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Presidential Documents

Title 3—

The President

Memorandum of June 30, 2023

Certification Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy

Memorandum for the Heads of Executive Departments and Agencies

Section 1. *Policy.* In the three decades since the President John F. Kennedy Assassination Records Collection Act of 1992 (44 U.S.C. 2107 note) (the ''Act'') was enacted, the United States Government has undertaken a comprehensive review of its records and has strived to make available to the public thousands of classified documents that provide a fuller understanding of the tragic assassination of President John F. Kennedy. As I have reiterated throughout my Presidency, I fully support the Act's aim to maximize transparency by disclosing all information in records concerning the assassination, except when the strongest possible reasons counsel otherwise. Executive departments and agencies (agencies) have worked meticulously over thousands of hours of review to ensure that the American people have access to every single word that is appropriate for release under the standards of the Act. With my final certification made in this memorandum—the last required under the Act—and definitive plans for future disclosures, my Administration is fulfilling the promise of transparency to the American people.

Sec. 2. *Background.* (a) The Act permits the continued postponement of public disclosure of information in records concerning President Kennedy's assassination only when postponement remains necessary to protect against an identifiable harm to the military defense, intelligence operations, law enforcement, or the conduct of foreign relations that is of such gravity that it outweighs the public interest in disclosure. Agencies have applied this statutory standard when proposing the continued postponement of public disclosure of specific information, and the National Archives and Records Administration (NARA) has reviewed each of these redactions to determine whether NARA agrees that these redactions continue to meet the statutory standard. In the Presidential Memorandum of December 15, 2022 (Certifications Regarding Disclosure of Information in Certain Records Related to the Assassination of President John F. Kennedy) (December 2022 Memorandum), I certified the temporary continued postponement of public disclosure of redacted information in a small number of records covered by the Act. At the time, the Acting Archivist of the United States (Acting Archivist) advised that a limited number of records that were the subject of agency proposals for temporary continued postponement warranted further review to ensure that information from these records is disclosed to the maximum extent possible, consistent with the standards of the Act. In the December 2022 Memorandum, consistent with that advice, I directed agencies to continue to work with NARA to review these records to determine if additional information proposed for redaction could be disclosed.

(b) On May 1, 2023, the Acting Archivist informed me that the review process was complete and recommended that I postpone the public release of certain redacted information in the records certified for temporary postponement of public release in the December 2022 Memorandum.

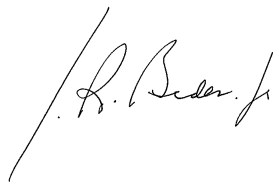
Sec. 3. *Certification.* In light of the recommendation for continued postponement of public release of information in the records identified in section 2(b) of this memorandum under the statutory standard, I hereby certify,

by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 5(g)(2)(D) of the Act, that continued postponement of public disclosure of that information is necessary to protect against identifiable harms to the military defense, intelligence operations, law enforcement, and the conduct of foreign relations that are of such gravity that they outweigh the public interest in disclosure. All information within these records that has been proposed for continued postponement under section 5(g)(2)(D) of the Act shall accordingly be withheld from public disclosure. Future release of the information in these records shall occur in a manner consistent with the Transparency Plans described in section 5 of this memorandum.

Sec. 4. *Release.* Any information currently withheld from public disclosure under section 4 of the December 2022 Memorandum that is not subject to the certification in section 3 of this memorandum shall be released to the public by June 30, 2023.

Sec. 5. *Transparency Plans.* As part of their review, each agency prepared a plan for the eventual release of information (Transparency Plan) to ensure that information would continue to be disclosed over time as the identified harm associated with release of the information dissipates. Each Transparency Plan details the event-based or circumstance-based conditions that will trigger the public disclosure of currently postponed information by the National Declassification Center (NDC) at NARA. These Transparency Plans were reviewed by NARA, and the Acting Archivist previously advised me that use of the Transparency Plans by the NDC will ensure appropriate continued release of information covered by the Act. In the December 2022 Memorandum, I directed that the Transparency Plans submitted by agencies be used by the NDC to conduct future reviews of any information that has been postponed from public disclosure. On May 1, 2023, the Acting Archivist recommended continued use of agencies' Transparency Plans to release information covered by the Act. Therefore, I direct the NDC to continue to use the Transparency Plans to conduct future reviews of any information covered by the Act that has been postponed from public disclosure. The Transparency Plans will ensure that the public will have access to the maximum amount of information while continuing to protect against identifiable harms to the military defense, intelligence operations, law enforcement, and the conduct of foreign relations under the standards of the Act.

Sec. 6. *Publication.* The Archivist of the United States is hereby authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, June 30, 2023

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Rules and Regulations

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0816; Project Identifier AD–2022–00355–T; Amendment 39–22477; AD 2023–12–18]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 747–8 and –8F series airplanes. This AD was prompted by reports of cracking in stringers and splice fittings located at stringer splices at multiple body stations. This AD requires an inspection of each free flange of the stringers at the stringer splice for the presence of radius fillers at fastener locations, an inspection for cracking of the stringers and stringer splice fittings at certain stringer splice locations, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 11, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 11, 2023.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2022–0816; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

- For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.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–2022–0816.

FOR FURTHER INFORMATION CONTACT: Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: *stefanie.n.roesli@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 The Boeing Company Model 747–8 and –8F series airplanes. The NPRM published in the **Federal Register** on September 8, 2022 (87 FR 54917). The NPRM was prompted by reports of cracking in stringers and splice fittings located at stringer splices at multiple body stations. In the NPRM, the FAA proposed to require an inspection of each free flange of the stringers at the stringer splice for the presence of radius fillers at fastener locations, an inspection for cracking of the stringers and stringer splice fittings at certain stringer splice locations, and applicable on-condition actions. The FAA is issuing this AD to address such cracking, which could result in the inability of a structural element to sustain limit load and could affect structural integrity of the airplane.

The FAA issued a supplemental notice of proposed rulemaking (SNPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 747–8 and –8F series airplanes. The SNPRM published in the **Federal Register** on April 6, 2023 (88 FR 20438). The SNPRM was prompted by additional reports of cracked stringers, with a total of 595 cracked stringers reported since the issue was initially evaluated in 2020. In May 2022, cracked stringers were found in a location where the previously repaired stringer location had accumulated zero flight cycles (FC) since the repair. Due to the large number of crack findings and the unknown long-term reliability of repairs, combined with airplanes with low utilization rates that may not reach the initial compliance time in the NPRM (before 12,000 total flight cycles or within 38 months after the effective date of this AD, whichever occurs later) for an extended period of time, the FAA determined that it is necessary to add a calendar-based compliance time for certain actions. The FAA therefore determined that a more appropriate compliance time for the initial inspections is before 12,000 total FC, or within 8 years after the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness, whichever occurs first; or within 38 months after the effective date of this AD; whichever occurs later. The FAA also determined that a calendar-based compliance time should be added to the repeat inspection intervals too. The FAA is issuing this AD to address such cracking, which could result in the inability of a structural element to sustain limit load and could affect structural integrity of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from The Boeing Company who supported the SNPRM without change.

Conclusion

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

Related Service Information Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022. This service information specifies procedures for an inspection of each free flange of the stringers at the stringer splice for the presence of radius fillers at fastener locations, an inspection for cracking of the stringers and stringer splice fittings at certain stringer splice locations, and applicable on-condition actions. On-condition actions include follow-on detailed inspections for cracking or the presence of radius fillers, removal or installation of radius fillers, 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 **ADDRESSES**.

Costs of Compliance

The FAA estimates that this AD affects 40 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspection for radius filler.	Up to 124 work-hours × $85 per hour = $10,540.	None	Up to $10,540	Up to $421,600.
Inspection for cracking	Up to 244 work-hours × $85 per hour = $20,740.	None	Up to $20,740	Up to $829,600.

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

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Inspection for cracking or for radius fillers	1 work-hour × $85 per hour = $85	None	$85 per inspection location.
Removing radius fillers and inspection	7 work-hours × $85 per hour = $595	None	$595 per location.
Replacement of cracked splice channel	300 work-hours × $85 per hour = $25,500	$809	$26,309 per replacement.

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:

2023–12–18 The Boeing Company: Amendment 39–22477; Docket No. FAA–2022–0816; Project Identifier AD–2022–00355–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 11, 2023.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 747–8 and –8F series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by reports of cracking in stringers and splice fittings located at stringer splices at multiple body stations. The FAA is issuing this AD to address such cracking, which could result in the inability of a structural element to sustain limit load and could affect structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 747–53A2907, dated March 3, 2022, which is referred to in Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022.

(h) Exceptions to Service Information Specifications

(1) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, use the phrase ''the original issue date of Requirements Bulletin 747–53A2907 RB,'' this AD requires using ''the effective date of this AD.''

(2) Where Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, specifies contacting Boeing for repair instructions: This AD requires doing the repair using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(3) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, use the phrase ''Before 12,000 total flights cycles,'' this AD requires using ''Before 12,000 total flight cycles, or within 8 years after the date of issuance of the original certificate of airworthiness or the original export certificate of airworthiness, whichever occurs first.''

(4) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, uses the phrase ''Within 9,600 flight cycles after the last detailed inspection,'' this AD requires using ''Within 9,600 flight cycles or 8 years after the last detailed inspection, whichever occurs first.''

(5) Where the Compliance Time columns of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022, uses the phrase ''Within 4,600 flight cycles after the last detailed inspection,'' this AD requires using ''Within 4,600 flight cycles or 8 years after the last detailed inspection, whichever occurs first.''

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, AIR–520 Continued Operational Safety 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: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, AIR–520, Continued Operational Safety Branch, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Related Information

(1) For more information about this AD, contact Stefanie Roesli, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 206–231–3964; email: *stefanie.n.roesli@faa.gov.*

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

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 747–53A2907 RB, dated March 3, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.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, *fr.inspection@nara.gov,* or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on June 13, 2023.

Michael Linegang,

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

[FR Doc. 2023–14332 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2023–0157; Project Identifier AD–2022–01309–T; Amendment 39–22466; AD 2023–12–08]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 747–8 series airplanes. This AD was prompted by a report of stress corrosion cracking in certain stringers and end stringer splice assemblies. This AD requires repetitive inspections of the stringers and end stringer splice assemblies for any crack, shim, or gap, and applicable on-condition actions. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective August 11, 2023.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of August 11, 2023.

ADDRESSES:

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2023–0157; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

Material Incorporated by Reference:

• For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57,

Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.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–2023–0157.

FOR FURTHER INFORMATION CONTACT: Stefanie N. Roesli, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: 206–231–3964; email: *Stefanie.N.Roesli@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 The Boeing Company Model 747–8 series airplanes. The NPRM published in the **Federal Register** on February 15, 2023 (88 FR 9773). The NPRM was prompted by a report indicating cracks found on end stringers of two Model 747–8 airplanes at station (STA) 2285, left and right sides, during foreign object debris (FOD) inspections in preparation for airplane modification. The cracks were not visually detectable until the stringer splice assemblies were removed. The root cause was found to be stress corrosion cracking caused by excessive and sustained internal tensile stresses that were due to no shim being installed or shimmed gaps exceeding engineering limits at production. In the NPRM, the FAA proposed to require repetitive inspections of the stringers and end stringer splice assemblies for any crack, shim, or gap, and applicable on-condition actions. The FAA is issuing this AD to prevent cracks in a stringer or end stringer splice assembly increasing in length and going undetected. This condition, if not addressed, could result in the inability of a structural element to sustain limit load and could adversely affect the structural integrity of the airplane.

Discussion of Final Airworthiness Directive

Comments

The FAA received a comment from The Boeing Company who supported the NPRM without change.

The FAA received an additional comment from an individual commenter. The following presents the comment received on the NPRM and the FAA's response to the comment.

Request for Root Cause of Stress Corrosion Cracks (SCCs)

The individual commenter requested if Boeing provided heat treatment specification as a root cause of SCCs and the quality process for verification of SCC nucleation was within their shelf life. The individual indicated a larger production deficiency for an airplane that has been out of production, and stated that this unsafe condition should not be treated as widespread fatigue damage.

During the root-cause investigation to determine the appropriate corrective actions, the FAA considered material changes and evaluated the manufacturing and assembly process. This evaluation would have included any necessary changes to treatment specifications and quality inspections. The FAA has not changed this AD.

