.

Dated: October 19, 2022.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2022–23081 Filed 10–19–22; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34729; File No. 812–15371]

Emerald Strategic Innovation Interval Fund and Emerald Mutual Fund Advisers Trust

October 17, 2022.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice.

Notice of an application for an order pursuant to section 6(c) of the Investment Company Act of 1940 (the ''Act'') for an exemption from sections 18(a)(2), 18(c), and 18(i) of the Act, pursuant to sections 6(c) and 23(c) of the Act for certain exemptions from rule 23c–3 under the Act, and pursuant to section 17(d) of the Act and rule 17d–1 thereunder.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered closed-end management investment companies to issue multiple classes of shares and asset-based distribution and/or service fees with respect to certain classes.

APPLICANTS: Emerald Strategic Innovation Interval Fund (the ''Initial Fund'') and Emerald Mutual Fund Advisers Trust (the ''Adviser'').

FILING DATES: The application was filed on July 21, 2022, and amended on September 27, 2022.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on, November 11, 2022, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any fact bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by emailing the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.* Applicants: Jeremy Senderowicz, *jsenderowicz@vedderprice.com.*

FOR FURTHER INFORMATION CONTACT: Terri Jordan, Branch Chief, at (202) 551–6825 (Division of Investment Management, Chief Counsel's Office).

SUPPLEMENTARY INFORMATION: For Applicants' representations, legal analysis, and conditions, please refer to Applicants' first amended and restated application, dated September 27, 2022, which may be obtained via the Commission's website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at, at *http://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090.

For the Commission, by the Division of Investment Management, under delegated authority.

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. 2022–22855 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–244, OMB Control No. 3235–0208]

Proposed Collection; Comment Request; Extension: Rule 17a–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street, NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17a–1 (17 CFR 240.17a–1) under the Securities Exchange Act of 1934, as amended (the ''Act'') (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17a–1 requires that every national securities exchange, national securities association, registered clearing agency, and the Municipal Securities Rulemaking Board keep on file for a period of not less than five years, the first two years in an easily accessible place, at least one copy of all documents, including all correspondence, memoranda, papers, books, notices, accounts, and other such records made or received by it in the course of its business as such and in the conduct of its self-regulatory activity, and that such documents be available for examination by the Commission.

There are 35 entities required to comply with the rule: 24 national securities exchanges, 1 national securities association, 9 registered clearing agencies, and the Municipal Securities Rulemaking Board. The Commission staff estimates that the average number of hours necessary for compliance with the requirements of Rule 17a–1 is 52 hours per year. In addition, 4 national securities exchanges notice-registered pursuant to Section 6(g) of the Act (15 U.S.C. 78f(g)) are required to preserve records of determinations made under Rule 3a55–1 under the Act (17 CFR 240.3a55–1), which the Commission staff estimates will take 1 hour per exchange per year, for a total of 4 hours per year. Accordingly, the Commission staff estimates that the total number of hours necessary to comply with the requirements of Rule 17a–1 is 1,824 hours per year. The total internal cost of compliance for all respondents is $142,272 per year, based on an average cost per hour of $78.

Written comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing by December 20, 2022.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief

Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 17, 2022.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2022–22852 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96094; File No. SR–NASDAQ–2022–015]

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing of Amendment No. 2 and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 2, To Exempt Non-Convertible Bonds Listed Under Rule 5702 From Certain Corporate Governance Requirements

October 17, 2022.

I. Introduction

On February 4, 2022, The Nasdaq Stock Market LLC (''Nasdaq'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to exempt non-convertible bonds listed under Rule 5702 from certain corporate governance requirements. The proposed rule change was published for comment in the **Federal Register** on February 23, 2022.[3] On March 18, 2022, the Commission extended the time period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.[4] On May 18, 2022, the Commission instituted proceedings to determine whether to approve or disapprove the proposed rule change.[5] On June 13, 2022, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the proposed rule change as originally filed.[6] On August 5, 2022, the Commission designated a longer period for Commission action on proceedings to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7] On August 31, 2022, the Exchange filed Amendment No. 2 to the proposed rule change, which superseded the original filing, as modified by Amendment No. 1, in its entirety.[8] The Commission received no comments on the proposed rule change. The Commission is publishing this notice to solicit comments on Amendment No. 2 from interested persons and is approving the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

II. The Exchange's Description of the Proposed Rule Change, as Modified by Amendment No. 2

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

This Amendment No. 2 supersedes and replaces the Initial Proposal, as modified by Amendment No. 1, in its entirety.

In November 2018, the Commission approved amendments to the Exchange's rules that permit the Exchange to list and trade non-convertible corporate debt securities (referred to herein as ''bonds'' or ''non-convertible bonds'') on the Nasdaq Bond Exchange.[9] Under the Exchange's listing rules then adopted, a non-convertible bond was eligible for initial listing on the Exchange only if it had a principal amount outstanding or market value of at least $5 million and its issuer had at least one class of an equity security listed on Nasdaq, the New York Stock Exchange (''NYSE''), or NYSE American (collectively, a ''listed company'').[10] In February 2020, Nasdaq amended Rule 5702 to allow the listing of non-convertible bonds issued by certain companies not listed on Nasdaq, NYSE American or NYSE (the ''2020 Filing'').[11]

Nasdaq now proposes to exempt issuers whose only securities listed on Nasdaq are non-convertible bonds listed under Rule 5702 [12] from the requirements relating Shareholder Approval (Rule 5635) and Voting Rights (Rule 5640)(collectively, the ''Rules'').[13]

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 94265 (February 16, 2022), 87 FR 10265 (''Initial Proposal'').

[4] *See* Securities Exchange Act Release No. 94471, 87 FR 16778 (March 24, 2022) (extending the time period to May 24, 2022).

[5] *See* Securities Exchange Act Release No. 94941, 87 FR 31594 (May 24, 2022).

[6] In Amendment No. 1, the Exchange revised the proposal to: (i) clarify the purpose and rationale of the proposed rule change; and (ii) make minor technical changes to improve the structure, clarity, and readability of the proposed rules. Amendment No. 1 to the proposed rule change is available at: *https://www.sec.gov/comments/sr-nasdaq-2022-015/srnasdaq2022015-20131121-301311.pdf.*

[7] *See* Securities Exchange Act Release No. 95434, 87 FR 49631 (August 11, 2022) (extending the time period to October 21, 2022).

[8] In Amendment No. 2, the Exchange deleted a proposed exemption from Nasdaq Rule 5630, Review of Related Party Transactions, for issuers whose only securities listed on Nasdaq are non-convertible bonds, as well as clarified the purpose of the proposed rule change. Amendment No. 2 to the proposed rule change is available at: *https://www.sec.gov/comments/sr-nasdaq-2022-015/srnasdaq2022015-20137931-308238.pdf.*

[9] *See* Securities Exchange Act Release No. 84575 (November 13, 2018), 83 FR 58309 (November 19, 2018) (approving SR–NASDAQ–2018–070, as modified by Amendment Nos. 1–3) (''Approval Order'').

[10] Rule 5702(a).

[11] Specifically, the 2020 Filing expanded the categories of non-convertible bonds eligible to be listed under Rule 5702 to include non-convertible bonds of affiliates of a listed company where: a listed company directly or indirectly owns a majority interest in, or is under common control with, the issuer of the non-convertible bond; or a listed company has guaranteed the non-convertible bond. In addition, for un-affiliated companies, the 2020 Filing allowed listing of non-convertible bonds where a nationally recognized securities rating organization (an ''NRSRO'') has assigned a current rating to the non-convertible bond that is no lower than an S&P Corporation ''B'' rating or equivalent rating by another NRSRO; or if no NRSRO has assigned a rating to the issue, an NRSRO has currently assigned (i) an investment grade rating to an immediately senior issue of the same company, or (ii) a rating that is no lower than an S&P Corporation ''B'' rating, or an equivalent rating by another NRSRO, to a pari passu or junior issue of the same company. Securities and Exchange Act Release No. 88304 (February 28, 2020), 85 FR 12953 (March 5, 2020)(SR–Nasdaq 2020–008).

[12] If an issuer has a class of equity securities listed on Nasdaq, the issuer is subject to the requirements of the Rules, except as otherwise provided in the Nasdaq 5600 Rule Series.

[13] To increase the clarity of the rule, Nasdaq proposes to consolidate without substantively changing in the proposed Rule 5702(d) other exemptions applicable to an issuer of a non-convertible bond, as provided by Rule 5615(a)(6)(A), which states, in the relevant parts, that issuers ''whose only securities listed on Nasdaq are . . . debt securities . . . are exempt from the requirements relating to Independent Directors (as set forth in Rule 5605(b)), Compensation Committees (as set forth in Rule 5605(d)), Director Nominations (as set forth in Rule 5605(e)), Codes of Conduct (as set forth in Rule 5610), and Meetings of Shareholders (as set forth in Rule 5620(a)). In addition, these issuers are exempt from the requirements relating to Audit Committees (as set forth in Rule 5605(c)), except for the applicable requirements of SEC Rule 10A–3. Nasdaq also

Continued

Rule 5640 states that voting rights of existing shareholders of publicly traded common stock registered under Section 12 of the Securities Exchange Act of 1934 cannot be disparately reduced or restricted through any corporate action or issuance. As such, by its terms, the rule does not apply to bondholders because they are not shareholders of publicly traded common stock registered under Section 12 of the Act.

Rule 5635 sets forth the circumstances under which shareholder approval is required prior to an issuance of securities in connection with: (i) the acquisition of the stock or assets of another company; (ii) equity-based compensation of officers, directors, employees or consultants; (iii) a change of control; and (iv) transactions other than public offerings. Each of these rules predicates the need for shareholder approval on an issuance of securities by the company, but does not meaningfully protect bondholders because they do not have a right to vote in the event of an issuance of securities by the company that could trigger the approval requirements under Rule 5635.[14]

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[15] in general, and furthers the objectives of Section 6(b)(5) of the Act,[16] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

Nasdaq believes that exempting issuers whose only securities listed on Nasdaq are non-convertible bonds listed under Rules 5702 from the requirements of the Rules is designed to remove impediments to and perfect the mechanism of a free and open market because Rule 5640, by its terms, does not apply to bondholders as they are not shareholders of publicly traded common stock registered under Section 12 of the Act and bondholders do not have a right to vote in the event of an issuance of securities by the company that could trigger the approval requirements under Rule 5635. In addition Nasdaq believes that Rule 5702 adequately protects bondholders by setting forth the requirements to help ensure that the issuer of the non-convertible bond is capable of meeting its financial obligations.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Nasdaq believes the proposed rule is not designed to limit the ability of the issuers of nonconvertible securities to list them on any other national securities exchange because it is designed to provide transparency to the applicability of the Rules to such issuers given that the Rules do not meaningfully protect bondholders. In addition, the proposed rule change may enhance competition among issuers by allowing more issuers to list their non-convertible bonds on Nasdaq, provided they meet the requirements of the rule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Discussion and Commission Findings

The Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[17] In particular, the Commission finds that the proposed rule change, as modified by Amendment No. 2, is consistent with Section 6(b)(5) of the Act,[18] which requires that the rules of an exchange be designed to promote just and equitable principles of trade, to remove impediments and to perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

As stated above, the Exchange proposes to exempt issuers whose only securities listed on Nasdaq are non-convertible bonds listed under Rule 5702 from the corporate governance requirements relating to Shareholder Approval (Nasdaq Rule 5635) and Voting Rights (Nasdaq Rule 5640). The Commission is approving the proposed rule change because, as described above, today, bondholders are not entitled to vote in the event of an issuance of securities under Nasdaq Rule 5635. Further, Nasdaq Rule 5640, by its terms, is not applicable to bondholders. Moreover, issuers that list non-convertible bonds pursuant to Nasdaq Rule 5702, if they also have a class of equity securities listed on Nasdaq, must continue to comply with the requirements of Nasdaq Rules 5635 and 5640 through their equity listing.[19] The Exchange also proposes to consolidate in proposed Rule 5702(d), without substantive changes, other exemptions currently applicable to an issuer whose only security listed on Nasdaq is a non-convertible bond (*i.e.,* requirements from rules pertaining to Independent Directors, Compensation Committees, Director Nominations, Diverse Board Representation, Board Diversity Disclosure, Codes of Conduct, Meetings of Shareholders, and Audit Committees, except for the applicable requirements of SEC Rule 10A–3).[20]

Accordingly, the Commission believes that the proposed rule change, as modified by Amendment No. 2, is consistent with Section 6(b)(5) of the Act because it clarifies the application of Nasdaq Rules 5635 and 5640 to issuers that only list non-convertible bonds on Nasdaq and consolidates all relevant exemptions in one provision.

IV. Solicitation of Comments on Amendment No. 2 to the Proposed Rule Change

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether Amendment No. 2 is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–NASDAQ–2022–015 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–NASDAQ–2022–015. This

proposes to include in the proposed Rule 5702(d) exemptions from the requirements relating to Diverse Board Representation (as set forth in Rule 5605(f)) and Board Diversity Disclosure (as set forth in Rule 5606) applicable to an issuer of a non-convertible bond, as provided by Rules 5605(f)(4) and 5606(c), respectively.

[14] *See also* general provisions relating to shareholder approval in Rule 5635(e) regarding determining the number of shares issuable in a transaction and the voting power outstanding.

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(5).

[17] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[18] 15 U.S.C. 78f(b)(5).

[19] *See supra* note 12 and accompanying text.

[20] *See supra* note 13.

file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NASDAQ–2022–015 and should be submitted on or before November 14, 2022.

V. Accelerated Approval of Proposed Rule Change, as Modified by Amendment No. 2

The Commission finds good cause to approve the proposed rule change, as modified by Amendment No. 2, prior to the thirtieth day after the date of publication of notice of the filing of Amendment No. 2 in the **Federal Register**. Amendment No. 2 merely amends the proposed rule to delete a proposed exemption for issuers whose only securities listed on Nasdaq are non-convertible bonds from Nasdaq Rule 5630, Review of Related Party Transactions, as well as provide greater clarity as to the purpose of the proposed rule change. Amendment No. 2 does not change the substance of the remaining proposed exemptions for issuers of non-convertible bonds from Nasdaq Rules 5635 and 5640, which were previously noticed.[21] Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,[22] to approve the proposed rule change, as modified by Amendment No. 2, on an accelerated basis.