Conclusion

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

Clarification of Terminating Action

Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, contains a terminating action flagnote (b) in Tables 1 through 4 of the Accomplishment Instructions that specifies ''Doing the detailed and High Frequency Eddy Current (HFEC) inspections and finding no crack as a result of the inspection is terminating action to Requirements Bulletin 747–53A2909 RB for that affected end stringer splice assembly.'' However, the flagnote ''(b)'' is located with certain conditions in Tables 1 through 4 and appears to be contradictory in certain locations, *e.g.,* ''Condition 8.2: No crack found as a result of option 2 inspections'' specifies to do repetitive inspections; however the option 2 inspections are the detailed and HFEC inspections, which the flagnote specifies is terminating action. The FAA has clarified the terminating action in paragraphs (g)(1) through (4) of this AD to confirm that no action is required for an end stringer splice assembly on which no cracking is found after the specified option 2 inspections are done.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022. This service information specifies procedures for repetitive detailed inspections of the stringers and the end stringer splice assemblies at stringers S–17 to S–25 from STA 2285 to STA 2300 main entry door #5 cutout aft edge frame for any crack, any shim between a stringer and bear strap, and any gap within the fastener-joint-to-bear-strap joint, and applicable on-condition actions. On-condition actions include detailed inspections of the stringers and end stringers splice assemblies located between STA 2285 and STA 2300 from stringers S–17L to S–25L/S–17R to S–25R, open hole high HFEC inspection of the fastener holes of the skin common to the end stringer splice fitting for cracks, and repair of cracked stringer/end stringer splice fittings.

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

Costs of Compliance

The FAA estimates that this AD affects 2 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Detailed Inspection (S–17L to S–25L) and (S–17R to S–25R).	4 work-hours × $85 per hour = $340 per inspection cycle.	$0	$340 per inspection cycle.	$680 per inspection cycle.

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of the proposed inspection. The agency has no way of determining which, if any, of the affected airplanes might need these on-condition actions:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Detailed Inspection and Open Hole HFEC Inspection per side.	54 work-hours × $85 per hour = $4,590	$0	$4,590
Repair of cracked stringer/end stringer splice fitting	13 work-hours × $85 per hour = $1,105	600	1,705

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:

2023–12–08 The Boeing Company: Amendment 39–22466; Docket No. FAA–2023–0157; Project Identifier AD–2022–01309–T.

(a) Effective Date

This airworthiness directive (AD) is effective August 11, 2023.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 747–8 series airplanes, certificated in any category, as identified in Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a report of stress corrosion cracking in the stringers and end stringer splice assemblies located between station (STA) 2285 and STA 2300 from stringers S–17 to S–25 on the left and right sides of the airplane caused by excessive and sustained internal tensile stresses that were due to no shim being installed or shimmed gaps exceeding engineering limits at production. A crack in a stringer or end stringer splice assembly could grow in length and go undetected. The unsafe condition, if not addressed, could result in the inability of a structural element to sustain limit load and could adversely affect the structural integrity of the airplane.

(f) Compliance

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

(g) Required Actions

Except as specified by paragraph (h) of this AD: At the applicable times specified in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, do all applicable actions identified in, and in accordance with, the Accomplishment Instructions of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022. For this AD, terminating action for certain end stringer springer splice assemblies are specified in paragraphs (g)(1) through (4) of this AD.

Note 1 to paragraph (g): Guidance for accomplishing the actions required by this AD can be found in Boeing Alert Service Bulletin 747–53A2909, dated September 21, 2022, which is referred to in Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022.

(1) For any end stringer splice assembly on which no cracking is found after accomplishing CONDITION 3 (OPTION 2) (ACTION 1) and CONDITION 3 (OPTION 2) (ACTION 2) inspections specified in Table 1 of the Accomplishment Instruction of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, no further action is required by this AD for that end stringer splice assembly.

(2) For any end stringer splice assembly on which no cracking is found after accomplishing CONDITION 6 (OPTION 2) (ACTION 1) and CONDITION 6 (OPTION 2) (ACTION 2) inspections specified in Table 2 of the Accomplishment Instruction of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, no further action is required by this AD for that end stringer splice assembly.

(3) For any end stringer splice assembly on which no cracking is found after accomplishing CONDITION 8 (OPTION 2) (ACTION 1) and CONDITION 8 (OPTION 2) (ACTION 2) inspections specified in Table 3 of the Accomplishment Instruction of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, no further action is required by this AD for that end stringer splice assembly.

(4) For any end stringer splice assembly on which no cracking is found after accomplishing CONDITION 10 (OPTION 2)

(ACTION 1) and CONDITION 10 (OPTION 2) (ACTION 2) inspections specified in Table 4 of the Accomplishment Instruction of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, no further action is required by this AD for that end stringer splice assembly.

(h) Exceptions to Service Information Specifications

(1) Where the Compliance Time column and certain notes of the tables in the ''Compliance'' paragraph of Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, use the phrase ''the original issue date of Requirements Bulletin 747–53A2909 RB,'' this AD requires using ''the effective date of this AD.''

(2) Where Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022, specifies contacting Boeing for repair instructions: This AD requires doing the repair using a method approved in accordance with the procedures specified in paragraph (i) of this AD.

(i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Continued Operational Safety 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: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Continued Operational Safety Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(j) Related Information

For more information about this AD, contact Stefanie N. Roesli, Aviation Safety Engineer, FAA, 2200 South 216th Street, Des Moines, WA 98198; phone: 206–231–3964; email: *Stefanie.N.Roesli@faa.gov*.

(k) Material Incorporated by Reference

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

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

(i) Boeing Alert Requirements Bulletin 747–53A2909 RB, dated September 21, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; website *myboeingfleet.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, *fr.inspection@nara.gov,* or go to: *www.archives.gov/federal-register/cfr/ibr-locations.html*.

Issued on June 13, 2023.

Michael Linegang,

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

[FR Doc. 2023–14331 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–13–P

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 532 and 552

[GSAR Case 2023–G506; Docket No. GSA–GSAR–2023–0015; Sequence No. 1]

General Services Administration Acquisition Regulation; Remove Purchase Card Payment Clause

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Final rule; technical amendment.

SUMMARY: The General Services Administration is issuing this final rule as a technical amendment to remove clause 552.232–77 Payment by Government Charge Card in the General Services Administration Acquisition Regulation.

DATES: Effective August 7, 2023.

FOR FURTHER INFORMATION CONTACT: For clarification of content, contact Ms. Daria Giannotti, Procurement Analyst, at 215–446–2878 or *GSARPolicy@gsa.gov.* For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at *GSARegSec@gsa.gov* or 202–501–4755. Please cite GSAR Case 2023–G506.

SUPPLEMENTARY INFORMATION:

I. Background

The General Services Administration conducts routine reviews of its acquisition regulations to identify outdated content and to ensure there is no unnecessary duplication of or conflict with the Federal Acquisition Regulation (FAR), pursuant to FAR 1.304. As part of this review, GSA identified:

- General Services Administration Regulation (GSAR) clause 552.232–77 *Payment By Government Charge Card* is redundant to FAR clause 52.232–36 *Payment by Third Party* and should be removed. As this GSAR clause is over 10 years old, GSA does not have any historical information that explains why the duplicative GSAR clause was initially created. This rule rectified the issue.
- Additionally, language regarding internal solicitation preparation instructions was identified that only addresses responsibilities of contracting officers in preparing contract documentation. As such, it is not regulatory material and removed from the GSAR.

Overview of Editorial Updates

GSA identified that GSA Clause 552.232–77, *Payment by Government Charge Card,* was redundant to FAR clause 52.232–36 *Payment by Third Party* and was removed. Consequently, 532.7003 was revised to remove instructions to use 552.232–77 for indefinite-delivery, indefinite-quantity (IDIQ) contracts other than Multiple Award Schedule (MAS) contracts.

- MAS, also known as the Federal Supply Schedule (FSS) and the GSA Schedule, is a long-term governmentwide contract with commercial companies that provide access to millions of commercial products and services at fair and reasonable prices to the Federal Government.

Additionally, in GSAR subpart 532.70, 532.7002 only addresses responsibilities of contracting officers in preparing contract documentation regarding payment through the use of the Governmentwide commercial purchase cards. As such, it is not regulatory material and was moved from the GSAR to the non-regulatory GSAM.

II. Publication of This Final Rule for Public Comment Is Not Required by Statute

The statute that applies to the publication of the Federal Acquisition Regulation (FAR) is 41 U.S.C. 1707. Subsection (a)(1) of 41 U.S.C. 1707 requires that a procurement policy, regulation, procedure, or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the

agency issuing the policy, regulation, procedure, or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment because the change is technical in nature and makes conforming updates to the title and number of a referenced policy document.

III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. The Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) has determined that this is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993.

IV. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a ''major rule'' may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The General Services Administration will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States. A major rule cannot take effect until 60 days after it is published in the **Federal Register**.

The Office of Information and Regulatory Affairs in OMB has determined that this is not a major rule under 5 U.S.C. 804.

V. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq*.) does not apply to this rule, because an opportunity for public comment is not required to be given for this rule under 41 U.S.C. 1707(a)(1) (see Section II. of this preamble). Accordingly, no regulatory flexibility analysis is required and none has been prepared.

VI. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the GSAR do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public that require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 532 and 552

Government procurement.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration.

Therefore, GSA amends 48 CFR parts 532 and 552 as follows:

■ 1. The authority citation for 48 CFR parts 532 and 552 continues to read as follows:

Authority: 40 U.S.C. 121(c).

PART 532—CONTRACT FINANCING

■ 2. Revise section 538.7002 to read as follows:

532.7002 Solicitation requirements.

(a) In solicitations for supplies and services, except FSS schedule solicitations, request offerors to indicate if they will accept payment by Governmentwide commercial purchase card. Identify the card brand(s) under the GSA SmartPay® program that may be used to make payments under the contract, on the cover page or in Section L of the solicitation.

(b) For FSS schedule contracts, identify the card brand(s) under the GSA SmartPay® program that may be used to make payments under the contract in the contract award letter.

(c) For orders placed by GSA, you may authorize payment by Governmentwide commercial purchase card only for orders that do not exceed $100,000 (see GSA Order, Guidance on Use of the Credit Card for Purchases (CFO 4200.1)).

(d) Consider requesting offerors to designate different levels for which they may accept payment by Governmentwide commercial purchase card, for example:

''If awarded a contract under this solicitation, the offeror agrees to accept payment by Governmentwide commercial purchase card for orders of:

____ $2,500 or less
____ $25,000 or less
____ $50,000 or less
____ $100,000 or less]''

532.7003 [Amended]

■ 3. Amend section 532.7003 by removing the first sentence.

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

552.232–77 [Removed and Reserved]

■ 4. Remove and reserve section 552.232–77.

[FR Doc. 2023–14142 Filed 7–6–23; 8:45 am]

BILLING CODE 6820–61–P

Proposed Rules

Federal Register
Vol. 88, No. 129
Friday, July 7, 2023

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 71

[Docket No. FAA–2023–1464 Airspace Docket No. 22–AAL–28]

RIN 2120–AA66

Revocation of Colored Federal Airway Green 4 (G–4) in the Vicinity of Dillingham, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to revoke Colored Federal airway Green 4 (G–4) in the vicinity of Dillingham, AK due to the pending decommissioning of the Wood River (BTS) Non-directional Beacon (NDB).

DATES: Comments must be received on or before August 21, 2023.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2023–1464 and Airspace Docket No. 22–AAL–28 using any of the following methods:

* *Federal eRulemaking Portal:* Go to *www.regulations.gov* and follow the online instructions for sending your comments electronically.

* *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation, 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

* *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

* *Fax:* Fax comments to Docket Operations at (202) 493–2251.

Docket: Background documents or comments received may be read at *www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FAA Order JO 7400.11G, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at *www.faa.gov/air_traffic/publications/.* You may also contact the Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783.

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

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

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

Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should submit only one time if comments are filed electronically, or commenters should send only one copy of written comments if comments are filed in writing.