VI. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[23] that the proposed rule change (SR–NASDAQ–2022–015), as modified by Amendment No. 2 thereto, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[24]

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2022–22840 Filed 10–20–22; 8:45 am]

BILLING CODE 8011–01–P

[21] *See* Initial Proposal, *supra* note 3.

[22] 15 U.S.C. 78s(b)(2).

[23] *Id.*

[24] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice: 11896]

Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: ''Robert Motherwell Drawing: As Fast as the Mind Itself'' Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition ''Robert Motherwell Drawing: As Fast as the Mind Itself'' at the Menil Drawing Institute, The Menil Collection, Houston, Texas, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Elliot Chiu, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), E.O.12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

Stacy E. White,

Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2022–22875 Filed 10–20–22; 8:45 am]

BILLING CODE 4710–05–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36641]

Eastern Maine Railway Company—Acquisition and Operation Exemption—Central Maine & Quebec Railway US Inc., d/b/a Canadian Pacific

Eastern Maine Railway Company (EMR), a Class III common carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from the current owner and operator, Central Maine & Quebec Railway US Inc., d/b/a Canadian Pacific (CMQR), and to operate approximately 36.57 miles of a main line and approximately nine miles of branch line in Maine. The main line is between milepost 109 (Grindstone, Penobscot County, Me.) and milepost 72.43 (near Brownville in Piscataquis County, Me.). The branch lines consist of: (1) the East Millinocket branch line, from milepost 0.0 to milepost 7.72; and (2) the Millinocket branch line, from milepost 104.65 southward 1.2 miles to the end of the track. EMR will also acquire all other associated yard, spur, siding, and other track along the main line between milepost 109 and milepost 72.43.[1]

According to the verified notice, EMR will also acquire incidental trackage rights on CMQR between milepost 72.43 (near Brownville) and the connection of CMQR's track with an EMR rail line in the vicinity of Brownville Junction (milepost 75.07 of CMQR's Bangor Subdivision), a distance of approximately three miles, including CMQR's Brownville Junction yard, as well as use of the CMQR main line to the west for one mile (to milepost 1.0 of CMQR's Moosehead Subdivision). Furthermore, the Maine Northern Railway Company (''MNRC'') currently has overhead trackage rights over the Line. EMR is acquiring the Line subject to these overhead trackage rights. Thus, MNRC's overhead trackage rights will remain unchanged by EMR's acquisition of the Line.

[1] The Line refers collectively to the main line, branch lines, and all other associated yard, spur, siding, and other track along the main line.

According to the verified notice, the parties executed an agreement on September 1, 2022, by which EMR will acquire the Line from CMQR.

EMR certifies that the proposed acquisition and operation of the Line does not involve a provision or agreement that may limit future interchange with a third-party connecting carrier. EMR further certifies that its projected annual revenues as a result of this transaction will not exceed the maximum revenue of a Class III rail carrier and will not exceed $5 million.

The transaction may be consummated on or after on or after November 5, 2022, 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 October 28, 2022 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36641, should be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E St. SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on EMR's representative, David E. Benz, Thompson Hine LLP, 1919 M Street NW, Suite 700, Washington, DC 20036.

According to EMR, 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: October 18, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2022–22912 Filed 10–20–22; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability for Proposed Voluntary Agreement at Statue of Liberty National Monument and Governors Island National Monument

AGENCY: Federal Aviation Administration (FAA), Transportation.

ACTION: Notice of availability.

SUMMARY: The FAA, in cooperation with the National Park Service (NPS), has initiated development of a voluntary agreement pursuant to the National Parks Air Tour Management Act of 2000 (the Act) and its implementing regulations. The Act allows the FAA and NPS to enter into voluntary agreements with commercial air tour operators. A voluntary agreement manages commercial air tour operations over a national park by establishing conditions for the conduct of the commercial air tour operations. Implementation of a voluntary agreement helps protect park resources and the visitor experience without compromising aviation safety or the air traffic control system. This notice announces the public availability of the proposed voluntary agreement for Statue of Liberty National Monument and Governors Island National Monument (collectively referred to as the Parks).

DATES: Comments must be received on or before 30 days from this notice.

ADDRESSES: Comments will be received on the NPS Planning, Environment and Public Comment System (PEPC) website. The PEPC website for the Parks is: *https://parkplanning.nps.gov/NYHarborAirTours.*

FOR FURTHER INFORMATION CONTACT: Keith Lusk, Special Programs Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, 777 S. Aviation Boulevard, Suite 150, El Segundo, CA 90245, telephone: (424) 405–7017, email: *Keith.Lusk@faa.gov.*

SUPPLEMENTARY INFORMATION: The FAA is issuing this notice pursuant to the National Parks Air Tour Management Act of 2000 (Pub. L. 106–181 (*https://www.govinfo.gov/link/plaw/106/public/181?link-type=html*)) and its implementing regulations contained in title 14, Code of Federal Regulations, part 136, subpart B, National Parks Air Tour Management. The Act requires that commercial air tour operators conducting or intending to conduct commercial air tours over a unit of the National Park system apply to the FAA for operating authority before engaging in that activity. The Act further requires the FAA and the NPS to establish an air tour management plan (ATMP) for each National Park System unit for which one or more applications has been submitted, unless that unit is exempt from this requirement. As an alternative to an ATMP, the FAA and the NPS may enter into a voluntary agreement with a commercial air tour operator who has applied to conduct commercial air tour operations over a national park including an operator that has interim operating authority for the park or a new entrant commercial air tour operator. Voluntary agreements must address the management issues necessary to protect the resources and visitor use of the park without compromising aviation safety or the air traffic control system. A voluntary agreement may also include conditions for the conduct of air tour operations and provisions to ensure the stability of and compliance with the voluntary agreement. Each voluntary agreement reflects the provisions and conditions appropriate for the particular national park to which the agreement applies.

A single voluntary agreement covers both Parks. Part 135 operators who have been granted interim operating authority for the Parks are included in this voluntary agreement and operators who apply for authority to conduct tours of the Parks will also be considered as part of the application process. Information on how to apply for authority is presented in the Frequently Asked Questions document that is available on the PEPC website shown above.

Written comments on the proposed voluntary agreement can be submitted via PEPC. Comments will not be accepted by fax, email, or any other way than those specified above. All written comments become part of the official 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.

Issued in El Segundo, CA, on October 18, 2022.

Keith Lusk,

Program Manager, Special Programs Office, Western-Pacific Region.

[FR Doc. 2022–22889 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2022–0092]

Petition for Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on October 14, 2022, the Long Island Rail Road (LIRR) petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from a

provision of the Federal railroad safety regulations contained at 49 CFR 236.1005(c), *Hazard detectors.* FRA assigned the petition Docket Number FRA–2022–0092.

Specifically, LIRR is seeking relief from § 236.1005(c) because the Advanced Civil Speed Enforcement System II (ACSES II) Tunnel Collision Avoidance (TCA) package for LIRR's locomotives will not be completed before LIRR's commencement of its East Side Access passenger service and the opening of the Grand Central Madison tunnels. LIRR notes it has existing hazard detection, which protects against the misrouting of oversized trains, within LIRR's cab signaling and automatic train control system. LIRR also describes how its operating practices provide additional protection. LIRR is seeking a temporary waiver from § 236.1005(c) because LIRR's positive train control system, ACSES II, is currently not integrated with, and does not enforce, LIRR's hazard detector, as § 236.1005(c) otherwise requires.

Exhibit A to LIRR's petition describes the exact measures LIRR will use during the period of its temporary waiver, if granted, to ensure oversize trains are not routed to, and do not enter, the tunnels. LIRR also explains that ''[a]s soon as the new ACSES software which includes the TCA functionality can be deployed to the LIRR rolling stock fleet, [positive train stop (PTS)] enforcement at permissive aspects for oversized LIRR trains will be provided.'' LIRR's petition for a waiver also includes a statement of no objection from Amtrak, its applicable tenant railroad.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *https://www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *https://www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by November 15, 2022, will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Given the urgent nature of this waiver request and the resulting abbreviated comment period, FRA will be holding a virtual question and answer session on November 7, 2022, from 3:00 p.m. to 7:00 p.m. EST. During this session, FRA will be available to answer technical questions relating to LIRR's waiver petition. Please use the following link to obtain further information regarding this virtual question and answer session: *https://railroads.dot.gov/LIRR-ESA-PTC-waiver.*

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to *https://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2022–22848 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket No. FRA–2010–0056]

BNSF Railway Company's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of availability and request for comments.

SUMMARY: This document provides the public with notice that, on October 5, 2022, BNSF Railway Company (BNSF) submitted an updated request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA may involve a request for FRA's approval of proposed material modifications to an FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTCSP.

DATES: FRA will consider comments received by November 10, 2022. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

ADDRESSES: *Comments:* Comments may be submitted by going to *https://www.regulations.gov* and following the online instructions for submitting comments.

Instructions: All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for this host railroad is Docket No. FRA–2010–0056. For convenience, all active PTC dockets are hyperlinked on FRA's website at *https://railroads.dot.gov/train-control/ptc/ptc-annual-and-quarterly-reports.* All comments received will be posted without change to *https://www.regulations.gov;* this includes any personal information.

FOR FURTHER INFORMATION CONTACT: Gabe Neal, Staff Director, Signal, Train Control, and Crossings Division, telephone: 816–516–7168, email: *Gabe.Neal@dot.gov.*

SUPPLEMENTARY INFORMATION: In general, Title 49 United States Code (U.S.C.) Section 20157(h) requires FRA to certify that a host railroad's PTC system complies with Title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal and train control system. Accordingly, this notice informs the public that, on October 5, 2022, BNSF submitted an updated RFA to its PTCSP for its Interoperable Electronic Train Management System (I–ETMS) and that updated RFA is available in Docket No. FRA–2010–0056. BNSF initially submitted the RFA to its PTCSP on September 2, 2022, and subsequently submitted an updated version of its RFA and PTCSP on October 5, 2022, in response to FRA's feedback, which noted the need to satisfy the RFA content requirements under 49 CFR 236.1021(m).

In summary, BNSF's RFA proposes two modifications to its PTCSP. First, BNSF proposes to incorporate into its PTCSP information about its use of its Integrated Locomotive Computer as a speed source, which FRA already approved in a previous joint RFA on September 1, 2021.

Second, pursuant to the authority at 49 CFR 236.1006(b)(5)(vii), BNSF is proposing to utilize certain alternative procedures instead of the default procedures under § 236.1006(b)(5), which permits the operation of a locomotive or train without an onboard PTC apparatus in certain circumstances. Under 49 CFR 236.1006(b)(5)(vii), FRA's regulations permit a railroad to propose such alternative procedures in its RFA and/or PTCSP. For example, as detailed in BNSF's updated RFA and PTCSP, BNSF is seeking to replace the default procedures under § 236.1006(b)(5)(i) and (ii). Specifically, BNSF proposes to use the exception under § 236.1006(b)(5) to perform short freight movements, within a single control point (measured by one home signal to the opposing home signal) at restricted speed, where no other trains may enter the control point during the excepted movement. In its RFA, BNSF further discusses the existing exception requirements and alternative procedures it will comply with when performing excepted movements under 49 CFR 236.1006(b)(5).

Interested parties are invited to comment on BNSF's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to *https://www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *https://www.transportation.gov/privacy.* See *https://www.regulations.gov/privacy-notice* for the privacy notice of regulations.gov. To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

Carolyn R. Hayward-Williams,

Director, Office of Railroad Systems and Technology.

[FR Doc. 2022–22877 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2002–13398]

Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on September 14, 2022, the Hillsborough Transit Authority (HART) petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR parts 240 (Qualification and Certification of Locomotive Engineers) and 242 (Qualification and Certification of Conductors). The relevant FRA Docket Number is FRA–2002–13398.

Specifically, HART requests to extend its existing relief related to the shared use operation of its TECO Line Streetcar System at a ''limited connection'' with track operated by CSX Transportation (CSXT) in Tampa, Florida. HART states that two FRA inspections of the 14th Street shared at grade rail-rail crossing have been completed in the previous five years and all reports show no exceptions. HART also notes that the standard operating procedure at this interlocking location was updated in 2017 with the cooperation of CSXT, and reviewed in August 2022.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 20, 2022 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. 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 *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2022–22850 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[Docket Number FRA–2017–0104]

Petition for Extension of Waiver of Compliance

Under part 211 of title 49 Code of Federal Regulations (CFR), this document provides the public notice that on September 20, 2022, Caltrain petitioned the Federal Railroad Administration (FRA) for an extension of a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 238, Passenger Equipment Safety Standards. The relevant FRA Docket Number is FRA–2017–0104.

Specifically, Caltrain seeks to extend its waiver of compliance from a portion of 49 CFR 238.113(a)(2), *Emergency window exits,* for the Caltrain Electric Multiple Unit restroom car. The Americans with Disabilities Act (ADA)-compliant restroom facility extends from the exterior side door to nearly the centerline of the car, thus precluding the placement of the emergency window exit in this quadrant of the car in the lower main level. Caltrain states that it believes the intent of the emergency window requirement is met, as the position of the window provides the

closest practical fulfillment of the location requirements, without otherwise compromising access to either the emergency window exit or the ADA restroom facility. Additionally, Caltrain explains passengers have ready access to the exterior side door with a clear opening of 51 inches. However, because the design does not meet the literal interpretation of ''each end (half) of the car,'' Caltrain is requesting to extend its waiver of this requirement for this restroom car for the life of the equipment.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at *www.regulations.gov.*

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted at *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Communications received by December 20, 2022 will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable. Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), the U.S. Department of Transportation (DOT) solicits comments from the public to better inform its processes. 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 *https://www.transportation.gov/privacy.* See also *https://www.regulations.gov/privacy-notice* for the privacy notice of *regulations.gov.*

Issued in Washington, DC.

John Karl Alexy,

Associate Administrator for Railroad Safety, Chief Safety Officer.

[FR Doc. 2022–22849 Filed 10–20–22; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the name of a person whose property and interests in property have been unblocked.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Andrea Gacki, 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 (SDN List) and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Action

On October 17, 2022, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following person are unblocked and the person is removed from the SDN List under the relevant sanctions authority listed below.

Individual

1. MICALLEF, Terence (a.k.a. MICALLEF, Terrence), 31 Fawwara Ct. Flat 3, Turu Rizzo St., Gzira, Malta; DOB 25 Jan 1985; POB Malta; nationality Malta; citizen Malta; Gender Male; Passport 1018185 (Malta) issued 01 Sep 2011; National ID No. 087385M (Malta) (individual) [LIBYA3].

Pursuant to CFR 31 § 501.807, OFAC has determined that circumstances no longer warrant the inclusion of the above-named person on the SDN List based on criteria contained in Executive Order 13726, ''Blocking Property and Suspending Entry Into the United States of Persons Contributing to the Situation in Libya.''

Dated: October 17, 2022.

Andrea M. Gacki,

Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2022–22831 Filed 10–20–22; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Open Meeting of the Financial Research Advisory Committee

AGENCY: Office of Financial Research, Department of the Treasury.

ACTION: Notice of open meeting.

SUMMARY: The Financial Research Advisory Committee for the Treasury's Office of Financial Research (OFR) is convening for its twentieth meeting on Tuesday, November 8, 2022, via webcast, beginning at 10 a.m. Eastern Time. The meeting will be open to the public and advance registration is required.

DATES: The meeting will be held Tuesday, November 8, 2022, beginning at 10 a.m. Eastern Time.

ADDRESSES: The meeting will be held via webcast using Zoom. Participants are required to register ahead of time. Register in advance for the meeting using this Zoom attendee registration link: *https://ofr-treasury.zoomgov.com/webinar/register/WN_v0k9FO41S7G3LqEzJ9AYUQ.* After registering, you will receive a confirmation email with a unique link to join the meeting.

Reasonable Accommodation: If you require a reasonable accommodation, please contact *ReasonableAccommodationRequests@treasury.gov.* Please submit requests at least five days before the event.

FOR FURTHER INFORMATION CONTACT: Melissa Avstreih, Designated Federal Officer, Office of Financial Research, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, (202) 927–8032 (this is not a toll-free number), or *OFR_FRAC@ofr.treasury.gov.* Persons who have difficulty hearing or speaking may access this number via TTY by calling the toll-free Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION: Notice of this meeting is provided in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. 2, 10(a)(2), through implementing regulations at 41 CFR 102–3.150, *et seq.*

Public Comment: Members of the public wishing to comment on the business of the Financial Research Advisory Committee are invited to submit written statements by any of the following methods:

- Electronic Statements. Email the Committee's Designated Federal Officer at *OFR_FRAC@ofr.treasury.gov.*
- Paper Statements. Send paper statements in triplicate to the Financial Research Advisory Committee, Attn:

Melissa Avstreih, Office of Financial Research, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

The OFR will post statements on the Committee's website, *https://www.financialresearch.gov/frac/,* including any business or personal information provided, such as names, addresses, email addresses, or telephone numbers. The OFR will also make such statements available for public inspection and copying in the Department of the Treasury's library, Annex Room 1020, 1500 Pennsylvania Avenue NW, Washington, DC 20220 on official business days between the hours of 8:30 a.m. and 5:30 p.m. Eastern Time. You may make an appointment to inspect statements by calling (202) 622–0990. All statements, including attachments and other supporting materials, will be part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

Agenda/Topics for Discussion: The Committee provides an opportunity for researchers, industry leaders, and other qualified individuals to offer their advice and recommendations to the OFR, which, among other things, is responsible for collecting and standardizing data on financial institutions and their activities and for supporting the work of the Financial Stability Oversight Council.

This is the twentieth meeting of the Financial Research Advisory Committee. Topics to be discussed among all members are inflation, decentralized finance, and the potential financial stability implications from growth in digital asset markets. For more information on the OFR and the Committee, please visit the OFR's website at *https://www.financialresearch.gov.*

Emily Anderson,

Associate Director of Management Support performing the duties of the Deputy Director of Operations.

[FR Doc. 2022–22881 Filed 10–20–22; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Proposed Collection; Comment Request; Federal Insurance Office Climate-Related Financial Risk Data Collection

AGENCY: Federal Insurance Office, Departmental Offices, Treasury.

ACTION: Notice and request for comments.

SUMMARY: Pursuant to the Federal Insurance Office Act of 2010 (FIO Act), the Federal Insurance Office (FIO) of the U.S. Department of the Treasury (Treasury) intends to request approval from the Office of Management and Budget (OMB) for the collection of information from certain property & casualty (P&C) insurers regarding their current and historical underwriting data on homeowners' insurance, as described below. The proposed data collection will assist FIO's assessment of climate-related exposures and their effects on insurance availability for policyholders, including whether climate change may create the potential for any major disruptions of private insurance coverage in regions of the country particularly vulnerable to climate change impacts. FIO will also seek to assess any related effects on insurance affordability for policyholders. The Paperwork Reduction Act of 1995 (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before December 20, 2022.

ADDRESSES: Submit comments electronically through the Federal eRulemaking Portal: *http://www.regulations.gov,* or by mail to the Federal Insurance Office, Attn: Elizabeth Brown, Senior Insurance Regulatory Policy Analyst, *Elizabeth.Brown@treasury.gov,* (202) 597–2869 or Silab Mohanty, Senior Insurance Regulatory Policy Analyst, *Silabhadra.Mohanty@treasury.gov,* (202) 945–7062, Room 1410 MT, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220. Because postal mail may be subject to processing delays, it is recommended that comments be submitted electronically. If submitting comments by mail, please submit an original version with two copies. Comments concerning the proposed data collection forms and collection process should be captioned as ''FIO Climate-Related Financial Risk Data Collection Comments.'' Please include your name, group affiliation, address, email address, and telephone number(s) in your comment. Where appropriate, a comment should include a short Executive Summary (no more than five single-spaced pages).

FOR FURTHER INFORMATION CONTACT: Elizabeth Brown, Senior Insurance Regulatory Policy Analyst, *Elizabeth.Brown@treasury.gov,* (202) 597–2869, or Silab Mohanty, Senior Insurance Regulatory Policy Analyst, *Silabhadra.Mohanty@treasury.gov,* (202) 945–7062 (these telephone numbers are not toll-free). Persons who have difficulty hearing or speaking may access these numbers via TTY by calling the toll-free Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION:

Background

Under the FIO Act, FIO's authorities include monitoring all aspects of the insurance sector, including identifying issues or gaps in the regulation of insurers that could contribute to a systemic crisis in the insurance sector or the U.S. financial system. FIO's authorities also include monitoring ''the extent to which traditionally underserved communities and consumers, minorities (as such term is defined in section 1204(c) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1811 note)), and low- and moderate-income persons have access to affordable insurance products regarding all lines of insurance, except health insurance.'' [1] In carrying out its duties, FIO is authorized to collect data and information on and from the insurance sector, including through the use of subpoenas. FIO is also authorized to analyze and disseminate data and information and issue reports on all lines of insurance, except health insurance.[2]

On May 20, 2021, President Biden issued an Executive Order on Climate-related Financial Risk, Exec. Order No. 14030 (E.O. 14030).[3] As part of its Government-wide instruction to study and take actions in response to climate-related financial risks, E.O. 14030 emphasizes the important role that the insurance sector can play. In this regard, it states the Secretary of the Treasury shall task FIO ''to assess climate-related issues or gaps in the supervision and regulation of insurers, including as part of the [Financial Stability Oversight Council's] analysis of financial stability, and to further assess, in consultation with States, the potential for major disruptions of private insurance coverage in regions of the country

[1] FIO Act, 31 U.S.C. 313 (c)(1)(B).

[2] FIO Act, 31 U.S.C. 313 (d)–(e).

[3] Executive Order on Climate-related Financial Risk, E.O. No. 14030, 86 FR 27967 (May 20, 2021), *https://www.federalregister.gov/documents/2021/05/25/2021-11168/climate-related-financial-risk* (E.O. 14030).

particularly vulnerable to climate change impacts.'' [4] On August 31, 2021, FIO outlined its priorities with regard to climate-related financial risk in a request for information (RFI) on the Insurance Sector and Climate-Related Financial Risks.[5] In the RFI, FIO cited the need for consistent, comparable, and granular data to work on its climate-related priorities.[6] FIO's climate-related work will be part of sequential and capacity-building efforts. The initial steps are intended to consolidate foundational knowledge that can be used in future years to develop more comprehensive approaches to address climate-related financial risks.

Overview of Analysis

In response to E.O. 14030, one of FIO's climate-related priorities is to assess the potential for major disruptions of private insurance coverage in U.S. markets particularly vulnerable to climate change impacts.[7] FIO intends to further this work by proposing to collect data from certain U.S. insurance entities to analyze property & casualty (P&C) insurers' current and historical weather-related exposures from physical risks. Physical risks refer to ''the harm to people and property arising from acute, climate-related disaster events such as hurricanes, wildfires, floods, and heatwaves as well as longer-term chronic phenomena such as higher average temperatures, changes in precipitation patterns, sea level rise, and ocean acidification.'' [8] Physical risks can affect both the asset and liability side of an insurer's balance sheet.[9] On the asset side, insurers may be impacted by impairments and market declines in the value of investments held in securities of companies exposed to the physical effects of climate change and in real estate-related collateral, such as commercial property loans or agricultural-related assets. On the liability side, increases in the frequency, severity, and geographical distribution of weather-related events due to climate change could lead to higher direct losses from property damage, as well as indirect losses such as from business interruption and higher reinsurance costs. Additionally, severe weather-related events may create a potential protection gap for policyholders, which is generally understood to be the difference between the amount of insurance that is economically beneficial and the amount of insurance actually purchased, *i.e.,* when the policyholder is uninsured or underinsured.[10]

FIO is proposing to collect data relating to insurers' underwriting metrics and related insurance policy information. The proposed data is needed in order for FIO to identify and more accurately assess the financial impact of weather-related events on insurers' exposures and underwriting over time. FIO's analysis would assess insurance availability and its effects on policyholders, particularly in regions of the country with the potential for major disruptions of private insurance coverage due to climate-related disasters. This proposed data collection would also allow FIO to analyze the affordability of insurance, both nationwide and in regions of the country with the potential for major disruptions of private insurance coverage due to climate-related disasters. FIO's analysis would not focus on measuring the impact on earnings or capital to assess profitability or solvency of individual insurance companies.

FIO's proposed data collection leverages the format of data regularly reported on the annual statutory filings submitted by U.S. insurers to the insurance regulators in the 50 states, the District of Columbia (DC), and the five U.S. territories (collectively, State Insurance Regulators). However, FIO's proposed collection differs from statutory filings in three important areas: (1) the collection of data at a more granular level (*i.e.,* aggregated by ZIP Code rather than at a U.S. state level), (2) the collection of underwriting data primarily on an Accident Year basis (rather than Calendar Year basis), and (3) the proposed inclusion of certain, limited data elements not collected on statutory filings (*e.g.,* replacement values, deductibles, and coverage limits). Further explanation regarding FIO's proposed data collection and the specific data items being request is provided below.

Proposed Scope of Data Collection

FIO's proposed data collection attempts to limit the burden of data collection on the insurance industry while also providing FIO with sufficient data to achieve its assessment of climate risks as set forth in this notice. Below, this section describes the rationale and main elements of FIO's proposed data collection, which include: (1) a focus on insurer underwriting, (2) insurance lines of business, (3) insurers, (4) data elements, (5) reporting framework, (6) reporting period, (7) geographic granularity, (8) geographic scope, and (9) reinsurance impact.

Summary

FIO's proposed analysis of physical risk would focus on P&C insurers' underwriting. For its analysis, FIO proposes to collect insurance underwriting data from insurers constituting the top writers (by premiums written on a national basis) in the homeowners' multi-peril line of business, as well as insurers with the greatest market share in certain states that are potentially vulnerable to climate-related disasters.[11]

FIO proposes to collect data from: (1) nationwide insurers writing above a premium threshold of $100 million in 2021 homeowners' insurance premiums; and (2) additional insurers in order to achieve an 80 percent market share threshold in each of 10 states that are potentially the most vulnerable to climate-related disasters (Potential Climate-Vulnerable States). (See also discussion of U.S. state selection in ''Insurers'' below.) These two categories collectively cover 213 insurance entities (the Representative Sample Insurers) who are domiciled in 34 states: Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee,

[4] *See* Section 3(b)(i) in E.O. 14030. E.O. 14030 at 27968.

[5] Federal Insurance Office Request for Information on the Insurance Sector and Climate-Related Financial Risks, 86 FR 48814 (August 31, 2021), *https://www.federalregister.gov/documents/2021/08/31/2021-18713/federal-insurance-office-request-for-information-on-the-insurance-sector-and-climate-related* (FIO RFI).

[6] 86 FR 48814 at 48815.

[7] 86 FR 48814 at 48815.

[8] Financial Stability Oversight Council, *Report on Climate-related Financial Risk* (2021), 12, *https://home.treasury.gov/system/files/261/FSOC-Climate-Report.pdf* (*FSOC Climate Report*).

[9] When an insurer underwrites a policy and receives premiums, it undertakes a potential obligation to settle valid claims. The estimate of the insurer's obligation to pay future claims is reflected as a liability on the insurer's balance sheet.

[10] *See, e.g.,* The Geneva Association, *The Global Insurance Protection Gap: Assessment and Recommendations* (2014), 7, *https://www.genevaassociation.org/sites/default/files/research-topics-document-type/pdf_public/ga2014-the_global_insurance_protection_gap_1.pdf.*

[11] FIO is using the term ''climate-related disasters'' to refer to the type of weather-related events (such as wildfires, floods, hurricanes, etc.) that may be produced or exacerbated by climate change, as distinct from non-weather related, natural events (such as earthquakes and tsunamis). References to ''catastrophic events'' may include both weather-related and non-weather-related events; similar (or synonymous) terms used by the insurance industry include ''natural catastrophes'' and ''natural disasters.''