The FAA will file in the docket all comments it receives, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. Before acting on this proposal, the FAA will consider all comments it receives on or before the closing date for comments. The FAA will consider comments filed after the comment period has closed if it is possible to do so without incurring expense or delay. The FAA may change this proposal in light of the comments it receives.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Availability of Rulemaking Documents

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

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address, phone number, and hours of operations). An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Western Service Center, Federal Aviation Administration, 2200 South 216th St., Des Moines, WA 98198.

Incorporation by Reference

Colored Federal airways are published in paragraph 6009 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, which is incorporated by reference in 14 CFR 71.1 on an annual basis. This document proposes to amend the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. These updates would be published in the next

update to FAA Order JO 7400.11. That order 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.

Background

In 2003, Congress enacted the Vision 100-Century of Aviation Reauthorization Act (Pub. L. 108–176), which established a joint planning and development office in the FAA to manage the work related to the Next Generation Air Transportation System (NextGen). Today, NextGen is an ongoing FAA-led modernization of the nation's air transportation system to make flying safer, more efficient, and more predictable.

In support of NextGen, this proposal is part of an ongoing, large and comprehensive T-route modernization project in the state of Alaska. The project mission statement states: ''To modernize Alaska's Air Traffic Service route structure using satellite-based navigation development of new T-routes and optimization of existing T-routes will enhance safety, increase efficiency and access, and will provide en route continuity that is not subject to the restrictions associated with ground-based airway navigation.'' As part of this project, the FAA evaluated the existing Colored Airway structure for: (a) direct replacement (*i.e.,* overlay) with a T-route that offers a similar or lower Minimum En route Altitude (MEA) or Global Navigation Satellite System (GNSS) Minimum En route Altitude (MEA); (b) the replacement of the colored airway with a T-route in an optimized but similar geographic area, while retaining similar or lower MEA; or (c) removal with no route structure (T-route) restored in that area because the value was determined to be insignificant.

The aviation industry/users have indicated a desire for the FAA to transition the Alaskan en route navigation structure away from dependency on NDBs and move to develop and improve the United States Area Navigation (RNAV) route structure.

Colored Federal airway G–4 extends between the Wood River (BTS) NDB and the Iliamna (ILI) NDB in Alaska. The decommissioning of the BTS NDB would render G–4 unusable. The FAA proposes to revoke G–4 in its entirety. The mitigation to the loss of G–4 is in place with RNAV route T–370 overlying the entire route.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to revoke Colored Federal airway G–4 in the vicinity of Dillingham, AK due to the pending decommissioning of the Wood River NDB.

Colored Federal airway G–4 currently extends between the Wood River, AK, NDB and the Iliamna, AK, NDB. The FAA proposes to revoke G–4 in its entirety.

Regulatory Notices and Analyses

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

Environmental Review

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

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

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

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

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

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

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:

Paragraph 6009(a) Colored Federal Airways.

* * * * *

G–4 [Remove]

* * * * *

Issued in Washington, DC, on June 29, 2023.

Brian Konie,

Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023–14233 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–R01–OAR–2023–0305; FRL–11112–01–R1]

Approval and Promulgation of State Plans for Designated Facilities and Pollutants; New Hampshire; Delegation of Authority

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to publish its approval of delegation of authority to the New Hampshire Department of Environmental Services (NH DES) for implementing and enforcing the Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014 under the Clean Air Act (CAA). On February 6, 2023, the NHDES Commissioner signed a memorandum of agreement (MoA) concerning the delegation of authority of the Federal Plan for existing municipal solid waste landfills to NHDES by EPA. Subsequently, the MoA became effective upon signature of the EPA Region 1 Deputy Regional Administrator on June 27, 2023. This notice informs the public of the MoA, provides a copy of the signed document, and proposes amending regulatory text to acknowledge the delegation of authority.

DATES: Written comments must be received on or before August 7, 2023.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2023–0305 at *https://www.regulations.gov,* or via email to *kilpatrick.jessica@epa.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for

submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* Publicly available docket materials are available at *https://www.regulations.gov* or at the U.S. Environmental Protection Agency, EPA Region 1 Regional Office, Air and Radiation Division, 5 Post Office Square—Suite 100, Boston, MA. EPA requests that if at all possible, you contact the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays and facility closures due to COVID–19.

FOR FURTHER INFORMATION CONTACT: Jessica Kilpatrick, Air Permits, Toxics, and Indoor Programs Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Mail Code: 5–MI, Boston, MA 02109–0287. Telephone: 617–918–1652. Fax: 617–918–0652 Email: *kilpatrick.jessica@epa.gov.*

SUPPLEMENTARY INFORMATION:

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I. Background
II. Proposed Action
III. Statutory and Executive Order Reviews

I. Background

On May 21, 2021, EPA published a final rule in the **Federal Register** at 86 FR 27756 [1] for Federal Plan Requirements for Municipal Solid Waste (MSW) Landfills That Commenced Construction On or Before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014, pursuant to section 111(d) of the CAA. This Federal Plan implements the 2016 Emission Guidelines, 40 CFR part 60, subpart XXX, Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014, in areas without an approved state plan by requiring existing MSW landfills that reach a landfill gas emissions threshold of 34 metric tons of nonmethane organic compounds (NMOC) or more per year to install a system to collect and control landfill gas. Other requirements for applicable sources include emission limits, compliance schedules, testing, monitoring, reporting, and recordkeeping. The final rule established how a state can receive delegation of the MSW Landfills Federal Plan for implementation and enforcement authority on behalf of EPA. This procedure requires the state to submit a letter to EPA that (1) demonstrates that the State has adequate resources, as well as the legal and enforcement authority, to administer and enforce the program; (2) includes an inventory of designated MSW landfills, which includes those that have ceased operation, but have not been dismantled or rendered inoperable, and an inventory of the designated units' air emissions; (3) certifies that a public hearing was held on the state delegation request; and (4) includes an MoA between the State and the EPA that sets forth the terms and conditions of the delegation, the effective date of the agreement, and the mechanism to transfer authority.

As a result of EPA's rulemaking, in July 2021 NHDES Air Resources Division staff expressed interest in acquiring delegation of authority to implement and enforce the Federal Plan for MSW landfills located in New Hampshire, in accordance with CAA section 112(l) and 40 CFR 63.91. On December 14, 2021 NHDES submitted to EPA Region 1 Air and Radiation Division staff a preliminary draft of an MoA between the State and EPA concerning this delegation. EPA and NHDES staff coordinated final edits to the document until an agreement was met between the parties. NHDES incorporated 40 CFR part 62, subpart OOO (Subpart OOO) Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014 into the New Hampshire Code of Administrative Rules, Chapter Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants; State Plan for Designated Facilities and Pollutants, Part Env-A 506, State Plans for Designated Facilities and Pollutants. NHDES held a public hearing regarding the proposed rulemaking in accordance with 40 CFR 51.102 on February 22, 2022 in Concord, New Hampshire as well as virtually through WebEx software. The comment period lasted until March 4, 2022. That amendment became effective on May 25, 2022.

On February 6, 2023 NHDES submitted to EPA a formal written request for delegation of authority to implement and enforce the Federal Plan for MSW landfills located in New Hampshire. The letter attached the following documents, Attachment 1: State Resources, Legal and Enforcement Authority, Attachment 2: Inventory of Designated MSW Landfills and Emission Summary, Attachment 3: Public Hearing Certification, Attachment 4: Public Hearing Certification, Attachment 4: MoA between EPA and NHDES, and Attachment 5: Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants; State Plans for Designated Facilities and Pollutants.

After consideration of these materials, EPA determined that the request letter and attached documents adequately fulfilled the state delegation criteria provided in the final rulemaking notice. NHDES demonstrated that its air agency has the requisite authority and resources to administer and enforce the Federal Plan, via New Hampshire's Revised Statutes Annotated (RSA) 125–C:6 Powers and Duties of the Commissioner, 125–C:12 RSA Administrative Requirements, and RSA 125–C:15 Enforcement. According to the submitted inventory, the State of New Hampshire currently has four active MSW landfills that are subject to Subpart OOO: Mount Carberry Secure Landfill (Success), Four Hills Solid Waste Landfill (Nashua), City of Lebanon Solid Waste Facility (Lebanon), and Lower Mount Washington Valley Secure Solid Waste Facility (Conway). NHDES provided a table of the reported NMOC annual emissions from these landfills from 2015 through 2021. The Certification of Public Process document, signed by Commissioner Scott on February 6, 2023, confirms the public hearing was held on February 22, 2022 for ''Revision to Env-A 500, *Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants; State Plans*

[1] *https://www.govinfo.gov/content/pkg/FR-2021-05-21/pdf/2021-10109.pdf.*

for Designated Facilities and Pollutants and request for delegation of the following standards: 40 CFR part 62 Subpart OOO, *Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014.*''

The Memorandum of Agreement Concerning the Delegation of Authority of the Federal Plan for Existing Municipal Solid Waste Landfills to the New Hampshire Department of Environmental Services by the United States Environmental Protection Agency includes the delegation conditions established, the authorities which NHDES assumes and EPA retains, a policy statement defining the responsibilities of both parties, program implementation procedures, reporting and transmittal of information requirements, and contact information. It states that the MoA is effective upon authorized signature by both NHDES and EPA and shall have an effective date of the last date on which it is signed. The mechanism to transfer authority is explicitly identified to be upon signature of both parties. Subsequently, EPA will publish a **Federal Register** action delegating NHDES the authority to implement and enforce the Federal Plan.

The MoA was signed by the NHDES Commissioner on February 6, 2023 and became effective upon signature of the EPA Region 1 Deputy Regional Administrator on June 27, 2023. The Federal Plan is codified at Title 40 Code of Federal Regulations, Part 62, Subpart OOO. The text of EPA's and NHDES's MoA, effective June 27, 2023, is incorporated by reference in this docket.

II. Proposed Action

EPA is proposing to amend regulatory text at 40 CFR part 62, subpart EE—New Hampshire to promulgate the approved delegation of authority to the NHDES for implementing and enforcing the Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014 at 40 CFR part 62, subpart OOO. The proposed regulatory text is included in this proposed rule.

EPA is soliciting public comments on the proposed regulatory text or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed action by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

III. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a State Plan submittal that complies with the provisions of the Act and applicable Federal regulations. CAA sections 111(d) and 129(b); 40 CFR part 60, subparts Ba and Cf; and 40 CFR part 62, subpart A; and 40 CFR 62.04. Thus, in reviewing state plan submissions, EPA's role is to approve state choices, provided they meet the criteria of the CAA. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the State Plan is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Industrial facilities, Intergovernmental relations, Methane, Reporting and recordkeeping requirements, Waste treatment and disposal.

Dated: June 27, 2023.

Karen McGuire,

Deputy Regional Administrator, EPA Region 1.

Part 62 of chapter I, title 40 of the Code of Federal Regulations is proposed to be amended as follows:

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

■ 1. The authority citation for part 62 continues to read as follows:

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

■ 2. Revise § 62.7405 to read as follows:

§ 62.7405 Identification of plan—delegation of authority.

(a) Letter from the New Hampshire Department of Environmental Services (NHDES), submitted February 6, 2023, requested delegation of authority from the EPA to implement and enforce the Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014 (Existing MSW Landfills Federal Plan) at Subpart OOO of this part.

(b) Identification of sources. The Existing MSW Landfills Federal Plan applies each municipal solid waste landfill that meets the following criteria:

(1) Commenced construction, reconstruction, or modification on or before July 17, 2014.

(2) Accepted waste at any time since November 8, 1987, or has additional capacity for future waste deposition.

(c) On February 6, 2023, NHDES Commissioner Robert R. Scott signed the Memorandum of Agreement Concerning the Delegation of Authority

of the Federal Plan for Existing Municipal Solid Waste Landfills to the New Hampshire Department of Environmental Services by the United States Environmental Protection Agency. On June 27, 2023, Region 1 Deputy Regional Administrator Karen McGuire signed the MoA.

(d) The delegation became fully effective as of June 27, 2023.

[FR Doc. 2023–14036 Filed 7–6–23; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 88, No. 129
Friday, July 7, 2023

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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2023–0046]

Notice of Request for Revision to and Extension of Approval of an Information Collection; Black Stem Rust; Identification Requirements for Addition of Rust-Resistant Varieties

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection associated with the black stem rust quarantine and regulations.

DATES: We will consider all comments that we receive on or before September 5, 2023.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *www.regulations.gov*. Enter APHIS–2023–0046 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2023–0046, Regulatory Analysis and Development, PPD, APHIS, Station 3A–03.8, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Supporting documents and any comments we receive on this docket may be viewed at *regulations.gov* or in our reading room, which is located in Room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on black stem rust quarantine and regulations, contact Mr. Allen Proxmire, National Policy Manager, PHP, PPQ, APHIS, 4700 River Road, Unit 26, Riverdale, MD 20737; (301) 851–2307. For more information on the information collection reporting process, contact Mr. Joseph Moxey, APHIS' Paperwork Reduction Act Coordinator, at (301) 851–2483; *joseph.moxey@usda.gov*.

SUPPLEMENTARY INFORMATION:

Title: Black Stem Rust; Identification Requirements for Addition of Rust-Resistant Varieties.

OMB Control Number: 0579–0186.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: Under the Plant Protection Act (7 U.S.C. 7701 *et seq.*), the Secretary of Agriculture is authorized to prohibit or restrict the importation, entry, or interstate movement of plants, plant products, and other articles to prevent the introduction of plant pests into the United States or their dissemination within the United States.

Black stem rust is one of the most destructive plant diseases of small grains that is known to exist in the United States. The disease is caused by a fungus that reduces the quality and yield of infected wheat, oat, barley, and rye crops by robbing host plants of food and water. In addition to infecting small grains, the fungus lives on a variety of alternate host plants that are species of the genera *Berberis, Mahoberberis,* and *Mahonia.* The fungus is spread from host to host by wind-borne spores.

The black stem rust quarantine and regulations, contained in 7 CFR 301.38 through 301.38–8 (referred to below as the regulations), quarantine the conterminous 48 States and the District of Columbia and govern the interstate movement of certain plants of the genera *Berberis, Mahoberberis,* and *Mahonia,* known as barberry plants. The species of these plants are categorized as either rust-resistant or rust-susceptible. Rust-resistant plants do not pose a risk of spreading black stem rust or of contributing to the development of new races of rust; rust-susceptible plants do pose such risks.

Paragraph (c) of § 301.38–2 provides the requirements for the submission of a request to the Animal and Plant Health Inspection Service to add a variety to the list of rust-resistant barberry varieties in the regulations. A request must include a description of the variety, including a written description and color pictures that can be used by an inspector to clearly identify the variety and distinguish it from other varieties. This requirement helps to ensure that State plant inspectors can clearly determine whether plants moving into or through their States are rust-resistant varieties listed in § 301.38–2. In addition, a compliance agreement is required by the regulations to ship barberry plants to protected areas and to facilitate inspection and certification of the product.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities, as described, for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average 3.4 hours per response.

Respondents: Nurseries.

Estimated annual number of respondents: 2.

Estimated annual number of responses per respondent: 3.

Estimated annual number of responses: 5.

Estimated total annual burden on respondents: 17 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 29th day of June 2023.

Michael Watson,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2023–14374 Filed 7–6–23; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Child and Adult Care Food Program: National Average Payment Rates, Day Care Home Food Service Payment Rates, and Administrative Reimbursement Rates for Sponsoring Organizations of Day Care Homes for the Period July 1, 2023 Through June 30, 2024

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

ACTION: Notice.

SUMMARY: This notice announces the annual adjustments to the national average payment rates for meals and snacks served in child care centers, outside-school-hours care centers, at-risk afterschool care centers, and adult day care centers; the food service payment rates for meals and snacks served in day care homes; and the administrative reimbursement rates for sponsoring organizations of day care homes, to reflect changes in the Consumer Price Index. Further adjustments are made to these rates to reflect the higher costs of providing meals in Alaska, Guam, Hawaii, Puerto Rico, and Virgin Islands. The adjustments contained in this notice are made on an annual basis each July, as required by the laws and regulations governing the Child and Adult Care Food Program.

DATES: These rates are effective from July 1, 2023 through June 30, 2024.

FOR FURTHER INFORMATION CONTACT: Penny Burke, Branch Chief, Program Monitoring and Operational Support Division, Child Nutrition Programs, FNS USDA, 1320 Braddock Place, Suite 401, Alexandria, Virginia 22314, 303–844–0357.

SUPPLEMENTARY INFORMATION:

Special Note

This Notice reflects the June 30, 2023 expiration of the temporary reimbursement rates provided under the Keep Kids Fed Act of 2022 (Pub. L. 117–158), which included an additional 10 cents per meal reimbursement rate and temporary Tier I reimbursement rates for Tier II family day care homes. The reimbursement rates in this Notice reflect an adjustment to the base rates from 2022–2023.[1]

While the USDA Food and Nutrition Service (FNS) does not have the authority to adjust reimbursement rates above inflation in the contiguous United States (CONUS), pursuant to section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) USDA may make adjustments to reimbursement rates in the outlying areas to reflect differences between the cost of providing meals and supplements in those areas and the costs of providing meals and supplements in all other States. Therefore, FNS is temporarily increasing the reimbursement rates for the child nutrition programs in Guam, Hawaii, Puerto Rico, and the Virgin Islands [2] to 30 percent above CONUS rates beginning July 1, 2023. This adjusted rate will be applied beginning on July 1, 2023, until further notice.

Background

Pursuant to sections 4, 11, and 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753, 1759a and 1766), section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and 7 CFR 226.4, 226.12 and 226.13 of the Program regulations, notice is hereby given of the new payment rates for institutions participating in the Child and Adult Care Food Program (CACFP). As provided for under the law, all rates in the CACFP must be revised annually, on July 1, to reflect changes in the Consumer Price Index (CPI), published by the Bureau of Labor Statistics of the United States Department of Labor, for the most recent 12-month period. These rates are in effect during the period of July 1, 2023 through June 30, 2024.

Adjusted Payments

The following national average payment factors and food service payment rates for meals and snacks are in effect from July 1, 2023 through June 30, 2024. All amounts are expressed in dollars or fractions thereof. Due to a higher cost of living, the reimbursements for Alaska, Guam, Hawaii, Puerto Rico, and Virgin Islands are higher than those for all other States. The District of Columbia uses the figures specified for the contiguous States. These rates do not include the value of USDA Foods or cash-in-lieu of USDA Foods, which institutions receive as additional assistance for each lunch or supper served to participants under the Program. A notice announcing the value of USDA Foods and cash-in-lieu of USDA Foods is published separately in the **Federal Register**.

Adjustments to the national average payment rates for all meals served under the Child and Adult Care Food Program are rounded down to the nearest whole cent.

National Average Payment Rates for Centers

The changes in the national average payment rates for centers reflect an 8.27 percent increase during the 12-month period from May 2022 to May 2023 (from 325.952 in May 2022, as previously published in the **Federal Register**, to 352.892 in May 2023) in the food away from home series of the CPI for All Urban Consumers.

Payments for breakfasts served are: *Contiguous States* paid rate—38 cents (3 cents increase from the 2022–2023 [3] base rate), reduced price rate—1 dollar and 98 cents (17 cents increase), free rate—2 dollars and 28 cents (17 cents increase); *Alaska*—paid rate—58 cents (4 cents increase), reduced price rate—3 dollars and 36 cents (28 cents increase), free rate—3 dollars and 66 cents (28 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands* paid rate—47 cents (7 cents increase), reduced price rate—2 dollars and 65 cents (49 cents increase), free rate—2 dollars and 95 cents (49 cents increase).

Payments for lunch or supper served are: *Contiguous States* paid rate—40 cents (3 cents increase), reduced price rate—3 dollars and 85 cents (32 cents increase), free rate—4 dollars and 25 cents (32 cents increase); *Alaska* paid rate—66 cents (5 cents increase), reduced price rate—6 dollars and 50 cents (53 cents increase), free rate—6 dollars and 90 cents (53 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—paid rate—53 cents (9 cents increase), reduced price rate—5 dollars and 14 cents (94 cents increase), free rate—5 dollars and 54 cents (94 cents increase).

[1] *https://www.govinfo.gov/content/pkg/FR-2022-07-26/pdf/2022-15893.pdf*—Reference Page—44329.

[2] Guam, Puerto Rico, and Virgin Islands will receive the same rate as Hawaii for Child and Adult Care Food Program.

[3] Rates reflect adjustment to the SY 2022–2023 base rate and does not include the decrease from the expiration of the temporary rates included in Keep Kids Fed Act of 2022 (Pub. L. 117–158).

Payments for snack served are: *Contiguous States*—paid rate—10 cents (1 cents increase), reduced price rate—58 cents (4 cents increase), free rate—1 dollar and 17 cents (9 cents increase); *Alaska*—paid rate—17 cents (1 cent increase), reduced price rate—94 cents (7 cent increase), free rate—1 dollar and 89 cents (14 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—paid rate—13 cents (2 cents increase), reduced price rate—76 cents (13 cents increase), free rate—1 dollar and 52 cents (26 cents increase).

Food Service Payment Rates for Day Care Homes

The changes in the food service payment rates for day care homes reflect a 5.80 percent increase during the 12-month period from May 2022 to May 2023 (from 285.953 in May 2022, as previously published in the **Federal Register**, to 302.535 in May 2023) in the food at home series of the CPI for All Urban Consumers.

Payments for breakfast served are: *Contiguous States*—Tier I—1 dollar and 65 cents (9 cents increase from the 2022–2023 base rate) and Tier II—59 cents (3 cents increase); *Alaska*—Tier I—2 dollars and 63 cents (14 cents increase) and Tier II—92 cents (5 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—Tier I—2 dollar and 12 cents (31 cents increase) and Tier II—75 cents (10 cents increase).

Payments for lunch and supper served are: *Contiguous States*—Tier I—3 dollars and 12 cents (18 cents increase) and Tier II—1 dollar and 88 cents (10 cents increase); *Alaska*—Tier I—5 dollars and 5 cents (28 cents increase) and Tier II—3 dollars and 5 cents (17 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—Tier I—4 dollars and 5 cents (60 cents increase) and Tier II—2 dollar and 44 cents (36 cents increase).

Payments for snack served are: *Contiguous States*—Tier I—93 cents (6 cents increase) and Tier II—25 cents (1 cent increase); *Alaska*—Tier I—1 dollar and 50 cents (8 cents increase) and Tier II—41 cents (2 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—Tier I—1 dollar and 20 cents (18 cents increase) and Tier II—33 cents (5 cents increase).

Administrative Reimbursement Rates for Sponsoring Organizations of Day Care Homes

The changes in the administrative reimbursement rates for sponsoring organizations of day care homes reflect a 4.05 percent increase during the 12-month period, May 2022 to May 2023 (from 292.296 in May 2022, as previously published in the **Federal Register**, to 304.127 in May 2023) in the series for all items of the CPI for All Urban Consumers.

Monthly administrative payments to sponsors for each sponsored day care home are: *Contiguous States*—Initial 50 homes—142 dollars (5 dollar increase from 2022–2023 annual level), next 150 homes—108 dollars (4 dollar increase), next 800 homes—85 dollars (4 dollar increase), each additional home—75 dollars (3 dollar increase); *Alaska*—Initial 50 homes—230 dollars (9 dollar increase), next 150 homes—176 dollars (7 dollar increase), next 800 homes—137 dollars (5 dollar increase), each additional home—121 dollars (5 dollar increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—Initial 50 homes—185 dollars (25 dollar increase), next 150 homes—141 dollars (19 dollar increase), next 800 homes—110 dollars (15 dollar increase), each additional home—97 dollars (13 dollar increase).

Payment Chart

The following chart illustrates the national average payment factors and food service payment rates for meals and snacks in effect from July 1, 2023 through June 30, 2024.