Texas, Vermont, Washington, and Wisconsin.[12]

FIO proposes collecting underwriting data for the Representative Sample Insurers. This data would include information regarding claims, premiums, and losses that correspond to data fields reported by U.S. insurers to State Insurance Regulators in annual filings, as well as additional data elements not collected on statutory filings (*e.g.,* premium renewals, replacement values, deductibles, and coverage limits). FIO proposes requesting five years of underwriting data, 2017 through 2021 (Reporting Period), on an Accident Year reporting basis to evaluate underwriting trends, including before and after periods corresponding to weather-related events. Finally, and in line with its statutory authorities, FIO proposes collecting data at a ZIP Code level for all U.S. ZIP Codes applicable to the Representative Sample Insurers in order to conduct a granular, nationwide assessment.

Data would be collected from insurers in a specified Excel template to be provided by FIO (Template). A copy of the proposed Template is available at *https://home.treasury.gov/system/files/311/FIO-Proposed-Climate-Data-Call-Template.xlsx* and instructions for filling out the template are available at *https://home.treasury.gov/system/files/311/FIO-Proposed-Climate-Data-Call-Instructions.pdf.* Under the proposed collection, each of the Representative Sample Insurers would need to aggregate and report the data requested by the template at a ZIP Code level for all of the policies that they have written nationwide during the Accident Year Reporting Period.

Underwriting Focus

Insurers face climate-related impacts and risks on both sides of their balance sheets: underwriting and investments. Consistent with the FIO Act and with FIO's direct tasking under E.O. 14030, this data collection focuses on obtaining data necessary to analyze the climate-related impacts on insurers' underwriting, including any effects on whether coverage is available to policyholders. Recent data and events indicate that insurers' underwriting is directly impacted by the physical risks of weather-related events. For example, by one estimate, U.S. insured losses from weather-related events totaled $92 billion in 2021 (with uninsured losses reaching an additional $77 billion).[13]

Insurance Lines of Business

Multiple lines of insurance may be impacted by climate-related risks, such as commercial multi-peril, standalone fire, and flood policies. FIO's proposed data collection focuses on homeowners' multi-peril insurance because this is the largest personal line of business impacted directly by weather-related events and is the most relevant in determining potential effects on policyholders.[14] Multi-peril policies provide coverage for more than one hazard and can bundle together several property and liability insurance lines of business. Homeowners' multi-peril is often offered by insurers as an all-in-one insurance coverage package and may include coverage for property damage from a variety of perils (including wind, hail and fire, loss of use, theft, mold, explosion, and vandalism; however, flood is typically excluded).

Insurers

FIO's selection of insurers was based on two considerations: (1) a premium threshold of $100 million in 2021 homeowners' insurance premiums for nationwide insurers and (2) the proposed inclusion of certain insurers in order to achieve an 80 percent market share threshold in the Potential Climate-Vulnerable States. FIO aims to capture a representative share of the U.S. market, particularly in Potential Climate-Vulnerable States, while minimizing the collection burden by focusing on the larger insurers.

FIO's proposed premium threshold of $100 million or more in direct premium written is consistent with the threshold used by 14 states and DC to designate insurers required to complete the National Association of Insurance Commissioners (NAIC) Climate Risk Disclosure Survey.

To determine the Potential Climate-Vulnerable States for purposes of this proposed data collection, FIO used the Federal Emergency Management Agency (FEMA) data from the National Risk Index (after reviewing existing sources of climate vulnerability data). FEMA's National Risk Index is a publicly available dataset on natural hazards and social vulnerability, with accompanying information on methodology and data sources, that combines historical county level risk data across 18 hazard types, though it does not include projections of future risk due to climate change.[15] The National Risk Index's detailed, county level data makes it possible to filter out risks from non-climate-related events. The National Risk Index also provides information on the Expected Annual Loss, which is a variable representing the average economic loss in dollars resulting from natural hazards each year that is calculated for each hazard type and quantifies loss for buildings, people, and agriculture.[16] The National Risk Index has been used in both the Climate Mapping for Resilience and Adaptation tool released in September 2022 and by the National Oceanic and Atmospheric Administration as part of its Billion Dollar Disaster tool.[17] In addition, insurance stakeholders have noted the value of the National Risk Index as a useful tool.[18] The NAIC also cited the National Risk Index as a

[12] An insurance company is said to be ''domiciled'' in the state that issued its primary license. Once licensed in one state, the company may seek licenses in other states and most insurers write policies in multiple states.

[13] ''Facts + Statistics: U.S. Catastrophes,'' Insurance Information Institute, *https://www.iii.org/fact-statistic/facts-statistics-us-catastrophes.* Losses include those from severe convective storms, wildfires, drought, heatwaves, flooding, winter storms, and tropical cyclones.

[14] *See, e.g.,* Shanthi Ramnath and Will Jeziorski, ''Homeowners Insurance and Climate Change,'' *Chicago Fed Newsletter,* September 2021, *https://www.chicagofed.org/publications/chicago-fed-letter/2021/460.*

[15] ''Learn More,'' FEMA National Risk Index, *https://hazards.fema.gov/nri/learn-more.*

[16] The National Risk Index uses the term Expected Annual Loss; FIO understands that FEMA's definition may differ from the way insurers determine expected annual loss within their own business.

[17] ''Climate Mapping for Resilience and Adaptation,'' U.S. Global Change Research Program, *https://resilience.climate.gov/;* ''U.S. Billion-Dollar Weather and Climate Disasters,'' National Centers for Environmental Information, National Oceanic and Atmospheric Administration, last updated October 11, 2022, *https://www.ncei.noaa.gov/access/billions/.*

[18] Insurance stakeholder comments on the National Risk Index appeared in response to a FEMA Request for Information on ''FEMA Programs, Regulations, and Policies,'' which sought feedback to ensure they are meeting FEMA's mission. *See, e.g.,* Comment from Reinsurance Association of America (June 23, 2021), *https://www.regulations.gov/comment/FEMA-2021-0011-0168;* Comment from Insurance Institute for Business and Home Safety (July 19, 2021), *https://www.regulations.gov/comment/FEMA-2021-0011-0204.*

resource for understanding risks.[19]

FIO aggregated the National Risk Index's Expected Annual Loss data across 15 hazards that were determined to be in scope.[20] Figure 1 shows the 10 states with the highest Expected Annual Loss from those 15 climate-related hazards based on FIO's use of the National Risk Index. FIO identified the 10 Potential Climate-Vulnerable States as an additional selection mechanism to ensure sufficient market coverage and to support more comprehensive geographic coverage. The results indicate that potential climate impacts are geographically dispersed throughout the United States.

FIGURE 1—TOP 10 POTENTIAL CLIMATE-VULNERABLE STATES

1	Texas.
2	California.
3	Florida.
4	Louisiana.
5	North Carolina.
6	New Jersey.
7	Missouri.
8	Illinois.
9	Iowa.
10	Oklahoma.

Source: ''National Risk Index,'' FEMA, *https://hazards.fema.gov/nri/;* FIO analysis.

FIO proposes collecting nationwide data from additional insurers operating in each of these states that do not meet the first consideration in order to capture at least an 80 percent market share within each of these 10 states.

Data Elements

The Template requests underwriting income and claims data elements. While some of the data elements in FIO's proposed collection are reported by insurers either to statistical agents and/or in the Exhibit of Premiums and Losses (State Page) and Schedule P of their annual statutory filings, not all of the fields are reported in one consistent template, using the same accounting methodology, and at the level of granularity proposed for this data collection. Annual statutory filings are done at a national or state level (depending on the element), while the proposed Template seeks these data elements aggregated at a ZIP Code level to more accurately assess localized trends and vulnerable communities, including minority and low- and moderate-income populations.

FIO's proposed data collection includes financial information from elements that also may appear in annual statutory filings, including: insurer identifying information (Template cells C5 through C9), total year-end net admitted assets (as of 12/31 for year of reporting) (Template cell C10), total year-end policyholder surplus (as of 12/31 for year of reporting) (Template cell C11), and premiums, claims, and losses data (Template cells H15 through R15).

FIO's proposed data collections also includes additional fields that are not in statutory filings, including: (1) the number of policy in-force exposures (Template cell D15), (2) total dollar value of coverage for dwelling and/or other structures and personal property (Template cell E15), (3) total dollar value replacement cost value (Template cell F15), (4) total dollar amount of insurance deductible (Template cell G15), and (5) amount of direct premiums written renewed or retained (Template Cell P15). The data for these fields will help FIO assess how trends in underwriting and exposures have changed over time, as well as help provide information on potential protection gaps.

FIO's proposed data collection will only assess exposures that are directly impacted by weather-related events. Therefore, this data collection aims to only include data associated with weather-related hazards, including, but not limited to, convective storms, drought, hail, hurricanes, ice, sleet, snow, tornados, wildfires, and windstorms, but would explicitly exclude:

1. Liability exposures (*i.e.,* the proposed data collection will include only property-related exposures);

2. Flood insurance policies by the National Flood Insurance Program (NFIP) and private insurers because FEMA, which administers the NFIP, is conducting its own similar analyses using its publicly available data, and flood damage is typically not covered by standard homeowners' multi-peril policies which are the focus of this proposed data collection; FIO plans to further coordinate with FEMA on flood insurance data analysis; and

3. Earthquake coverage, intentional losses caused by the policyholder or his agents (such as arson), acts of terror, or war since these are not considered weather-related events.

FIO is not proposing at this time to collect data by type of peril. While loss events may include the impact of multiple perils, there may not currently be consistency in how insurers maintain or allocate loss data by peril.

Finally, FIO recognizes that the impact of weather-related events may also cause an increase in claims related to additional living expenses. FIO will focus this proposed data collection on claims associated with physical damage to capture the most direct physical risk impact of weather-related events. While FIO acknowledges that additional living expenses claims can account for an increasing portion of weather-related losses, this form of coverage is not always a standard part of homeowners' insurance policies. Therefore, the inclusion of this expense in the analysis could distort metrics reflecting the direct impact of weather-related events. FIO may consider the inclusion of additional elements, including such expenses, in subsequent analyses.

Reporting Framework

FIO proposes to use Accident Year reporting for its data collection.[21] In Accident Year reporting, underwriting financial data is arranged such that the premiums earned in a given year can be compared with losses associated with claims that occurred in that same year. In this reporting method, the claims and any subsequent changes in reserves are attributed back to the period in which the loss event occurred and not when the loss is reported or paid. Many insurers and State Insurance Regulators use Accident Year underwriting financial data to facilitate actuarial analysis for the purposes of rate-making (or setting policy premiums), reserving, and analyzing losses. In its data collection, FIO proposes seeking Accident Year underwriting-related financial data to monitor the development of claims from the same occurrence throughout the Accident Year.

[19] ''Reduce Your Risk Against Climate-Related Losses,'' NAIC, December 30, 2021, *https://content.naic.org/article/reduce-your-risk-against-climate-related-losses.*

[20] FIO included the following 15 hazards that may experience impacts from climate change: avalanche, coastal flooding, cold wave, drought, hail, heat wave, hurricane, ice storm, landslide, lightning, riverine flooding, strong wind, tornado, wildfire, and winter weather. Many, but not all, of these hazards may be covered under homeowners' multi-peril policies (coastal and riverine flooding are typically covered through separate policies). FIO excluded earthquakes, volcanic activity, and tsunamis from its analysis because they are not considered to be impacted by climate change based on review of both the *Fourth National Climate Assessment, https://nca2018.globalchange.gov/, and IPCC's Sixth Assessment Report, https://www.ipcc.ch/assessment-report/ar6/.*

[21] Accident Year reporting is one of two common methods in the United States of reporting and analyzing insurance underwriting data; the other is Calendar Year reporting. Under Calendar Year reporting, an insurer may earn premium or incur a loss from an event at one point in time but may recognize those losses when claims are reported and settled at another point in time such as in a subsequent year. As a result, an insurer's Calendar Year experience may be considered less reflective of its underwriting experience for that particular year.

Reporting Period

FIO proposes asking for five years of data (2017 through 2021), primarily on an Accident Year reporting basis to evaluate underwriting trends, including before and after periods corresponding to weather-related events. FIO also considered capital planning cycles and potential time lags in the collection of claims from weather-related events when considering the time horizon for the proposed data collection. Additionally, 2017 was a year of record natural catastrophe losses in the United States, when three of the 10 costliest natural catastrophes occurred.[22] Therefore, starting from 2017 should provide information regarding how underwriting metrics have changed over time in response to significant catastrophe losses while reducing the burden of data reporting by focusing the scope of collection on the last five years of data.

Geographic Granularity

FIO considered multiple geographic levels at which insurance data could be collected for this proposed data collection. At the broader end of the range, FIO considered collecting data from insurance companies at the national or state level. In the middle of this spectrum, FIO considered a range of options including collection by ZIP Code, county, public use microdata area, or census tract. At the narrower end of the spectrum, FIO considered that collecting data related to specific latitude and longitude coordinates or building addresses could help pinpoint specific policies. This section outlines why FIO's proposed data collection includes collection at a ZIP Code level.

State-wide information collected on statutory filings would not provide a sufficient level of granularity for FIO's data analysis. First, the physical risk assessment related to weather-related events is complicated and many weather-related events, especially secondary perils, have localized effects, with risk levels and loss impacts differing widely within a state. Collecting more granular data than at a state level would allow FIO to assess the effects of such localized events on insurance markets. For example, one industry source found that secondary perils caused more than 70 percent of insured losses from all natural catastrophes ($81 billion) in 2020.[23] Secondary perils are high-frequency, low-to-medium severity weather-related events that may generate small-to-mid-sized losses, such as severe convective storms.[24] The different occurrences of weather-related events can lead to different potential exposures across a given state. For example, data collected by the California Department of Insurance shows that the percentage of dwelling units in high or very high wildfire zones ranges from less than one percent to more than 82 percent when assessed at a county level.[25]

Second, insurers generally price policies based on the risk in a localized area and such risk assessment may not be uniform for an entire state. Collecting ZIP Code data will allow FIO to understand local differences in U.S. state insurance markets, such as those reflected in premiums, terms and conditions, coverage, and availability. For example, a report by the Massachusetts Insurance Division shows differences across Massachusetts in the percentage of insurance coverage for policyholders from private markets rather than the residual market, the application of mandatory deductibles for wind coverage, and the nonrenewal rate.[26] Additionally, the California Department of Insurance notes a selective pull back from new business and renewals in ''certain parts'' of the wildland-urban interface.[27]

Third, in order to fulfill its statutory mandate to assess both the availability of insurance products and the affordability of such products for vulnerable communities, including minority and low- and moderate-income populations, FIO plans to consider pairing underwriting data with demographic data. Demographic data such as socioeconomic status and average home prices can be readily obtained at a ZIP Code level. Existing statutory annual statement filings with state level data assist State Insurance Regulators in the prudential regulation of insurance companies and are not primarily intended to assess trends regarding whether such products are available or affordable. Analyzing ZIP Code information will allow FIO to understand variations in the availability of insurance within a given state and whether the available insurance within that state is affordable. These issues could potentially be obscured by state level averages.

Fourth, using ZIP Code information could be less burdensome for insurers as they may collect ZIP Code information as part of the insured property address when underwriting homeowners' multi-peril policies, making it easier for them to aggregate data at a ZIP Code level for FIO's proposed data collection.

Fifth, ZIP Codes have unique, numerical identifiers, making them easier to analyze than other sub-state boundaries such as counties, and are more stable over time. Historically, county demarcations have changed more frequently than ZIP Code demarcations.[28]

Finally, the use of ZIP Code level data by seven states in certain circumstances (California, Florida, Illinois, Massachusetts, Missouri, Tennessee, and Texas) demonstrates the appropriateness of and the potential benefits of this level of analysis for FIO's climate-related financial risk analyses. The California Department of Insurance collected and analyzed data from fire, homeowners' multi-peril, and private personal auto insurers in California for all ZIP Codes in order to report on those communities that were considered ''underserved.'' [29] The

[22] Natural catastrophes in this estimate are defined as natural disasters, which are significant, destructive events with atmospheric, geological, and hydrological origins (*e.g.,* hurricanes, earthquakes, and floods), that cause at least $25 million in insured losses; or 10 deaths; or 50 people injured; or 2,000 filed claims or homes and structures damaged. Hurricanes Harvey, Irma, and Maria occurred in 2017 and they were three of the ten costliest natural catastrophes in the United States, based on data provided by Aon. *See* ''Facts + Statistics: U.S. Catastrophes,'' Insurance Information Institute, *https://www.iii.org/fact-statistic/facts-statistics-us-catastrophes.*

[23] Swiss Re Institute sigma, *Natural Catastrophes in 2020: Secondary Perils in the Spotlight, But Don't Forget Primary-Peril Risk* (2021), 4, *https://www.swissre.com/dam/jcr:ebd39a3b-dc55-4b34-9246-6dd8e5715c8b/sigma-1-2021-en.pdf.*

[24] *See, e.g.,* Steve Evans, ''US Severe Weather & Convective Storm Losses Near $20bn in 2021: Aon,'' *Artemis,* November 15, 2021, https://www.artemis.bm/news/us-severe-weather-convective-storm-losses-near-20bn-in-2021-aon/. Severe convective storms are caused by warm, moist air rising from the earth, which results in a range of conditions including drenching thunderstorms with lightning, tornadoes, hail, or destructive straight-line winds. *See, e.g.,* Insurance Information Institute, *Severe Convective Storms: Evolving Risks Call for Innovation to Reduce Costs, Drive Resilience* (May 2020), 3, *https://www.iii.org/sites/default/files/docs/pdf/convective_storms_wp_050520.pdf.*

[25] California Department of Insurance, *The Availability and Affordability of Coverage for Wildfire Losses in Residential Property Insurance in the Wildland-Urban Interface and Other High-Risk Areas of California: CDI Summary and Proposed Solutions* (2017), Appendix C, *http://www.insurance.ca.gov/0400-news/0100-press-releases/2018/upload/nr002-2018AvailabilityandAffordabilityofWildfireCoverage.pdf* (*CDI Wildfire Coverage Report*).

[26] Massachusetts Division of Insurance, *Annual Home Insurance Report for Calendar Year 2020* (n.d.), 10, 27, 32, *https://www.mass.gov/doc/the-2020-massachusetts-market-for-home-insurance/download.*

[27] *CDI Wildfire Coverage Report,* 2.

[28] ''Substantial Changes to Counties and County Equivalent Entities: 1970–Present,'' *U.S. Census Bureau,* last updated October 8, 2021, *https://www.census.gov/programs-surveys/geography/technical-documentation/county-changes.html.*

[29] California Department of Insurance, *2015 Commissioner's Report on Underserved Communities: Experience Years 2010—2014* (2015),

business overview of Citizens Property Insurance Corporation, the homeowners residual market insurer in Florida, notes total insured value by ZIP Code and the Florida Office of Insurance Regulation provides ZIP Code data in some instances, such as after Hurricane Michael.[30] Illinois requires that insurers report ZIP Code level data for certain lines of business, including homeowners' multi-peril.[31] The Massachusetts Division of Insurance uses data collected from certain ZIP Codes to understand differences in premiums, claims and losses, and cancellations and non-renewals.[32] The Missouri Department of Insurance ''requires insurers writing personal lines insurance to file data by ZIP code, including exposures written, premium written, loss paid count and losses paid. Data is collected on an annual basis.''[33] Tennessee conducted a catastrophic claims data call in 2016 concerning the November 2016 wildfires in Gatlinburg as well as two catastrophic claims data calls concerning the impact of tornadoes that struck the state in 2020.[34] Each of these three data calls required insurers to report claims by ZIP Code. Additionally, Texas initiated a data call following Hurricane Harvey that required insurers to report several data elements by ZIP Code, including number of reported claims, number of claims closed with payment, and the total amount of paid losses.[35] These non-exhaustive examples illustrate that insurers are likely to have experience producing and submitting ZIP Code level information.

Geographic Scope

FIO is proposing to collect data from Representative Sample Insurers for all U.S. ZIP Codes in which they operate, for a number of reasons. First, consistent with FIO's statutory authorities, it would allow FIO to develop a nationwide understanding and assessment of how U.S. markets are being affected by climate-related events. Additionally, an individual U.S. state may have localized areas of potential risk to weather-related events that are obscured by state average metrics. Second, nationwide data allows FIO to compare relevant data for insurance markets that are in geographic areas with varying degrees of exposure to weather-related events. Nationwide data will also provide a national reference group that may allow FIO to control for trends such as rising home replacement costs that can cause disruption in insurance markets but are not directly tied to climate impacts.

Reinsurance Impact

FIO is excluding the impact of reinsurance from this proposed data collection. Allocating reinsurance data for the various types of reinsurance (including treaty and facultative) to policy and ZIP Code level would require a consistency of assumptions across reporting insurers which is not currently available. To avoid potential double counting, all reporting will focus only on direct business written by insurers without considering the effects of reinsurance. FIO recognizes that the availability of reinsurance affects the availability of insurance for policyholders. Similarly, FIO recognizes that how reinsurance is priced will affect how much policyholders will pay for insurance and impacts insurers' financial results.

Estimate of Burden for Representative Sample Insurers

FIO estimates that the number of Representative Sample Insurers required to provide information under this data collection will be approximately 213. FIO also estimates that it will take each Representative Sample Insurer between approximately 100 to 350 hours total to provide all of the data that the proposed data collection seeks for the five years (2017 to 2021).

The overall estimated annual burden would be between approximately 21,300 and 74,550 hours (213 Representative Sample Insurers × 100 hours and 213 Representative Sample Insurers × 350 hours). At a blended, fully loaded hourly rate of $54.27,[36] the total cost for all Representative Sample Insurers to comply with the proposed data collection would be between approximately $1,155,951 and $4,045,829.

The majority of Representative Sample Insurers belong to insurance groups. As a result, such insurers may experience synergies and efficiencies when completing the Template. Thus, the total number of hours that it may take all Representative Sample Insurers to collect, process, and complete the Template may be less than the number of hours that FIO has estimated here.

Efforts To Collect Data From Other Sources

The FIO Act requires FIO to coordinate with State Insurance Regulators, relevant federal agencies, and publicly available sources in accordance with procedures set forth in the Act before FIO seeks to collect the data directly from insurers.[37] FIO has

i, *http://www.insurance.ca.gov/0400-news/0200-studies-reports/0800-underserved-comm/upload/CRUC2015ReportFinal-2.pdf.*

[30] Citizens, *Corporate Analytics Business Overview* (March 31, 2022), 1, *https://www.citizensfla.com/documents/20702/93064/20220331+Business+Overview.pdf/24a9e673-b3e0-c8af-31ca-43f8ca81e24d?t=1652146197003;* ''Hurricane Michael Claims Data,'' *Florida Office of Insurance Regulation, https://www.floir.com/Office/HurricaneSeason/HurricaneMichaelClaimsData.aspx.*

[31] Illinois Department of Insurance, *Instructions for Part 4203—Insurance Data Reporting Requirements: Subpart A: Cost Containment Reporting* (n.d.), 11, *https://insurance2.illinois.gov/regulatory_filings/DataCall/ReportingInstructions.pdf.*

[32] Massachusetts Division of Insurance, *Statistical Supplement to the 2020 Report on the Massachusetts Market for Home Insurance* (n.d.), 20, 48, 91, *https://www.mass.gov/doc/the-2020-massachusetts-market-for-home-insurance/download.*

[33] ''Statistical Reports,'' Missouri Department of Insurance, *https://insurance.mo.gov/reports/.*

[34] Tennessee Department of Commerce and Insurance, ''TDCI Gathers Insurers' Data For Wildfire Claims Map,'' news release, December 2, 2016, *https://www.tn.gov/commerce/news/2016/12/2/tdci-gathers-insurers-data-for-wildfire-claims-map.html;* State of Tennessee, *Data Call Catastrophic Claims Template, 2016, https://www.tn.gov/content/dam/tn/commerce/documents/insurance/posts/Ins_TN_Wildfire_Reporting_Data_Call.xlsx;* Tennessee Department of Commerce and Insurance, *Notice of Catastrophic Claims Data Call Related to the March 2nd & 3rd Tornadoes* (March 5, 2020), *https://www.tn.gov/content/dam/tn/commerce/documents/insurance/bulletins/030520_Claims_Data_Call.pdf;* Tennessee Department of Commerce and Insurance, *Notice of Catastrophic Claims Data Call Related to the April 12th & 13th Tornadoes* (April 21, 2020), *https://www.tn.gov/content/dam/tn/commerce/documents/insurance/bulletins/042120_April_12-13_Tornadoes_Data_Call.pdf.*

[35] Texas Department of Insurance, *Hurricane Harvey Data Call: Data through September 30, 2018* (April 25, 2019), *https://www.tdi.texas.gov/reports/documents/harvey-dc-04252019.pdf.*

[36] Based on data from ''Insurance Carriers and Related Activities: NAICS 524,'' U.S. Bureau of Labor Statistics, *https://www.bls.gov/iag/tgs/iag524.htm,* the average wage rate for all insurance employees was $40.47 in June 2022, and the total benefit compensation in the 1st Quarter of 2022 was 34.1 percent, which is a benefit multiplier of 1.341. Therefore, a fully-loaded wage rate for insurance employees is $54.27, or $40.47 × 1.341.

[37] 31 U.S.C. 313(e)(4) provides that ''Before collecting any data or information under paragraph (2) from an insurer, or affiliate of an insurer, the Office shall coordinate with each relevant Federal agency and State insurance regulator (or other relevant Federal or State regulatory agency, if any, in the case of an affiliate of an insurer) and any publicly available sources to determine if the information to be collected is available from, and may be obtained in a timely manner by, such Federal agency or State insurance regulator, individually or collectively, other regulatory agency, or publicly available sources. If the Director determines that such data or information is available, and may be obtained in a timely manner, from such an agency, regulator, regulatory agency, or source, the Director shall obtain the data or information from such agency, regulator, regulatory agency, or source. If the Director determines that such data or information is not so available, the Director may collect such data or information from an insurer (or affiliate) only if the Director complies with the requirements of subchapter I of chapter 35 of title 44, United States Code (relating to Federal

Continued

determined that the data it seeks is either not available or cannot be obtained in a timely manner from State Insurance Regulators, relevant federal agencies, or publicly available sources, and therefore proposes to use its data collection authorities under the FIO Act.

On June 30, 2022, FIO began the coordination process with the states with an email to each of the State Insurance Regulators in all 50 states, DC, and the U.S. territories. This email described the data FIO would be seeking and requested from each State Insurance Regulator a response as to whether the regulator would be able to provide all of the requested data for any of the identified entities for all of the ZIP Codes in which the entities operate within 30 days of being asked. FIO continued its engagement and coordination over the next two months. FIO received answers from 49 states, DC, and the five U.S. territories. These jurisdictions indicated that they could not provide all of the information described in the Template for any of entities identified for every ZIP Code in which those entities operated. FIO had multiple engagements with one state that did not directly answer the question posed by FIO. This state indicated that it could facilitate the collection of the data but did not indicate that it currently had the data to provide to FIO. FIO has determined that the requested data from this state cannot be obtained in a timely manner upon request by FIO. Based on the responses received from the State Insurance Regulators, FIO has determined that the data described in the Template is either not available or cannot be obtained in a timely manner from any of the states, DC, or the five U.S. territories.

With regard to relevant federal agencies and publicly available sources, FIO understands that no federal agency currently collects the ZIP Code level data described in the Template for all of the relevant entities. While some insurance policy level data is available from statistical agents that aggregate data obtained by State Insurance Regulators from insurance companies, such data is generally available only after paying a significant fee. Additionally, while statistical agents do collect some ZIP Code level data, that data is not uniformly collected in every state. Moreover, this data is not collected in a standardized format and, in some instances, lacks elements necessary for FIO's analysis of climate-related risk. Therefore, FIO cannot obtain comparable and sufficiently granular nationwide data for its analysis through statistical agents.