BILLING CODE 3410–30–P

CHILD AND ADULT CARE FOOD PROGRAM (CACFP)

Per Meal Rates in Whole or Fractions of U.S. Dollars

Effective from July 1, 2023 - June 30, 2024

CENTERS		BREAKFAST	LUNCH AND SUPPER[1]	SUPPLEMENT
CONTIGUOUS STATES	PAID	0.38	0.40	0.10
	REDUCED PRICE	1.98	3.85	0.58
	FREE	2.28	4.25	1.17
ALASKA	PAID	0.58	0.66	0.17
	REDUCED PRICE	3.36	6.50	0.94
	FREE	3.66	6.90	1.89
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	PAID	0.47	0.53	0.13
	REDUCED PRICE	2.65	5.14	0.76
	FREE	2.95	5.54	1.52

DAY CARE HOMES	BREAKFAST		LUNCH AND SUPPER		SUPPLEMENT	
	TIER I	TIER II	TIER I	TIER II	TIER I	TIER II
CONTIGUOUS STATES	1.65	0.59	3.12	1.88	0.93	0.25
ALASKA	2.63	0.92	5.05	3.05	1.50	0.41
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	2.12	0.75	4.05	2.44	1.20	0.33

ADMINISTRATIVE REIMBURSEMENT RATES FOR SPONSORING ORGANIZATIONS OF DAY CARE HOMES *Per Home/Per Month Rates in U.S. Dollars*	Initial 50	Next 150	Next 800	Each Additional
CONTIGUOUS STATES	142	108	85	75
ALASKA	230	176	137	121
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	185	141	110	97

[1] These rates do not include the value of USDA Foods or cash-in-lieu of USDA Foods which institutions receive as additional assistance for each CACFP lunch or supper served to participants. A notice announcing the value of USDA Foods and cash-in-lieu of USDA Foods is published separately in the *Federal Register*.

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of that Act. This notice has been determined to be exempt under Executive Order 12866.

CACFP is listed in the Catalog of Federal Domestic Assistance under No. 10.558 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 2 CFR 415.3–415.6).

This notice imposes no new reporting or recordkeeping provisions that are subject to OMB review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3518).

Authority: Sections 4(b)(2), 11a, 17(c) and 17(f)(3)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)(2), 1759a, 1766(f)(3)(B) and section 4(b)(1)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(b)(1)(B)).

Cynthia Long,

Administrator, Food and Nutrition Service.

[FR Doc. 2023–14317 Filed 7–6–23; 8:45 am]

BILLING CODE 3410–30–C

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

National School Lunch, Special Milk, and School Breakfast Programs, National Average Payments/Maximum Reimbursement Rates

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: This Notice announces the annual adjustments to the national average payments, the amount of money the Federal Government provides States for lunches, afterschool snacks, and breakfasts served to children participating in the National School Lunch and School Breakfast Programs; to the maximum reimbursement rates, the maximum per lunch rate from Federal funds that a State can provide a school food authority for lunches served to children participating in the National School Lunch Program; and to the rate of reimbursement for a half-pint of milk served to non-needy children in a school or institution that participates in the Special Milk Program for Children. The annual payments and rates adjustments for the National School Lunch and School Breakfast Programs reflect changes in the Food Away From Home series of the Consumer Price Index for All Urban Consumers. The annual rate adjustment for the Special Milk Program reflects changes in the Producer Price Index for Fluid Milk Products. Further adjustments are made to these rates to reflect higher costs of providing meals in Alaska, Guam, Hawaii, Puerto Rico, and Virgin Islands. The payments and

rates are prescribed on an annual basis each July.

DATES: These rates are effective from July 1, 2023 through June 30, 2024.

FOR FURTHER INFORMATION CONTACT: Penny Burke, Branch Chief, Program Monitoring and Operational Support Division, Child Nutrition Programs, FNS USDA, 1320 Braddock Place, Suite 401, Alexandria, VA 22314, 303–844–0357.

SUPPLEMENTARY INFORMATION:

Special Note

This Notice reflects the June 30, 2023 expiration of the temporary reimbursement rates provided under the Keep Kids Fed Act of 2022 (Pub. L. 117–158), which included an additional 40 cents per school lunch and 15 cents per school breakfast meal reimbursement. The reimbursement rates in this Notice reflect an adjustment to the base rate from School Year (SY) 2022–2023.[1]

While the USDA Food and Nutrition Service (FNS) does not have the authority to adjust reimbursement rates above inflation in the contiguous United States (CONUS), pursuant to section 12 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760) USDA may make adjustments to reimbursement rates in the outlying areas to reflect differences between the cost of providing meals and supplements in those areas and the costs of providing meals and supplements in all other States. Therefore, FNS is temporarily increasing the reimbursement rates for the child nutrition programs in Guam, Hawaii, Puerto Rico, and the Virgin Islands to 30 percent above CONUS rates beginning July 1, 2023. This adjusted rate will be applied beginning on July 1, 2023, until further notice.

Background

Special Milk Program for Children—Pursuant to section 3 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1772), the Department announces the rate of reimbursement for a half pint of milk served to non-needy children in a school or institution that participates in the Special Milk Program for Children. This rate is adjusted annually to reflect changes in the Producer Price Index for Fluid Milk Products, published by the Bureau of Labor Statistics of the Department of Labor.

National School Lunch and School Breakfast Programs—Pursuant to sections 11 and 17A of the Richard B. Russell National School Lunch Act, (42 U.S.C. 1759a and 1766a), and section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773), the Department annually announces the adjustments to the National Average Payment Factors and to the maximum Federal reimbursement rates for lunches and afterschool snacks served to children participating in the National School Lunch Program and breakfasts served to children participating in the School Breakfast Program. Adjustments are prescribed each July 1, based on changes in the Food Away From Home series of the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

Lunch Payment Levels—Section 4 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753) provides general cash for food assistance payments to States to assist schools in purchasing food. The Richard B. Russell National School Lunch Act provides two different section 4 payment levels for lunches served under the National School Lunch Program. The lower payment level applies to lunches served by school food authorities in which less than 60 percent of the lunches served in the school lunch program during the second preceding school year were served free or at a reduced price. The higher payment level applies to lunches served by school food authorities in which 60 percent or more of the lunches served during the second preceding school year were served free or at a reduced price.

To supplement these section 4 payments, section 11 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759 (a)) provides special cash assistance payments to aid schools in providing free and reduced-price lunches. The section 11 National Average Payment Factor for each reduced-price lunch served is set at 40 cents less than the factor for each free lunch.

As authorized under sections 8 and 11 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1757 and 1759a), maximum reimbursement rates for each type of lunch are prescribed by the Department in this Notice. These maximum rates are to ensure equitable disbursement of Federal funds to school food authorities.

Performance-Based Reimbursement—In addition to the funding mentioned above, school food authorities certified as meeting the meal pattern and nutrition standard requirements set forth in 7 CFR parts 210 and 220 are eligible to receive performance-based cash assistance for each reimbursable lunch served (an additional eight cents per lunch available beginning July 1, 2023, and adjusted annually thereafter).

Afterschool Snack Payments in Afterschool Care Programs—Section 17A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766a) establishes National Average Payments for free, reduced price and paid afterschool snacks as part of the National School Lunch Program.

Breakfast Payment Factors—Section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) establishes National Average Payment Factors for free, reduced price, and paid breakfasts served under the School Breakfast Program and additional payments for free and reduced-price breakfasts served in schools determined to be in ''severe need'' because they serve a high percentage of needy children.

Adjusted Payments

The following specific section 4, section 11, and section 17A National Average Payment Factors and maximum reimbursement rates for lunch, the afterschool snack rates, and the breakfast rates are in effect from July 1, 2023 through June 30, 2024. Due to a higher cost of living, the average payments and maximum reimbursements for Alaska, Guam, Hawaii, Puerto Rico, and Virgin Islands are higher than those for all other States. The District of Columbia uses figures specified for the contiguous States. These rates do not include the value of USDA Foods or cash-in-lieu of USDA Foods which schools receive as additional assistance for each meal served to participants under the Program. A notice announcing the value of USDA Foods and cash-in-lieu of USDA Foods is published separately in the **Federal Register**.

Adjustments to the national average payment rates for all lunches served under the National School Lunch Program, breakfasts served under the School Breakfast Program, and afterschool snacks served under the National School Lunch Program are rounded down to the nearest whole cent.

Special Milk Program Payments

For the period July 1, 2023 through June 30, 2024, the rate of reimbursement for a half pint of milk served to a non-needy child in a school or institution that participates in the Special Milk Program is 26.25 cents. This change is based on the 3.46 percent decrease in the Producer Price Index for Fluid Milk Products from May 2022 to May 2023.

As a reminder, schools or institutions with pricing programs that elect to serve milk free to eligible children continue to receive the average cost of a half pint of milk (the total cost of all milk purchased

[1] *https://www.govinfo.gov/content/pkg/FR-2022-07-26/pdf/2022-15892.pdf*—Reference Page—44335.

during the claim period divided by the total number of purchased half pints) for each half pint served to an eligible child.

National School Lunch Program Payments

Overall, payments for the National School Lunch Program and the Afterschool Snack Program saw an 8.27 percent increase in the national average payment rates for schools and residential child care institutions for the period July 1, 2023 through June 30, 2024 in the Consumer Price Index for All Urban Consumers for the Food Away From Home series during the 12-month period May 2022 to May 2023 (from a level of 325.952 in May 2022, as previously published in the **Federal Register** to 352.892 in May 2023).

These changes are reflected below.

Section 4 National Average Payment Factors—In school food authorities that served less than 60 percent free and reduced-price lunches in School Year (SY) 2021–2022,[2] the payments for meals served are: *Contiguous States*—paid rate—40 cents (3 cents increase from the 2022–2023 base rate [3]), free and reduced price rate—40 cents (3 cents increase), maximum rate—48 cents (3 cents increase); *Alaska*—paid rate—66 cents (5 cents increase), free and reduced price rate—66 cents (5 cents increase), maximum rate—76 cents (5 cents increase); *Guam, Hawaii, Puerto Rico, and Virgin Islands*—paid rate—53 cents (9 cents increase), free and reduced price rate—53 cents (9 cents increase), maximum rate—61 cents (9 cents increase).

In school food authorities that served 60 percent or more free and reduced price lunches in School Year 2021–2022, payments are: *Contiguous States*—paid rate—42 cents (3 cents increase), free and reduced price rate—42 cents (3 cents increase), maximum rate—48 cents (3 cents increase); *Alaska*—paid rate—68 cents (5 cents increase), free and reduced price rate—68 cents (5 cents increase), maximum rate—76 cents (5 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—paid rate—55 cents (9 cents increase), free and reduced price rate—55 cents (9 cents increase), maximum rate—61 cents (9 cents increase).

School food authorities certified to receive the performance-based cash assistance will receive an additional 8 cents (adjusted annually) added to the above amounts as part of their section 4 payments.

Section 11 National Average Payment Factors—Contiguous States—free lunch—3 dollars and 85 cents (29 cents increase from the SY 2022–2023 base rate), reduced price lunch—3 dollars and 45 cents (29 cents increase); *Alaska*—free lunch—6 dollars and 24 cents (48 cents increase), reduced price lunch—5 dollars and 84 cents (48 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—free lunch—5 dollars and 1 cent (85 cents increase), reduced price lunch—4 dollars and 61 cents (85 cents increase).

Afterschool Snacks in Afterschool Care Programs—The payments are: *Contiguous States*—free snack—1 dollar and 17 cents (9 cents increase from the SY 2022–2023 base rate), reduced price snack—58 cents (4 cents increase), paid snack—10 cents (1 cent increase); *Alaska*—free snack–1 dollar and 89 cents (14 cent increase), reduced price snack—94 cents (7 cents increase), paid snack—17 cents (1 cent increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—free snack—1 dollar and 52 cents (26 cents increase), reduced price snack—76 cents (13 cents increase), paid snack—13 cents (2 cents increase)

School Breakfast Program Payments

Overall, payments for the National School Breakfast Program saw an 8.27 percent increase in the national average payment rates for schools and residential child care institutions for the period July 1, 2023 through June 30, 2024 in the Consumer Price Index for All Urban Consumers in the Food Away from Home series during the 12-month period May 2022 to May 2023 (from a level of 325.952 in May 2022, as previously published in the **Federal Register** to 352.892 in May 2023).

These changes are reflected below.

For schools ''not in severe need'' the payments are: *Contiguous States*—free breakfast—2 dollars and 28 cents (17 cents increase from the SY 2022–2023 base rate), reduced price breakfast—1 dollar and 98 cents (17 cents increase), paid breakfast—38 cents (3 cents increase); *Alaska* free breakfast—3 dollars and 66 cents (28 cents increase), reduced price breakfast—3 dollars and 36 cents (28 cents increase), paid breakfast—58 cents (4 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—free breakfast—2 dollars and 95 cents (49 cents increase), reduced price breakfast—2 dollars and 65 cents (49 cents increase), paid breakfast—47 cents (7 cents increase).