Submission of Data

Entities classified as Representative Sample Insurers would submit data using the provided Template. Such insurers would be expected to submit the completed Template through a secure web portal provided by FIO within a specified time period, such as 60 days. Treasury intends to provide training and additional resources throughout the data collection period to facilitate the proper completion of reporting templates. Reporting under this data collection would be mandatory for all Representative Sample Insurers.

Given the sensitivity of the requested data, Treasury expects to provide appropriate levels of confidentiality to respondents. The FIO Act requires FIO to maintain the privacy or confidentiality of submissions of non-publicly available data and information to FIO.[38] Under the FIO Act, submissions pursuant to this possible data collection will not constitute a waiver of, or otherwise affect, any privilege arising under federal or state law to which the data or information is otherwise subject.[39]

All data collection is expected to be done through a secure portal maintained by Treasury, and Treasury will not publish confidential firm-specific data from individual submissions. FIO may publish aggregated analyses of the submitted information.

Request for Comments

To ensure efficient and accurate completion of the forms, FIO is requesting public feedback on the content of the proposed data collection outlined in this Notice and Request for Comments and on associated matters. In particular, FIO seeks comments on the following issues:

1. Focus on Underwriting: FIO proposes to focus this data collection on insurers' underwriting for homeowners' policies to assess the impact of physical risk on the availability of insurance coverage for policyholders as well as whether the available insurance coverage is affordable for policyholders. Please provide your views on FIO's focus on insurers' underwriting.

2. Selection of Insurance Lines: FIO proposes collecting information on homeowners' multi-peril policies. Should FIO consider data collection for any other lines of business? To what extent should FIO's assessment include NFIP policies and private flood insurance policies?

3. Selection of Insurers: FIO proposes selecting insurers that meet either of the following criteria: (1) insurers writing $100 million or more in annual homeowners' insurance premiums in 2021 or (2) additional insurers that would allow FIO to capture at least 80 percent in each of the 10 Potential Climate-Vulnerable States identified above. Please provide your views on the appropriateness of these thresholds and whether they should be modified.

4. Inclusion of Data Elements: The data template includes elements related to insurers' policies, claims, premiums, and losses. Are there any additional data elements you would propose to include? Are there any data elements you would propose to exclude? How should FIO's analysis consider other potential elements such as additional living expenses or reinsurance?

5. Use of Accident Year Information: FIO proposes collecting ZIP Code level information in the Template on an Accident Year basis, rather than Calendar Year basis. Please provide any additional comments on FIO's proposed use of an Accident Year reporting framework for its proposed data collection.

6. Selection of Reporting Period: FIO proposes collecting data for each year from 2017 through 2021. Please provide your views on the appropriateness of this reporting period and whether it should be modified by FIO.

7. Collection at ZIP Code level: Please provide your views on FIO's proposal to collect data at a ZIP Code level.

8. Collection across all Jurisdictions: FIO is proposing to collect nationwide data for identified insurers to allow for a nationwide understanding and assessment of U.S. insurance markets that may be affected by climate-related events. Please provide your views on FIO's proposal to collect nationwide data from certain insurers.

9. Methodology for Selection of Potential Climate-Vulnerable States: FIO used the FEMA National Risk Index to select the ten states that potentially may be vulnerable to climate-related disasters. Please provide your views on FIO's use of the National Risk Index to select the Potential Climate-Vulnerable States. Are there other data source(s) that FIO should consider in this methodology?

10. Burden Estimate: Please provide your views on whether FIO's burden estimate is accurate and whether there

information policy; commonly known as the Paperwork Reduction Act), in collecting such data or information. Notwithstanding any other provision of law, each such relevant Federal agency and State insurance regulator or other Federal or State regulatory agency is authorized to provide to the Office such data or information.''

[38] FIO Act, 31 U.S.C. 313(e)(5).

[39] FIO Act, 31 U.S.C. 313(e)(5).

are further ways to minimize the burden of this proposed data collection.

11. Annual Collection: Please provide your views on whether FIO should collect this information from U.S. insurers on an annual basis.

12. Analysis of Availability: Please provide your views on how FIO should assess the impact of climate-related risks on the availability of insurance.

13. Analysis of Affordability: Please provide your views on how FIO should assess the impact of climate-related risks on the affordability of insurance.

14. Additional Comments: Please provide any additional comments that may be relevant to FIO's proposed data collection and analyses.

Procedural Requirements

Paperwork Reduction Act. The collection of information contained in this Request for Comments will be submitted to the Office of Management and Budget (OMB) for review as a revision to OMB Control Number 1505–NEW under the requirements of the Paperwork Reduction Act, 44 U.S.C. 3507(d). Comments should be sent to Treasury in the form discussed in the **ADDRESSES** section of this Request for Comments. Comments on the collection of information should be received within December 20, 2022.

Comments are being sought with respect to the collection of information in the proposed FIO climate-related data collection. *Treasury specifically invites comments on:* (a) whether the proposed collection of information is necessary for the proper performance of the functions of FIO, including whether the information shall have practical utility; (b) ways to enhance the quality, utility, and clarity of the information collection; (c) whether the burden estimate is accurate; and (d) whether there are ways to minimize the burden, including through the use of automated collection techniques or other forms of information technology.

Dated: October 14, 2022.

Steven E. Seitz,

Director, Federal Insurance Office.

[FR Doc. 2022–22880 Filed 10–20–22; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974: System of Records

AGENCY: Office of Security and Law Enforcement, Office of Operations, Security and Preparedness, Department of Veterans Affairs (VA).

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, notice is hereby given that the Department of Veterans Affairs (VA) is amending the system of records entitled ''Police and Security Records—VA'' (103VA07B). VA is amending the system of records by updating the following sections: System Name and Number; System Location; System Manager(s); Record Source Categories; Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses; Policies and Practice for Storage of Records; Policies and Practices for Retrieval of Records; Policies and Practices for Retention and Disposal of Records; Record Access Procedure; Contesting Procedure; Notification Procedure; History. VA is republishing the system notice in its entirety.

DATES: Comments on this modified system of records must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the modified system of records will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary.

ADDRESSES: Comments may be submitted through *www.Regulations.gov* or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to ''Police and Security Records—VA'' (103VA07B). Comments received will be available at regulations.gov for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT: Michael J. Franklin, Director, Police Service, 810 Vermont Avenue NW, Washington, DC 20420. Telephone (202) 461–5544.

SUPPLEMENTARY INFORMATION: The Office of Security and Law Enforcement oversees the maintenance of law and order and the protection of persons and property on Department property at facilities nationwide. This amended system of records covers Veterans, U.S. government employees, retirees, volunteers, contractors, subcontractors, or private citizens involved in certain Police Services activities at field facilities and Office of Security and Law Enforcement activities at VA Central Office. Records in the system are maintained electronically and on paper and are retrieved by the name of the individual or personal identifier such as partial or full social security number. The authority to maintain these records is Title 38, United States Code (U.S.C.), Section 501 and 901–905. The records in this system of records are necessary for the effective administration and management of the Department's nationwide Security and Law Enforcement program. This requires the collection and use of accurate, up-to-date data for the purpose of enforcing the law and protecting persons and property on VA property in accordance with Title 38, U.S.C., Chapter 9.

The following routine uses for information in this system are added or restate existing uses to this system:

1. Congress

To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

2. Data Breach Response and Remediation, for VA

To appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records,· (2) VA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, VA (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 VA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

3. Data Breach Response and Remediation, for Another Federal Agency

To another Federal agency or Federal entity, when VA 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.

4. Law Enforcement

To a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law, provided that the disclosure is limited to information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

5. DoJ, Litigation, Administrative Proceeding

To the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

(a) VA or any component thereof;

(b) Any VA employee in his or her official capacity;

(c) Any VA employee in his or her individual capacity where DoJ has agreed to represent the employee; or

(d) The United States, where VA determines that litigation is likely to affect the agency or any of its components

is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings.

6. Contractors

To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for VA, when reasonably necessary to accomplish an agency function related to the records.

7. OPM

To the Office of Personnel Management (OPM) in connection with the application or effect of civil service laws, rules, regulations, or OPM guidelines in particular situations.

8. EEOC

To the Equal Employment Opportunity Commission (EEOC) in connection with investigations of alleged or possible discriminatory practices, examination of Federal affirmative employment programs, or other functions of the Commission as authorized by law.

9. FLRA

To the Federal Labor Relations Authority (FLRA) in connection with the investigation and resolution of allegations of unfair labor practices, the resolution of exceptions to arbitration awards when a question of material fact is raised, matters before the Federal Service Impasses Panel, and the investigation of representation petitions and the conduct or supervision of representation elections.

10. MSPB

To the Merit Systems Protection Board (MSPB) in connection with appeals, special studies of the civil service and other merit systems, review of rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions promulgated in 5 U.S.C. 1205 and 1206, or as authorized by law.

11. NARA

To the National Archives and Records Administration (NARA) in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

12. Federal Agencies, for Research

To a Federal agency for the purpose of conducting research and data analysis to perform a statutory purpose of that Federal agency upon the written request of that agency.

13. Researchers, for Research

To epidemiological and other research facilities approved by the Under Secretary for Health for research purposes determined to be necessary and proper, provided that the names and addresses of veterans and their dependents will not be disclosed unless those names and addresses are first provided to VA by the facilities making the request.

14. Federal Agencies, for Computer Matches

To other federal agencies for the purpose of conducting computer matches to obtain information to determine or verify eligibility of veterans receiving VA benefits or medical care under title 38.

15. Federal Agencies, Courts, Litigants, for Litigation or Administrative Proceedings

To another federal agency, court, or party in litigation before a court or in an administrative proceeding conducted by a Federal agency, when the government is a party to the judicial or administrative proceeding.

16. Governmental Agencies, Health Organizations, for Claimants' Benefits

To Federal, state, and local government agencies and national health organizations as reasonably necessary to assist in the development of programs that will be beneficial to claimants, to protect their rights under law, and assure that they are receiving all benefits to which they are entitled.

17. Governmental Agencies, for VA Hiring, Security Clearance, Contract, License, Grant

To a Federal, state, local, or other governmental agency maintaining civil or criminal violation records, or other pertinent information, such as employment history, background investigations, or personal or educational background, to obtain information relevant to VA's hiring, transfer, or retention of an employee, issuance of a security clearance, letting of a contract, or issuance of a license, grant, or other benefit. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

18. Federal Agencies, for Employment

To a Federal agency, except the United States Postal Service, or to the District of Columbia government, in response to its request, in connection with that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency.

19. State or Local Agencies, for Employment

To a state, local, or other governmental agency, upon its official request, as relevant and necessary to that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

20. Federal Agencies, for Recovery of Medical Care Costs

To Federal agencies and government-wide third-party insurers responsible for payment of the cost of medical care for the identified patients, to seek recovery of the medical care costs. These records

may also be disclosed as part of a computer matching program to accomplish this purpose.

21. Law Enforcement, for Locating Fugitive

To any Federal, state, local, territorial, tribal, or foreign law enforcement agency in order to identify, locate, or report a known fugitive felon, in compliance with 38 U.S.C. 5313B(d).

22. DOD, for Military Mission

To the Department of Defense, or its components, provided that the disclosure is limited to information regarding individuals treated under 38 U.S.C. 8111A, for the purpose deemed necessary by appropriate military command authorities to assure proper execution of the military

23. OMB

To the Office of Management and Budget (OMB) for the performance of its statutory responsibilities for evaluating Federal programs.

24. Federal Register, for Rulemaking

To make available for public review comments submitted in response to VA's solicitation of public comments as part of the agency's notice and rulemaking activities under the Administrative Procedure Act (APA), provided that the disclosure is limited to information necessary to comply with the requirements of the APA, if VA determines that release of personally identifiable information, such as an individual's telephone number, is integral to the public's understanding of the comment submitted.

In accordance with the Privacy Act of 1974, the notice of intent to publish and an advance copy of the system notice have been sent to the appropriate Congressional committees and to the Director, Office of Management and Budget.

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Kurt D. DelBene, Assistant Secretary for Information and Technology and Chief Information Officer, approved this document on September 8, 2022 for publication.

Dated: October 18, 2022.

Amy L. Rose,

Program Analyst, VA Privacy Service, Office of Information Security, Office of Information and Technology, Department of Veterans Affairs.

SYSTEM NAME AND NUMBER

Police and Security Records—VA (103VA07B).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

VA Police personnel maintains electronic and paper records at VA field facilities. Address locations for VA facilities can be found at *http://www.va.gov.*

SYSTEM MANAGER(S):

Conrad Hamp, Director, Law Enforcement Training Center, 2200 Fort Roots Drive, B193, North Little Rock, AR 72114.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

38 U.S.C. 501; 38 U.S.C. 901–905.

PURPOSE(S) OF THE SYSTEM:

The records and information contained in this system of records are necessary for the effective administration and management of the Department's nationwide Security and Law Enforcement Program. The collection and use of accurate, up-to-date data is necessary for the purpose of enforcing the law and protecting persons and property on VA property. Examples: ID cards are used to visibly identify employees, contractors, students, and other designated individuals from the general public. ID cards also serve as a means of access control to a facility. Motor vehicle registration records serve to accurately identify the owner of a vehicle and the suitability of its presence on VA grounds. These records are also used for a VA facility's ride sharing program. Evidence or confiscated property records are used to accurately track and record the chain of custody maintained by the VA police.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Veterans, VA Police officers, U.S. government employees, retirees, contractors, subcontractors, volunteers, and other individuals, including private citizens, who:

1. Have been a complainant, a witness, a victim, or a subject of an investigation of a violation or of an alleged violation of a law on VA property;

2. Have been a witness or a victim when there has been a VA police response to a report of a missing patient;

3. Have been witness to, or involved in, a motor vehicle accident on VA property;

4. Have been a witness, victim, or subject when there has been a VA police response to provide assistance to VA employees;

5. Have registered a motor vehicle with VA police;

6. Have had property confiscated by VA police or whose property has been given to VA police for safekeeping; or

7. For whom a VA identification card has been prepared.

CATEGORIES OF RECORDS IN THE SYSTEM:

Police and law enforcement records, containing specific identification of persons, can be found in electronic and/or paper medium:

1. Master Name Index contains demographic information (*i.e.,* name, address, date of birth, sex) and descriptive information such as height, weight, hair color, eye color, and scars or marks.

2. Quick Name Check allows for the immediate retrieval of information based on a name from files contained within the law enforcement records subject to this system of records notice.

3. VA Police Uniform Offense Reports, Investigative Notes, Case Log, and other documentation assembled during an investigation. Incident Reports contain information of all types of offenses and incidents, criminal and non-criminal, that occur at a facility and to which VA Police respond (*e.g.,* criminal investigations, investigative stops, patient and staff assistance calls, missing patient searches, and motor vehicle accidents).

4. All violation information of U.S. District Court Violation Notices and Courtesy Warnings issued by VA Police.

5. On-station vehicle registration records used for identifying vehicle owners at a facility.

6. Daily Operations Journal records include names and other personal identifying information of persons with whom VA police have had official, duty-related contact.

7. Photographs of any scenes pertinent to an incident or investigation;

8. Motor vehicle registrations;

9. Identification cards with photographic images for veterans, U.S. government employees, retirees, volunteers, contractors, subcontractors, or private citizens;

10. Records of evidence, confiscated property, or property being held for safekeeping.

RECORD SOURCE CATEGORIES:

Information is obtained from Veterans, VA police officers, U.S. government employees, retirees, volunteers, contractors, subcontractors, other law enforcement agencies, and private citizens.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

25. Congress

To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

26. Data Breach Response and Remediation, for VA

To appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records,· (2) VA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, VA (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 VA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

27. Data Breach Response and Remediation, for Another Federal Agency

To another Federal agency or Federal entity, when VA 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.

28. Law Enforcement

To a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law, provided that the disclosure is limited to information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

29. DoJ, Litigation, Administrative Proceeding

To the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

(e) VA or any component thereof;

(f) Any VA employee in his or her official capacity;

(g) Any VA employee in his or her individual capacity where DoJ has agreed to represent the employee; or

(h) The United States, where VA determines that litigation is likely to affect the agency or any of its components

is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings.

30. Contractors

To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for VA, when reasonably necessary to accomplish an agency function related to the records.

31. OPM

To the Office of Personnel Management (OPM) in connection with the application or effect of civil service laws, rules, regulations, or OPM guidelines in particular situations.

32. EEOC

To the Equal Employment Opportunity Commission (EEOC) in connection with investigations of alleged or possible discriminatory practices, examination of Federal affirmative employment programs, or other functions of the Commission as authorized by law.

33. FLRA

To the Federal Labor Relations Authority (FLRA) in connection with the investigation and resolution of allegations of unfair labor practices, the resolution of exceptions to arbitration awards when a question of material fact is raised, matters before the Federal Service Impasses Panel, and the investigation of representation petitions and the conduct or supervision of representation elections.

34. MSPB

To the Merit Systems Protection Board (MSPB) in connection with appeals, special studies of the civil service and other merit systems, review of rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions promulgated in 5 U.S.C. 1205 and 1206, or as authorized by law.

35. NARA

To the National Archives and Records Administration (NARA) in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

36. Federal Agencies, for Research

To a Federal agency for the purpose of conducting research and data analysis to perform a statutory purpose of that Federal agency upon the written request of that agency.

37. Researchers, for Research

To epidemiological and other research facilities approved by the Under Secretary for Health for research purposes determined to be necessary and proper, provided that the names and addresses of veterans and their dependents will not be disclosed unless those names and addresses are first provided to VA by the facilities making the request.

38. Federal Agencies, for Computer Matches

To other federal agencies for the purpose of conducting computer matches to obtain information to determine or verify eligibility of veterans receiving VA benefits or medical care under title 38.

39. Federal Agencies, Courts, Litigants, for Litigation or Administrative Proceedings

To another federal agency, court, or party in litigation before a court or in an administrative proceeding conducted by a Federal agency, when the government is a party to the judicial or administrative proceeding.

40. Governmental Agencies, Health Organizations, for Claimants' Benefits

To Federal, state, and local government agencies and national health organizations as reasonably necessary to assist in the development of programs that will be beneficial to claimants, to protect their rights under law, and assure that they are receiving all benefits to which they are entitled.

41. Governmental Agencies, for VA Hiring, Security Clearance, Contract, License, Grant

To a Federal, state, local, or other governmental agency maintaining civil or criminal violation records, or other pertinent information, such as employment history, background investigations, or personal or educational background, to obtain information relevant to VA's hiring, transfer, or retention of an employee, issuance of a security clearance, letting of a contract, or issuance of a license, grant, or other benefit. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

42. Federal Agencies, for Employment

To a Federal agency, except the United States Postal Service, or to the District of Columbia government, in response to its request, in connection with that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency.

43. State or Local Agencies, for Employment

To a state, local, or other governmental agency, upon its official request, as relevant and necessary to that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

44. Federal Agencies, for Recovery of Medical Care Costs

To Federal agencies and government-wide third-party insurers responsible for payment of the cost of medical care for the identified patients, to seek recovery of the medical care costs. These records may also be disclosed as part of a computer matching program to accomplish this purpose.

45. Law Enforcement, for Locating Fugitive

To any Federal, state, local, territorial, tribal, or foreign law enforcement agency in order to identify, locate, or report a known fugitive felon, in compliance with 38 U.S.C. 5313B(d).

46. DOD, for Military Mission

To the Department of Defense, or its components, provided that the disclosure is limited to information regarding individuals treated under 38 U.S.C. 8111A, for the purpose deemed necessary by appropriate military command authorities to assure proper execution of the military

47. OMB

To the Office of Management and Budget (OMB) for the performance of its statutory responsibilities for evaluating Federal programs.

48. Federal Register, for Rulemaking

To make available for public review comments submitted in response to VA's solicitation of public comments as part of the agency's notice and rulemaking activities under the Administrative Procedure Act (APA), provided that the disclosure is limited to information necessary to comply with the requirements of the APA, if VA determines that release of personally identifiable information, such as an individual's telephone number, is integral to the public's understanding of the comment submitted.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

VA Police Services maintain electronic and paper records at each VA facility.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by name, partial or full social security number, or other personal identifiers.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records will be maintained and disposed of in accordance with the records disposition authority approved by the Archivist of the United States, Veterans Health Administration Records Control Schedule 10–1, Item 5252.25.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Access to working areas where information is maintained in VA facilities is controlled and restricted to VA employees and VA contractors on a need-to-know basis. Paper document files are locked in a secure container when files are not being used and when work area is not occupied. VA facilities are protected from outside access after normal duty hours by police or security personnel. Access to information on electronic media is controlled by individually unique passwords and codes. Computer access authorizations, computer applications available and used, information access attempts, frequency and time of use are recorded and monitored.

RECORD ACCESS PROCEDURES:

Individuals seeking information on the existence and content of records in this system pertaining to them should write, call or visit the VA facility where the records are maintained.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records in this system pertaining to them should write, call or visit the VA facility where the records are maintained. A request to contest or amend records must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record. A majority of records in this system are exempt from record access and amendment provisions of Title 5 U.S.C., Sections 552a(j) and (k). To the extent that records in this system are not subject to exemption, individuals may request access and/or amendment. A determination as to whether an exemption applies shall be made at the time a request for access or contest is received.

NOTIFICATION PROCEDURES:

Generalized notice is provided by the publication of this notice. For specific notice, see Record Access Procedure, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Under Title 5 U.S.C., Section 552a(j)(2), the head of any agency may exempt any system of records within the agency from certain provisions of the Privacy Act, if the agency or component that maintains the system performs as its principal function any activities pertaining to the enforcement of criminal laws. The function of the Police Service is to provide for the maintenance of law and order and the protection of persons and property on Department property. This system of records has been created, in major part, to support the law enforcement related activities assigned by the Department under the authority of Title 38 U.S.C., Section 901 to the Police Service. These activities constitute the principal function of this staff.

In addition to principal functions pertaining to the enforcement of criminal laws, the Police Service may receive and investigate complaints or information from various sources concerning the possible existence of activities constituting noncriminal violations of law, rules, or regulations or substantial and specific danger to the public and safety.

Based upon the foregoing, the Secretary of Veterans Affairs (VA) has exempted this system of records, to the extent that it encompasses information pertaining to criminal law enforcement related activities from the following provisions of the Privacy Act of 1974, as permitted by 5 U.S.C. 552a(j)(2):

5 U.S.C. 552a(c)(3) and (4).
5 U.S.C. 552a(d)(1) through (4).
5 U.S.C. 552a(e)(1), (2) and (3).
5 U.S.C. 552a(e)(4)(G), (H) and (I). 5 U.S.C. 552a(e)(5) and (8).
5 U.S.C. 552a(f).
5 U.S.C. 552a(g).

The Secretary of Veterans Affairs has exempted this system of records, to the extent that it does not encompass information pertaining to criminal law enforcement related activities under 5 U.S.C. 552a(j)(2), from the following provisions of the Privacy Act of 1974, as permitted by 5 U.S.C. 552a(k)(2):

5 U.S.C. 552a(c)(3).
5 U.S.C. 552a(d)(1) through (4). 5 U.S.C. 552a(e)(1).
5 U.S.C. 552a(e)(4)(G), (H) and (I). 5 U.S.C. 552a(f).

Reasons for exemptions: The exemption of information and material in this system of records is necessary in order to accomplish the law enforcement functions of the Police Service, to prevent subjects of investigations from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and Police personnel.

HISTORY:

67 FR 77737 (December 19, 2002); 73 FR 74580 (December 8, 2008).

[FR Doc. 2022–22899 Filed 10–20–22; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; System of Records

AGENCY: Office of Security and Law Enforcement, Office of Operations, Security and Preparedness, Department of Veterans Affairs (VA).

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the Privacy Act of 1974, notice is hereby given that the Department of Veterans Affairs (VA) is amending the system of records entitled, ''VA Police Badge and Training Records System-VA'' (83VA07). VA is amending the system by updating the following sections: System Name and Number; System Manger(s); Categories of Individuals Covered by the System; Categories of Records in the System; Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses; Policies and Practices for Retrieval of Records; Policies and Practices for Retention and Disposal of Records; Records Access Procedures; Contesting Record Procedures; Notification Procedures; History. VA is republishing the system notice in its entirety.

DATES: Comments on this modified system of records must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment or unless otherwise published in the **Federal Register** by VA, the modified system of records will become effective a minimum of 30 days after date of publication in the **Federal Register**. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary.

ADDRESSES: Comments may be submitted through *www.Regulations.gov* or mailed to VA Privacy Service, 810 Vermont Avenue NW, (005R1A), Washington, DC 20420. Comments should indicate that they are submitted in response to VA Police Badge and Training Records System VA (83VA07). Comments received will be available at *regulations.gov* for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT: Michael J. Franklin, Director, Police Service, Office of Security and Law Enforcement (07B), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420. Telephone (202) 461–5544.

SUPPLEMENTARY INFORMATION: This system of records contains information regarding VA police officers who have attended the VA Police Officer Standardized Training Course and supplemental professional training held at the VA Law Enforcement Training Center. Specifically, this system of records contains each VA police officer's name and badge number, sex, training certifications, officer class registrations, and their duty station.

In accordance with the Privacy Act of 1974, the notice of intent to publish and an advance copy of the system notice have been sent to the appropriate Congressional committees and to the Director, Office of Management and Budget.

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Kurt D. DelBene, Assistant Secretary for Information and Technology and Chief Information Officer, approved this document on September 8, 2022 for publication.

Dated: October 18, 2022.

Amy L. Rose,

Program Analyst, VA Privacy Service, Office of Information Security, Office of Information and Technology, Department of Veterans Affairs.

SYSTEM NAME AND NUMBER:

VA Police Badge and Training Records System—VA (83VA07)

SECURITY CLASSIFICATION:

Unclassified

SYSTEM LOCATION:

VA Law Enforcement Training Center, 2200 Fort Roots Drive, Building 193, North Little Rock, AR 72114.

SYSTEM MANAGER(S):

Conrad Hamp, Director, Law Enforcement Training Center, 2200 Fort Roots Drive, Building 193, North Little Rock, AR 72214.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

38 U.S.C. 501 and 902.

PURPOSE(S) OF THE SYSTEM:

The records and information contained in this system of records are necessary for the effective administration and management of the Department's nationwide Security and Law Enforcement Program. The collection and use of accurate, up-to-date data are necessary for the purpose of enforcing the law and protecting persons and property on VA property.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The category of individuals for this system of records will include VA Police Service personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

The categories of record(s) in this system includes officer name, social security number, date of birth, sex, badge number, station assignment, and law enforcement related training information.

RECORD SOURCE CATEGORIES:

Personal information such as an officer's name and employing

organization is furnished by VA Police Service management personnel submitting information of newly hired VA police officers for training and may be furnished or corrected subsequently by police service management.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. Congress

To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.

2. Data Breach Response and Remediation, for VA

To appropriate agencies, entities, and persons when (1) VA suspects or has confirmed that there has been a breach of the system of records,· (2) VA has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, VA (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 VA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

3. Data Breach Response and Remediation, for Another Federal Agency

To another Federal agency or Federal entity, when VA 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.

4. Law Enforcement

To a Federal, state, local, territorial, tribal, or foreign law enforcement authority or other appropriate entity charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing such law, provided that the disclosure is limited to information that, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

5. DoJ, Litigation, Administrative Proceeding

To the Department of Justice (DoJ), or in a proceeding before a court, adjudicative body, or other administrative body before which VA is authorized to appear, when:

(a) VA or any component thereof;

(b) Any VA employee in his or her official capacity;

(c) Any VA employee in his or her individual capacity where DoJ has agreed to represent the employee; or

(d) The United States, where VA determines that litigation is likely to affect the agency or any of its components

is a party to such proceedings or has an interest in such proceedings, and VA determines that use of such records is relevant and necessary to the proceedings.

6. Contractors

To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for VA, when reasonably necessary to accomplish an agency function related to the records.

7. OPM

To the Office of Personnel Management (OPM) in connection with the application or effect of civil service laws, rules, regulations, or OPM guidelines in particular situations.

8. EEOC

To the Equal Employment Opportunity Commission (EEOC) in connection with investigations of alleged or possible discriminatory practices, examination of Federal affirmative employment programs, or other functions of the Commission as authorized by law.