For schools in ''severe need'' the payments are: *Contiguous States* free breakfast—2 dollars and 73 cents (21 cents increase from the SY 2022–2023 base rate), reduced price breakfast—2 dollars and 43 cents (21 cents increase), paid breakfast—38 cents (3 cents increase); *Alaska*—free breakfast—4 dollars and 39 cents (33 cents increase), reduced price breakfast—4 dollars and 9 cents (33 cents increase), paid breakfast—58 cents (4 cents increase); *Guam, Hawaii, Puerto Rico and Virgin Islands*—free breakfast—3 dollars and 53 cents (59 cents increase), reduced price breakfast—3 dollars and 23 cents (59 cents increase), paid breakfast—47 cents (7 cents increase).

Payment Chart

The following chart illustrates the lunch National Average Payment Factors with the sections 4 and 11 already combined to indicate the per lunch amount; the maximum lunch reimbursement rates; the reimbursement rates for afterschool snacks served in afterschool care programs; the breakfast National Average Payment Factors including severe need schools; and the milk reimbursement rate. All amounts are expressed in dollars or fractions thereof. The payment factors and reimbursement rates used for the District of Columbia are those specified for the contiguous States.

BILLING CODE 3410–30–P

[2] Clarification on determining 60 percent free and reduced can be found in policy memo SP 02–2023 Determining Eligibility for Severe Need Reimbursement for the School Breakfast Program (SBP) and the Two Cent Differential Reimbursement for the National School Lunch Program (NSLP) in School Year (SY) 2023–24. *https://www.fns.usda.gov/cn/sp-02-2023.*

[3] Rates reflect adjustment to the SY 2022–2023 base rate and does not include the decrease from the expiration of the temporary rates included in Keep Kids Fed Act of 2022 (Pub. L. 117–158).

SCHOOL PROGRAMS

MEAL, SNACK AND MILK PAYMENTS TO STATES AND SCHOOL FOOD AUTHORITIES

Expressed in Dollars or Fractions Thereof

Effective from: July 1, 2023 - June 30, 2024

NATIONAL SCHOOL LUNCH PROGRAM[1]		LESS THAN 60%	LESS THAN 60% + 8 cents[2]	60% OR MORE	60% or MORE + 8 cents[2]	MAXIMUM RATE	MAXIMUM RATE + 8 cents[2]
CONTIGUOUS STATES	PAID	0.40	0.48	0.42	0.50	0.48	0.56
	REDUCED PRICE	3.85	3.93	3.87	3.95	4.02	4.10
	FREE	4.25	4.33	4.27	4.35	4.42	4.50
ALASKA	PAID	0.66	0.74	0.68	0.76	0.76	0.84
	REDUCED PRICE	6.50	6.58	6.52	6.60	6.74	6.82
	FREE	6.90	6.98	6.92	7.00	7.14	7.22
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	PAID	0.53	0.61	0.55	0.63	0.61	0.69
	REDUCED PRICE	5.14	5.22	5.16	5.24	5.34	5.42
	FREE	5.54	5.62	5.56	5.64	5.74	5.82

SCHOOL BREAKFAST PROGRAM		NON-SEVERE NEED	SEVERE NEED
CONTIGUOUS STATES	PAID	0.38	0.38
	REDUCED PRICE	1.98	2.43
	FREE	2.28	2.73
ALASKA	PAID	0.58	0.58
	REDUCED PRICE	3.36	4.09
	FREE	3.66	4.39
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	PAID	0.47	0.47
	REDUCED PRICE	2.65	3.23
	FREE	2.95	3.53

SPECIAL MILK PROGRAM	ALL MILK	PAID MILK	FREE MILK
PRICING PROGRAMS WITHOUT FREE OPTION	0.2625	N/A	N/A
PRICING PROGRAMS WITH FREE OPTION	N/A	0.2625	Average Cost Per 1/2 Pint of Milk
NONPRICING PROGRAMS	0.2625	N/A	N/A

AFTERSCHOOL SNACKS SERVED IN AFTERSCHOOL CARE PROGRAMS		
CONTIGUOUS STATES	PAID	0.10
	REDUCED PRICE	0.58
	FREE	1.17
ALASKA	PAID	0.17
	REDUCED PRICE	0.94
	FREE	1.89
GUAM, HAWAII, PUERTO RICO and VIRGIN ISLANDS	PAID	0.13
	REDUCED PRICE	0.76
	FREE	1.52

[1] Payment listed for Free and Reduced Price Lunches include both section 4 and section 11 funds

[2] Performance-based cash reimbursement (adjusted annually for inflation)

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of that Act. This notice has been determined to be exempt under Executive Order 12866.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), no new recordkeeping or reporting requirements have been included that are subject to approval from the Office of Management and Budget.

National School Lunch, School Breakfast, and Special Milk Programs are listed in the Catalog of Federal Domestic Assistance under No. 10.555, No. 10.553, and No. 10.556, respectively, and are subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (See 2 CFR 415.3–415.6).

Authority: Sections 4, 8, 11, and 17A of the Richard B. Russell National School Lunch Act, as amended, (42 U.S.C. 1753, 1757, 1759a, 1766a) and sections 3 and 4(b) of the Child Nutrition Act, as amended, (42 U.S.C. 1772 and 42 U.S.C. 1773(b)).

Cynthia Long,

Administrator, Food and Nutrition Service.

[FR Doc. 2023–14313 Filed 7–6–23; 8:45 am]

BILLING CODE 3410–30–C

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Agency Information Collection Activities; Proposals, Submissions, and Approvals: Reactive Hazard Study Survey of Industry Practices

AGENCY: United States Chemical Safety and Hazard Investigation Board (CSB).

ACTION: 60-Day notice of submission of information collection request (ICR) approval and request for comments.

SUMMARY: The proposed information collection request (ICR) described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995. The Chemical Safety Board (CSB) is soliciting public comments on this proposed collection approval.

DATES: Comments should be sent no later than September 5, 2023.

ADDRESSES: Requests for information, including copies of the information collection proposed and supporting documentation should be directed to: Tamara Qureshi, Assistant General Counsel, U.S. Chemical Safety and Hazard Investigation Board, 1750 Pennsylvania Ave. NW, Suite 910, Washington, DC 20006 or at *reactives@csb.gov.*

SUPPLEMENTARY INFORMATION:

Title: CSB Reactive Hazard Study Survey of Industry Practices.

Type of Request: Approval.

Abstract: The enabling statute of the Chemical Safety and Hazard Investigation Board (CSB) provides that the CSB is ''authorized to conduct research and studies with respect to the potential for accidental releases, whether or not an accidental release has occurred, where there is evidence which indicates the presence of a potential hazard or hazards.'' 42 U.S.C. 7412(r)(6)(F).

In August 2000, the CSB initiated a review of reactive hazards nationwide. The purpose of the investigation was to develop recommendations to reduce the number and severity of such incidents. The CSB published Hazard Investigation: Improving Reactive Hazard Management on September 17, 2002. The CSB issued a total of 24 recommendations to 15 organizations. Only two recommendations remain.

This information collection request will assist the CSB in updating its 2002 study, ''Hazard Investigation: Improving Reactive Hazard Management.'' On behalf of the CSB, the Federal Research Division (FRD) within the Library of Congress is conducting the study to reflect the current research, data, and company safety policies concerning reactive chemical incidents.

For this study, FRD on behalf of CSB will collect survey data from 15 randomly selected small, medium, and large companies that use reactive chemicals. FRD will also conduct interviews with nine stakeholders, who may include industry representatives, regulatory agencies, professional safety organizations, trade associations, trade unions, and/or public advocacy groups.

Type of Respondents: All the respondents will be private sector businesses that use reactive chemicals that voluntarily submit to interviews or the survey.

Estimate Annual Number of Respondents: 24.

Frequency of Use: Once. This survey is part of a study.

Small Businesses or Organizations Affected: No. Although the CSB is contacting small businesses, this survey is voluntary. Additionally, the CSB anticipates a total of 15 companies will respond.

Estimated Number of Annual Responses: 24.

Estimated Average Burden Hours per Response: 3 hours. The survey should take a representative from each of the companies randomly selected two to four hours to complete. The estimated financial burden for one process safety manager to take this survey is $144.45. For 15 surveys, the total cost of process safety managers' time is estimated to be $2,166.75.[1] The interviews will take no longer than 90 minutes each. The estimated financial burden for one chemist to engage in an interview is $64.28. For nine interviews, the total cost of chemists' time is estimated to be $578.48.[2] The combined total cost of this data collection on the American public is estimated to be $2,745.23.

Estimated Total Annual Burden Hours: 45 hours.

Need for and Use of Information: This research is vital because safely conducting chemical reactions is essential for the chemical manufacturing industry. Chemical reactive hazards can rapidly release large quantities of heat, energy, and gaseous byproducts. Uncontrolled reactions have led to serious explosions, fires, and toxic emissions. The impacts may be severe in terms of death and injury to people, damage to physical property, and effects on the environment and surrounding communities. Since the publication of the 2002 report, incidents caused by uncontrolled chemical reactions have persisted. This fact suggests the need to continue to evaluate existing standards and improve the management of reactive hazards in response to changes within the chemical manufacturing industry over the past two decades.

Researchers will use quantitative and qualitative mixed methods to analyze the collected industry information. The analysis will identify trends and present insights which will enhance the CSB's capacity to respond to future reactive chemical incidents and to inform industry stakeholders of the best practices in process safety protocols.

Comment is Invited: Comment is invited on: (1) Whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the

[1] A 3-hour time burden for a process safety manager (which is a reasonable if not expected interviewee for a surveyed company) multiplied by the number of surveys; an average Process Safety Manager makes $100,154 as of September 15, 2022, which in terms of hourly compensation is $48.15. $48.15 hourly pay * 3 hours to complete * 15 surveys = $2,166.75. See ''Process Safety Manager Salaries,'' Glassdoor, Updated September 15, 2022, *https://www.glassdoor.com/Salaries/process-safety-manager-salary-SRCH_KO0,22.htm.*

[2] A 90-minute time burden for a chemist (which is a reasonable representative for these stakeholders) multiplied by the number of planned interviews; a chemist's average salary is $89,130 as of May 2021, which is $42.85 per hour. $42.85 hourly pay * 1.5 hours to complete * 9 interviews = $578.48. See ''Occupational Employment and Wage Statistics, May 2021, 19–2031 Chemists,'' Bureau of Labor Statistics, March 31, 2022, *https://www.bls.gov/oes/current/oes192031.htm.*

burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. To view the draft protocol, please see: *https://www.csb.gov/assets/1/6/csb_frd_reactivessurvey_draft_(002).pdf.*

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request toward Office of Management and Budget approval.

Dated: June 30, 2023.

Tamara Qureshi,

Assistant General Counsel.

[FR Doc. 2023–14334 Filed 7–6–23; 8:45 am]

BILLING CODE 6350–01–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–19–2023]

Foreign-Trade Zone (FTZ) 138; Authorization of Production Activity; Intel Corporation; (Semiconductor Products); New Albany, Ohio

On March 2, 2023, Intel Corporation submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 138I in New Albany, Ohio.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (88 FR 14978, March 10, 2023). On May 4, 2023, the applicant amended its request to remove seven foreign-status components from the production notification: dimethyl sulfoxide based cleaning solvent; propylene glycol monomethyl ether based solvent; propylene glycol monomethyl ether acetate; ethanolamine based wafer cleaning solution; triethanolamine based solution; silicon tetrachloride; and, butyl acetate.

On June 30, 2023, the applicant was notified of the FTZ Board's decision that no further review of the activity is warranted at this time. The production activity described in the notification was authorized, with the exception of the seven withdrawn foreign-status components, subject to the FTZ Act and the FTZ Board's regulations, including section 400.14.

Dated: June 30, 2023.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2023–14364 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–18–2023]

Production Activity Not Authorized; Foreign-Trade Zone (FTZ) 3; Phillips 66 Company; (Renewable Fuels and By-Products); Rodeo, California

On March 3, 2023, Phillips 66 Company submitted a notification of proposed production activity to the FTZ Board for its facility within Subzone 3E, in Rodeo, California.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (88 FR 14979, March 10, 2023). On July 3, 2023, the applicant was notified of the FTZ Board's decision that further review of the activity is warranted. The production activity described in the notification was not authorized. If the applicant wishes to seek authorization for this activity, it will need to submit an application for production authority, pursuant to section 400.23.