9. FLRA

To the Federal Labor Relations Authority (FLRA) in connection with the investigation and resolution of allegations of unfair labor practices, the resolution of exceptions to arbitration awards when a question of material fact is raised, matters before the Federal Service Impasses Panel, and the investigation of representation petitions and the conduct or supervision of representation elections.

10. MSPB

To the Merit Systems Protection Board (MSPB) in connection with appeals, special studies of the civil service and other merit systems, review of rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions promulgated in 5 U.S.C. 1205 and 1206, or as authorized by law.

11. NARA

To the National Archives and Records Administration (NARA) in records management inspections conducted under 44 U.S.C. 2904 and 2906, or other functions authorized by laws and policies governing NARA operations and VA records management responsibilities.

12. Federal Agencies, for Research

To a Federal agency for the purpose of conducting research and data analysis to perform a statutory purpose of that Federal agency upon the written request of that agency.

13. Researchers, for Research

To epidemiological and other research facilities approved by the Under Secretary for Health for research purposes determined to be necessary and proper, provided that the names and addresses of veterans and their dependents will not be disclosed unless those names and addresses are first provided to VA by the facilities making the request.

14. Federal Agencies, for Computer Matches

To other federal agencies for the purpose of conducting computer matches to obtain information to determine or verify eligibility of veterans receiving VA benefits or medical care under title 38.

15. Federal Agencies, Courts, Litigants, for Litigation or Administrative Proceedings

To another federal agency, court, or party in litigation before a court or in an administrative proceeding conducted by a Federal agency, when the government is a party to the judicial or administrative proceeding.

16. Governmental Agencies, Health Organizations, for Claimants' Benefits

To Federal, state, and local government agencies and national health organizations as reasonably necessary to assist in the development of programs that will be beneficial to claimants, to protect their rights under law, and assure that they are receiving all benefits to which they are entitled.

17. Governmental Agencies, for VA Hiring, Security Clearance, Contract, License, Grant

To a Federal, state, local, or other governmental agency maintaining civil or criminal violation records, or other pertinent information, such as employment history, background investigations, or personal or educational background, to obtain information relevant to VA's hiring, transfer, or retention of an employee, issuance of a security clearance, letting of a contract, or issuance of a license, grant, or other benefit. The disclosure of the names and addresses of veterans and

their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

18. Federal Agencies, for Employment

To a Federal agency, except the United States Postal Service, or to the District of Columbia government, in response to its request, in connection with that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency.

19. State or Local Agencies, for Employment

To a state, local, or other governmental agency, upon its official request, as relevant and necessary to that agency's decision on the hiring, transfer, or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by that agency. The disclosure of the names and addresses of veterans and their dependents from VA records under this routine use must also comply with the provisions of 38 U.S.C. 5701.

20. Federal Agencies, for Recovery of Medical Care Costs

To Federal agencies and government-wide third-party insurers responsible for payment of the cost of medical care for the identified patients, to seek recovery of the medical care costs. These records may also be disclosed as part of a computer matching program to accomplish this purpose.

21. Law Enforcement, for Locating Fugitive

To any Federal, state, local, territorial, tribal, or foreign law enforcement agency in order to identify, locate, or report a known fugitive felon, in compliance with 38 U.S.C. 5313B(d).

22. DOD, for Military Mission

To the Department of Defense, or its components, provided that the disclosure is limited to information regarding individuals treated under 38 U.S.C. 8111A, for the purpose deemed necessary by appropriate military command authorities to assure proper execution of the military

23. OMB

To the Office of Management and Budget (OMB) for the performance of its statutory responsibilities for evaluating Federal programs.

24. **Federal Register**, for Rulemaking

To make available for public review comments submitted in response to VA's solicitation of public comments as part of the agency's notice and rulemaking activities under the Administrative Procedure Act (APA), provided that the disclosure is limited to information necessary to comply with the requirements of the APA, if VA determines that release of personally identifiable information, such as an individual's telephone number, is integral to the public's understanding of the comment submitted.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

The VA Law Enforcement Training Center maintains the information locally onsite on a VA approved system. Access is controlled and secured according to VA physical security standards and regulations.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are retrieved by the VA police officer's name, badge number or employing organization.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records in this system are retained and disposed of in accordance with the schedule approved by the Archivist of the United States, Veterans Health Administration Records Control Schedule 10–1, Item 5252.26.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Physical access is limited to authorized personnel only equipped with a special designated key and restricted alarm system code. The system is secured by user account access only.

RECORD ACCESS PROCEDURES:

Individuals seeking information on the existence and content of records in this system pertaining to them should contact the system manager in writing as indicated above. A request for access to records must contain the requester's full name, address, telephone number, be signed by the requester, and describe the records sought in sufficient detail to enable VA personnel to locate them with a reasonable amount of effort.

CONTESTING RECORD PROCEDURES:

Individuals seeking to contest or amend records in this system pertaining to them should contact the system manager in writing as indicated above. A request to contest or amend records must state clearly and concisely what record is being contested, the reasons for contesting it, and the proposed amendment to the record.

NOTIFICATION PROCEDURES:

Generalized notice is provided by the publication of this notice. For specific notice, see Record Access Procedure, above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None

HISTORY:

67 FR 49747 (November 3, 1992); 73 FR 74578 (December 8, 2008).

[FR Doc. 2022–22900 Filed 10–20–22; 8:45 am]

BILLING CODE 8320–01–P

Reader Aids

Federal Register

Vol. 87, No. 203

Friday, October 21, 2022

CUSTOMER SERVICE AND INFORMATION

Federal Register/Code of Federal Regulations

General Information, indexes and other finding aids **202–741–6000**

Laws **741–6000**

Presidential Documents

Executive orders and proclamations **741–6000**

The United States Government Manual **741–6000**

Other Services

Electronic and on-line services (voice) **741–6020**

Privacy Act Compilation **741–6050**

ELECTRONIC RESEARCH

World Wide Web

Full text of the daily Federal Register, CFR and other publications is located at: **www.govinfo.gov.**

Federal Register information and research tools, including Public Inspection List and electronic text are located at: **www.federalregister.gov.**

E-mail

FEDREGTOC (Daily Federal Register Table of Contents Electronic Mailing List) is an open e-mail service that provides subscribers with a digital form of the Federal Register Table of Contents. The digital form of the Federal Register Table of Contents includes HTML and PDF links to the full text of each document.

To join or leave, go to **https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new**, enter your email address, then follow the instructions to join, leave, or manage your subscription.

PENS (Public Law Electronic Notification Service) is an e-mail service that notifies subscribers of recently enacted laws.

To subscribe, go to **http://listserv.gsa.gov/archives/publaws-l.html and select** *Join or leave the list (or change settings);* then follow the instructions.

FEDREGTOC and **PENS** are mailing lists only. We cannot respond to specific inquiries.

Reference questions. Send questions and comments about the Federal Register system to: **fedreg.info@nara.gov**

The Federal Register staff cannot interpret specific documents or regulations.

FEDERAL REGISTER PAGES AND DATE, OCTOBER

59633–60056 3
60057–60240 4
60241–60540 5
60541–60866 6
60867–61216 7
61217–61440 11
61441–61948 12
61949–62282 13
62283–62720 14
62721–62976 17
62977–63380 18
63381–63660 19
63661–63932 20
63933–64148 21

CFR PARTS AFFECTED DURING OCTOBER

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

2 CFR

700 60059

3 CFR

Proclamations:

10456 60241
10457 60243
10458 60245
10459 60249
10460 60251
10461 60253
10462 60257
10463 60259
10464 60261
10465 60263
10466 61215
10467 61441
10468 61443
10469 61949
10470 61951
10471 61953
10472 61955
10473 61957
10474 62299
10475 62301
10476 63381
10477 63393
10478 63395
10479 63397
10480 63661

Executive Orders:

8809 (amended by 14085) 60541
9158 (amended by 14085) 60541
10694 (amended by 14085) 60541
11046 (amended by 14085) 60541
11545 (amended by 14085) 60541
13830 (amended by 14085) 60541
14084 60535
14085 60541
14086 62283
14087 63399

Administrative Orders:

Memorandums:
Memorandum of September 30, 2022 60539
Memorandum of October 3, 2022 60545
Memorandum of October 4, 2022 61947
Notices:
Notice of October 12, 2022 62279
Notice of October 12, 2022 62281
Presidential Determinations:
No. 2022–24 of September 23, 2022 60057
No. 2022–25 of September 27, 2022 60547
No. 2023–01 of October 3, 2022 61943

5 CFR

Ch. 18 63401

7 CFR

272 59633
273 59633
1740 63419

Proposed Rules:

205 61268
905 63431
922 63433

8 CFR

214 ..... 61959, 62721

9 CFR

327 63420
351 63420
354 63420
381 63420
500 63420
590 63420
592 63420

Proposed Rules:

130 59731
201 60010

10 CFR

429 ..... 63588, 63860
430 60867
431 ..... 63588, 63860

Proposed Rules:

429 ..... 63324, 63356
430 ..... 60941, 63324, 63356
431 ..... 60555, 60942, 62038

12 CFR

34 63663
201 60868
204 60869
213 63666
226 ..... 63663, 63671
235 61217
1013 63666
1022 60265
1026 ..... 63663, 63671
1102 60870

Proposed Rules:

234 60314
701 59740
702 60326
1282 60331

13 CFR

Proposed Rules:
107.....63436
121.....63436

14 CFR

11.....61232
13.....61232
25.....60059, 60549
39 .....59660, 60061, 60877, 61233, 61236, 61445, 61450, 61963, 63933, 63935, 63938, 63940, 63943
71 .....59664, 59666, 59667, 59668, 59670, 60265, 61237, 63678, 63679, 63680, 63681, 63946
73.....63683
95.....60879
97.....61966, 61968
121.....61452
Proposed Rules:
21.....60338
25.....62739
39 .....60344, 60347, 60349, 60352, 60944, 63704, 63706, 63709, 63712, 63715, 63968, 63970, 63973, 63978
71.....60356
399.....63718

15 CFR

30.....62303
734.....61970, 62186
736.....61970, 62186
740.....61970, 62186
742.....61970, 62186
744 .....60064, 61970, 61971, 62186
762.....61970, 62186
766.....60890
772.....61970, 62186
774.....61970, 62186
998.....59671
Proposed Rules:
922.....62314

16 CFR

1.....60077
305.....61465
Proposed Rules:
Ch. I.....63738
461.....62741

17 CFR

232.....61977
Proposed Rules:
200.....63016
210.....63016
229.....63016
230.....63016
232.....63016
239.....63016
240.....63016
242.....63016
249.....63016
270.....63016
274.....63016
275.....63016
279.....63016

18 CFR

Proposed Rules:
35.....60567
101.....59870

19 CFR

Ch. I.....61488
24.....63262, 63267
111.....63262, 63267

20 CFR

653.....61660
655.....61660

21 CFR

1.....62977, 63686
216.....63947
Proposed Rules:
1.....60947

22 CFR

Proposed Rules:
51.....63739

23 CFR

192.....61238

24 CFR

Proposed Rules:
201.....63018
203.....63458
206.....63458

25 CFR

518.....62984

26 CFR

1.....61489, 61979
Proposed Rules:
1.....61543, 63981
20.....61269
300.....60357
301.....61544

28 CFR

201.....62303

29 CFR

501.....61660
Proposed Rules:
103.....63465
780.....62218
788.....62218
795.....62218
2570.....62751
4213.....62316

31 CFR

1.....63904
560.....62003
570.....59675
587.....62005, 62006
591.....62007, 62020

33 CFR

100 .....60892, 62308, 62724, 63948
165 .....60267, 60269, 60271, 60893, 61506, 61508, 62029, 62030, 62310, 62311, 62727, 62729, 62731, 63687, 63948
207.....62987
326.....62987
Proposed Rules:
165.....60363, 63981

34 CFR

Ch. II.....60083, 60092
600.....63689
602.....63689
668.....63689
674.....61512
682.....61512
685.....61512

37 CFR

2.....62032
6.....61244
7.....62032

38 CFR

4.....61248
14.....63695
Proposed Rules:
21.....61544
36.....62752

39 CFR

20.....63424
111.....63425, 63696
Proposed Rules:
111.....63741, 63985

40 CFR

52 .....59688, 59692, 59695, 59697, 60102, 60273, 60292, 60551, 60895, 60897, 60926, 61249, 61514, 62034, 62733, 62990, 63698, 63701
63.....60816
81 .....60897, 60926, 62733, 63701
180 .....60295, 61259, 61531, 61534, 61537
271 .....59699, 62995, 63426
372.....63950
Proposed Rules:
49.....61870
51.....62322
52 .....60494, 61548, 61555, 62322, 62337, 63743, 63744, 63751
55.....63465
81.....63751
87.....62753
141.....61269
152.....61557
271 .....59748, 63022, 63468
1031.....62753
1068.....62753

41 CFR

Ch. 302.....62312
Proposed Rules:
105–64.....60955

43 CFR

Proposed Rules:
10.....63202

46 CFR

Proposed Rules:
541.....62341

47 CFR

9.....60104
64.....62736
Proposed Rules:
0.....61271
64.....61271
73.....60956, 63999

48 CFR

Ch. 12.....61152
52.....62999
802.....62999
807.....62999
808.....62999
810.....62999
813.....62999
819.....62999
832.....62999
852.....62999
853.....62999

49 CFR

Proposed Rules:
243.....59749

50 CFR

17.....60298
216.....63955
600.....59965
622.....61540, 63958
635.....59965, 60938
660 .....59705, 59716, 59724, 60105
679 .....59729, 59730, 61542, 62737, 63430, 63967
Proposed Rules:
17 .....60580, 60612, 60957, 61834, 62502, 62564, 62614, 63150, 63468, 63472
223.....62930
226.....62930
622.....60975
660.....62676
679.....60638
680.....60638

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last List October 20, 2022

Public Laws Electronic Notification Service (PENS)

PENS is a free email notification service of newly enacted public laws. To subscribe, go to *https://portalguard.gsa.gov/__*layouts/PG/register.aspx.

Note: This service is strictly for email notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.