Dated: July 3, 2023.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2023–14363 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–898]

Chlorinated Isocyanurates From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that chlorinated isocyanurates (chlorinated isos) from the People's Republic of China (China) were sold in the United States at less than normal value during the period of review (POR), June 1, 2021, through May 31, 2022. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Sean Carey, 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) 482–3964.

SUPPLEMENTARY INFORMATION:

Background

On August 9, 2022, Commerce initiated the administrative review of the AD order on chlorinated isocyanurates (chlorinated isos) from China covering the period June 1, 2021, through May 31, 2022.[1] This review covers two producers/exporters: Heze Huayi Chemical Co., Ltd. (Heze Huayi); and Juancheng Kangtai Chemical Co., Ltd. (Kangtai). On February 17, 2023, Commerce extended the deadline for the preliminary results of this administrative review by 120 days, until June 30, 2023.[2]

For details regarding the events that occurred subsequent to the initiation of this review, *see* the Preliminary Decision Memorandum.[3] 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*.

Scope of the Order

The products covered by the order are chlorinated isos, which are derivatives of cyanuric acid, described as chlorinated s-triazine triones. Chlorinated isos are currently

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022).

[2] *See* Memorandum, ''Chlorinated Isocyanurates from the People's Republic of China: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 17, 2023.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2021–2022 Administrative Review of the Antidumping Duty Order on Chlorinated Isocyanurates from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.40.50, 3808.50.40 and 3808.94.5000 of the Harmonized Tariff Schedule of the United States. For a complete description of the scope of the order, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). Export prices have been calculated in accordance with section 772 of the Act. Because China is a non-market economy within the meaning of section 771(18) of the Act, normal value has been calculated in accordance with section 773(c) of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

Commerce preliminarily determines that Heze Huayi and Kangtai have established their eligibility for a separate rate, and that the following weighted-average dumping margins exist for the period of June 1, 2021, through May 31, 2022:

Exporter	Weighted-average dumping margin (percent)
Heze Huayi Chemical Co. Ltd	57.74
Juancheng Kangtai Chemical Co. Ltd	82.83

Disclosure and Public Comment

Commerce intends to disclose the calculations for these preliminary results within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs within 30 days after the date of publication of these preliminary results of review.[4] Rebuttals to case briefs, which must be limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[5] Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[6] Case and rebuttal briefs should be filed using ACCESS[7] and must be served on interested parties.[8] Executive summaries should be limited to five pages total, including footnotes. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[9]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.

Unless we extend the deadline for the final results of this review, we intend to issue the final results of this administrative review, including the results of our analysis of issues raised by the parties in their briefs, within 120 days of the date of publication of this notice in the **Federal Register**.[10]

Assessment Rates

Upon issuing the final results of this review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[11] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication). For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce intends to calculate importer-specific assessment rates for antidumping duties, in accordance with 19 CFR 351.212(b)(1).[12] Where the respondent reported reliable entered values, Commerce intends to calculate importer-specific *ad valorem* assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer and dividing this amount by the total entered value of the merchandise sold to the importer.[13] Where the respondent did not report entered values, Commerce will calculate importer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[14] Where an importer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer-specific *ad valorem* assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[15] For entries that were not reported in the U.S. sales database submitted by an exporter individually examined during this review, but that entered under the case number of that exporter (*i.e.,* at the individually-examined exporter's cash deposit rate), Commerce will instruct CBP to liquidate such entries at the China-wide rate.[16]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for the exporters listed above that have a

[4] *See* 19 CFR 351.309(c)(1)(ii).

[5] *See* 19 CFR 351.309(d)(1) and (2); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[6] *See* 19 CFR 351.309(c) and (d); *see also* 19 CFR 351.303 (for general filing requirements).

[7] *See* generally 19 CFR 351.303.

[8] *See* 19 CFR 351.303(f).

[9] *See Temporary Rule.*

[10] *See* section 751(a)(3)(A) of the Act; *see also* 19 CFR 351.213(h)(1).

[11] *See* 19 CFR 351.212(b)(1).

[12] *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification*).

[13] *See* 19 CFR 351.212(b)(1).

[14] *Id.*

[15] *See Final Modification,* 77 FR at 8103.

[16] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011).

separate rate, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review (except, if the rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), then a cash deposit rate of zero will be established for that company); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that are currently eligible for a separate rate, the cash deposit rate will continue to be equal to the exporter-specific weighted-average dumping margin published for the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the cash deposit rate established for the China-wide entity, 285.63 percent; and (4) for all exporters of subject merchandise that are not located in China and that are not eligible for a separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 19 CFR 351.221(b)(4).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Discussion of the Methodology
V. Adjustments Under Section 777A(f) of the Act
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2023–14432 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–878]

Glycine From Japan: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that producers or exporters subject to this administrative review did not make sales of subject merchandise at less than normal value during the period of review June 1, 2021, through May 31, 2022. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: John K. Drury, 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) 482–0195.

SUPPLEMENTARY INFORMATION:

Background

On June 21, 2019, Commerce published the antidumping duty order on glycine from Japan.[1] On June 3, 2022, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On August 9, 2022, Commerce published the notice of initiation of the administrative review of the *Order*.[3] On February 24, 2023, Commerce extended the time limit for these preliminary results to June 30, 2023, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act).[4]

Scope of the Order

The merchandise subject to the *Order* is glycine. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.[5]

Methodology

Commerce is conducting this review in accordance with section 751(a)(2) of the Act. Export price and constructed export price are calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is made available to the public 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 found at *https://access.trade.gov/public/FRNoticesListLayout.aspx*. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

Preliminary Results of Review

We preliminarily determine that the following estimated weighted-average dumping margin exists for the period June 1, 2021, through May 31, 2022.

Producer/exporter	Estimated weighted-average dumping margin (percent)
Yuki Gosei Kogyo Co., Ltd./ Nagase & Co., Ltd.[6]	0.00

Disclosure and Public Comment

We intend to disclose the calculations performed to parties in this administrative review within five days after public announcement of the preliminary results, in accordance with 19 CFR 351.224(b).

[1] *See Glycine from India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders,* 84 FR 29170 (June 21, 2019) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 87 FR 33706, 33708 (June 3, 2022).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459, 48462 (August 9, 2022) (*Initiation Notice*).

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 24, 2023.

[5] *See* Memorandum, ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2021–2022: Glycine from Japan,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] As explained in the Preliminary Decision Memorandum, based on the record information, Commerce preliminarily determines that Nagase & Co., Ltd. and Yuki Gosei Kogyo Co., Ltd. are affiliated within the meaning of section 771(33)(E) of the Act and should be treated as a single entity pursuant to 19 CFR 351.401(f) for these preliminary results of review.

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[7] Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.[8] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[9]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.[10]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.[11] If the weighted-average dumping margin for Yuki Gosei Kogyo Co., Ltd./Nagase & Co., Ltd. is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate an importer-specific assessment rate. Where the respondent reported reliable entered values, Commerce intends to calculate importer/customer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).[12] Where the respondent did not report entered values, in accordance with 19 CFR 351.212(b)(1), Commerce will calculate importer/customer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer/customer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer/customer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported. Where an importer/customer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. If Yuki Gosei Kogyo Co., Ltd./Nagase & Co., Ltd.'s weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate for one of these companies is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[13] For entries of subject merchandise during the period of review produced by any of these companies for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries.[14]

Consistent with its recent notice,[15] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication). The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of administrative review for all shipments of glycine from Japan entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will be 53.66 percent, the all-others rate established in the less-than-fair-value investigation.[16] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

[7] *See* 19 CFR 351.309(d); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).'').

[8] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[9] *See* 19 CFR 351.303 (for general filing requirements).

[10] *See* 19 CFR 351.310(c).

[11] *See* 19 CFR 351.212(b)(1).

[12] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[13] *Id.* at 8102–03; *see also* 19 CFR 351.106(c)(2).

[14] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings,* 86 FR 3995 (January 15, 2021).

[16] *See Glycine from India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders,* 84 FR 29170, 29171 (June 21, 2019).

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Affiliation
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2023–14393 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–028]

Hydrofluorocarbon Blends From the People's Republic of China: Initiation of Circumvention Inquiries on the Antidumping Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: In response to a request from the American HFC Coalition (the petitioner), the U.S. Department of Commerce (Commerce) is initiating four country-wide circumvention inquiries to determine whether: (1) U.S. imports from the People's Republic of China (China) of R–410B, R–407G, and a custom blend, which are further processed in the United States, are circumventing the antidumping duty (AD) order on hydrofluorocarbon (HFC) blends from China; (2) U.S. imports from Malaysia of R–410A and R–407C, which are completed in Malaysia using Chinese components, are circumventing the AD order on HFC blends from China; (3) U.S. imports of R–410B from Turkey, which are completed in Turkey using Chinese components and further processed in the United States, are circumventing the AD order on HFC blends from China; and (4) U.S. imports of R–410A from Turkey, which are completed in Turkey using Chinese components, are circumventing the AD order on HFC blends from China.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Genevieve Coen or Melissa Porpotage, 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) 482–3251 or (202) 482–1413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 15 and 16, 2023, pursuant to sections 781(a) and 781(b) of the Tariff Act of 1930, as amended, (the Act) and 19 CFR 351.226(c), the American HFC Coalition filed circumvention inquiry requests alleging that HFC blends from China, which are further processed in the United States, and HFC blends completed in Malaysia or Turkey from Chinese components are circumventing the order [1] and, accordingly, should be included within the scope of the *Order.*[2] On June 9, 2023, we extended the deadline to initiate these circumvention inquiries, in accordance with 19 CFR 351.226(d)(1).[3] On June 9, 2023, Commerce issued supplemental questionnaires to the American HFC Coalition.[4] On June 14, 2023, the American HFC Coalition responded to our supplemental questionnaires.[5]

Scope of the Order

The products subject to the *Order* are HFC blends. HFC blends covered by the scope are R–404A, a zeotropic mixture consisting of 52 percent 1,1,1-Trifluoroethane, 44 percent Pentafluoroethane, and 4 percent 1,1,1,2-Tetrafluoroethane; R–407A, a zeotropic mixture of 20 percent Difluoromethane, 40 percent Pentafluoroethane, and 40 percent 1,1,1,2-Tetrafluoroethane; R–407C, a zeotropic mixture of 23 percent Difluoromethane, 25 percent Pentafluoroethane, and 52 percent 1,1,1,2-Tetrafluoroethane; R–410A, a zeotropic mixture of 50 percent Difluoromethane and 50 percent Pentafluoroethane; and R–507A, an azeotropic mixture of 50 percent Pentafluoroethane and 50 percent 1,1,1-Trifluoroethane also known as R–507. The foregoing percentages are nominal percentages by weight. Actual percentages of single component refrigerants by weight may vary by plus or minus two percent points from the nominal percentage identified above.[6]

Any blend that includes an HFC component other than R–32, R–125, R–143a, or R–134a is excluded from the scope of the *Order.*

Excluded from the *Order* are blends of refrigerant chemicals that include products other than HFCs, such as blends including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), hydrocarbons (HCs), or hydrofluoroolefins (HFOs).

Also excluded from the *Order* are patented HFC blends, including, but not limited to, ISCEON® blends, including MO99™ (R–438A), MO79 (R–422A), MO59 (R–417A), MO49Plus™ (R–437A) and MO29™ (R–4 22D), Genetron® Performax™ LT (R–407F), Choice® R–421A, and Choice® R–421B.

HFC blends covered by the scope of the *Order* are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings 3827.61.0000, 3827.63.0000, 3827.64.0000, 3827.65.0000, 3827.68.0000, 3827.69.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.[7]

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[1] *See Hydrofluorocarbon Blends and Components Thereof from the People's Republic of China: Antidumping Duty Order,* 81 FR 55436 (August 19, 2016) (*Order*).

[2] *See* American HFC Coalition's Letters, ''Request to Initiate Anti-Circumvention Inquiry with Respect to Imports of R410B, R–407G, and Certain 'Custom' HFC Blends from China,'' and ''Request to Initiate Anti-Circumvention Inquiries with Respect to Imports of R–410A and R–407C Blended in Malaysia,'' dated May 15, 2023; and ''Request to Initiate Anti-Circumvention Inquiries with Respect to Imports of R–410A and R–410B from Turkey Pursuant to Sections 781(a) and (b) of the Act,'' dated May 16, 2023 (collectively, Inquiry Requests).

[3] *See* Memorandum, ''Extension of Time to Determine Whether to Initiate Circumvention Inquiry,'' dated June 9, 2023.

[4] *See* Commerce's Letters, ''U.S. Custom Blends Circumvention Inquiry Request Supplemental Questionnaire,'' ''Custom Blends from Malaysia Circumvention Inquiry Request Supplemental Questionnaire,'' and ''Custom Blends from Turkey Circumvention Inquiry Request Supplemental Questionnaire,'' dated June 9, 2023.

[5] *See* American HFC Coalition's Letters, ''Response to Circumvention Supplemental Questionnaire—United States,'' ''Response to Circumvention Supplemental Questionnaire—Malaysia,'' and ''Response to Circumvention Supplemental Questionnaire—Turkey,'' dated June 14, 2023.

[6] R–404A is sold under various trade names, including Forane® 404A, Genetron® 404A, Solkane® 404A, Klea® 404A, and Suva®404A. R–407A is sold under various trade names, including Forane® 407A, Solkane® 407A, Klea®407A, and Suva®407A. R–407C is sold under various trade names, including Forane® 407C, Genetron® 407C, Solkane® 407C, Klea® 407C and Suva® 407C. R–410A is sold under various trade names, including EcoFluor R410, Forane® 410A, Genetron® R410A and AZ–20, Solkane® 410A, Klea® 410A, Suva® 410A, and Puron®. R–507A is sold under various trade names, including Forane® 507, Solkane® 507, Klea®507, Genetron®AZ–50, and Suva®507. R–32 is sold under various trade names, including Solkane®32, Forane®32, and Klea®32. R–125 is sold under various trade names, including Solkane®125, Klea®125, Genetron®125, and Forane®125. R–143a is sold under various trade names, including Solkane®143a, Genetron®143a, and Forane®125.

[7] *See Order.*

Merchandise Subject to the Circumvention Inquiries

(1) One circumvention inquiry covers R–410B, R–407G, and a custom blend of 50 percent R–125 and 50 percent R–134a exported from China that are further processed in the United States into in-scope blends.

(2) The second circumvention inquiry covers R–410A and R–407C from Malaysia that are completed in Malaysia using Chinese R–32 and R–125 (for R–410A), and R–32, R–125, and R–134a (for R–407C), and subsequently exported from Malaysia to the United States.

(3) The third circumvention inquiry covers R–410B from Turkey that is completed in Turkey using Chinese R–32 and R–125 and subsequently exported to and further processed in the United States into an in-scope blend.

(4) The fourth circumvention inquiry covers R–410A from Turkey that is completed in Turkey using Chinese R–32 and R–125 and subsequently exported from Turkey to the United States.

Initiation of Circumvention Inquiries

Section 351.226(d) of Commerce's regulations states that if Commerce determines that a request for a circumvention inquiry satisfies the requirements of 19 CFR 351.226(c), then Commerce ''will accept the request and initiate a circumvention inquiry.'' Section 351.226(c)(1) of Commerce's regulations, in turn, requires that each circumvention inquiry request allege ''that the elements necessary for a circumvention determination under section 781 of the Act exist'' and be ''accompanied by information reasonably available to the interested party supporting these allegations.'' The American HFC Coalition alleged circumvention pursuant to sections 781(a) and 781(b) of the Act (merchandise completed or assembled in the United States and merchandise completed or assembled in other foreign countries, respectively).

Section 781(a)(1) of the Act provides that Commerce may find circumvention of an order when merchandise of the same class or kind subject to the order is completed or assembled in the United States. In conducting a circumvention inquiry, under section 781(a)(1) of the Act, Commerce relies on the following criteria: (A) merchandise sold in the United States is of the same class or kind as any merchandise that is the subject of an AD or countervailing duty (CVD) order; (B) such merchandise sold in the United States is completed or assembled in the United States from parts or components produced in the foreign country with respect to which such order or finding applies; (C) the process of assembly or completion in the United States is minor or insignificant; and (D) the value of the parts or components referred to in subparagraph (B) is a significant portion of the total value of the merchandise.

In determining whether the process of assembly or completion in the United States is minor or insignificant under section 781(a)(1)(C) of the Act, section 781(a)(2) of the Act directs Commerce to consider: (A) the level of investment in the United States; (B) the level of research and development in the United States; (C) the nature of the production process in the United States; (D) the extent of production facilities in the United States; and (E) whether the value of the processing performed in the United States represents a small proportion of the value of the merchandise sold in the United States. However, no single factor, by itself, controls Commerce's determination of whether the process of assembly or completion in the United States is minor or insignificant.[8] Accordingly, it is Commerce's practice to evaluate each of these five factors as they exist in the United States, and to reach an affirmative or negative circumvention determination based on the totality of the circumstances of the particular circumvention inquiry.[9]

In addition, section 781(a)(3) of the Act sets forth additional factors to consider in determining whether to include merchandise assembled or completed in the United States within the scope of an AD or CVD order. Specifically, Commerce shall take into account such factors as: (A) the pattern of trade, including sourcing patterns; (B) whether the manufacturer or exporter of the parts or components is affiliated with the person who assembles or completes the merchandise sold in the United States from the parts or components produced in the foreign country with respect to which the order applies; and (C) whether imports into the United States of the parts or components products in such foreign country have increased after the initiation of the investigation which resulted in the issuance of such order.

Section 781(b)(1) of the Act provides that Commerce may find circumvention of an order when merchandise of the same class or kind subject to the order is completed or assembled in a foreign country other than the country to which the order applies. In conducting a circumvention inquiry, under section 781(b)(1) of the Act, Commerce relies on the following criteria: (A) merchandise imported into the United States is of the same class or kind as any merchandise produced in a foreign country that is the subject of an AD or CVD order; (B) before importation into the United States, such imported merchandise is completed or assembled in another foreign country from merchandise which is subject to the order or is produced in the foreign country that is subject to the order; (C) the process of assembly or completion in the foreign country referred to in section (B) is minor or insignificant; (D) the value of the merchandise produced in the foreign country to which the AD or CVD order applies is a significant portion of the total value of the merchandise exported to the United States; and (E) the administering authority determines that action is appropriate to prevent evasion of such order.

In determining whether the process of assembly or completion in a foreign country is minor or insignificant under section 781(b)(1)(C) of the Act, section 781(b)(2) of the Act directs Commerce to consider: (A) the level of investment in the foreign country; (B) the level of research and development in the foreign country; (C) the nature of the production process in the foreign country; (D) the extent of production facilities in the foreign country; and (E) whether or not the value of processing performed in the foreign country represents a small proportion of the value of the merchandise imported into the United States. However, no single factor, by itself, controls Commerce's determination of whether the process of assembly or completion in a foreign country is minor or insignificant.[10] Accordingly, it is Commerce's practice to evaluate each of these five factors as they exist in the foreign country, depending on the totality of the circumstances of the particular circumvention inquiry.[11]

In addition, section 781(b)(3) of the Act sets forth additional factors to

[8] *See* Statement of Administrative Action Accompanying the Uruguay Round Agreements Act, H.R. Doc. No. 103–316, Vol. 1 (1994) (SAA), at 893.

[9] *See Hydrofluorocarbon Blends from the People's Republic of China: Final Negative Scope Ruling on Gujarat Fluorochemicals Ltd.'s R–410A Blend; Affirmative Final Determination of Circumvention of the Antidumping Duty Order by Indian Blends Containing CCC Components,* 85 FR 61930 (October 1, 2020), and accompanying Issues and Decision Memorandum (IDM), at 20 (specifying same in the context of a section 781(b) inquiry).

[10] *See* SAA at 893.

[11] *See Uncovered Innerspring Units from the People's Republic of China: Final Affirmative Determination of Circumvention of the Antidumping Duty Order,* 83 FR 65626 (December 21, 2018), and accompanying IDM at 4.

consider in determining whether to include merchandise assembled or completed in a foreign country within the scope of an AD or CVD order. Specifically, Commerce shall take into account such factors as: (A) the pattern of trade, including sourcing patterns; (B) whether the manufacturer or exporter of the merchandise that was shipped to the foreign country is affiliated with the person who, in the foreign country, uses the merchandise to complete or assemble the merchandise which is subsequently imported into the United States; and (C) whether imports of the merchandise into the foreign country have increased after the initiation of the investigation that resulted in the issuance of such order.

Analysis

Based on our analysis of American HFC Coalition's circumvention requests, Commerce determines that American HFC Coalition has satisfied the criteria under 19 CFR 351.226(c) to warrant the initiation of circumvention inquiries of the *Order.* For a full discussion of the basis for our decision to initiate these circumvention inquiries, *see* the Initiation Checklists.[12] As explained in the Initiation Checklists, the information provided by domestic interested parties warrants initiating these circumvention inquiries on a country-wide basis. Commerce has taken this approach in prior circumvention inquiries, where the facts warranted initiation on a country-wide basis.[13]

Consistent with the approach in the prior circumvention inquiries that were initiated on a country-wide basis, Commerce intends to issue four questionnaires (one for China, one for Malaysia, and two for Turkey) to solicit information from producers and exporters in China, Malaysia, and Turkey, respectively, concerning their shipments to the United States and the origin of any imported HFC blends being further processed into HFC blends subject to the *Order.*

Respondent Selection

Commerce intends to base respondent selection on U.S. Customs and Border and Protection (CBP) data. Commerce intends to place CBP data on each record within five days of the publication of the initiation notice. Comments regarding the CBP data and respondent selection should be submitted within seven days after placement of the CBP data on the record of the relevant inquiry.

Commerce intends to establish a schedule for questionnaire responses after respondent selection. A company's failure to completely respond to Commerce's requests for information may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

Suspension of Liquidation

Pursuant to 19 CFR 351.226(l)(1), Commerce will notify CBP of the initiation of these circumvention inquiries and direct CBP to continue the suspension of liquidation of entries of products subject to the circumvention inquiries that were already subject to the suspension of liquidation under the *Order* and to apply the cash deposit rate that would be applicable if the products were determined to be covered by the scope of the *Order.* Should Commerce issue preliminary or final circumvention determinations, Commerce will follow the suspension of liquidation rules under 19 CFR 351.226(l)(2)–(4).

Notification to Interested Parties

In accordance with 19 CFR 351.226(d) and sections 781(a) and (b) of the Act, Commerce determines that the American HFC Coalition's requests for these circumvention inquiries satisfies the requirements of 19 CFR 351.226(c). Accordingly, Commerce is notifying all interested parties of the initiation of these four circumvention inquiries to determine whether: (1) U.S. imports from China of R–410B, R–407G, and a custom blend that are further processed in the United States, are circumventing the *Order;* (2) U.S. imports from Malaysia of R–410A and R–407C that are completed in Malaysia using Chinese components are circumventing the *Order;* (3) U.S. imports of R–410B from Turkey that are completed in Turkey using Chinese components and further processed in the United States into in-scope blends are circumventing the *Order;* and (4) U.S. imports from Turkey of R–410A that are completed in Turkey using Chinese components are circumventing the *Order.* In addition, we included a description of the products that are the subject of these inquiries and an explanation of the reasons for Commerce's decision to initiate these inquiries as provided above and in the accompanying Initiation Checklists. In accordance with 19 CFR 351.226(e)(1), Commerce intends to issue its preliminary determination no later than 150 days from the date of publication of the notice of initiation of these circumvention inquiries in the **Federal Register**.

This notice is published in accordance with sections 781(a) and (b) of the Act and 19 CFR 351.226(d)(1)(ii).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

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[12] *See* Checklist, ''Enforcement and Compliance, Office of AD/CVD Operations, U.S. Custom Blends Circumvention Initiation Checklist,'' dated June 29, 2023; *see also* Checklist, ''Enforcement and Compliance, Office of AD/CVD Operations, Custom Blends from Malaysia Circumvention Initiation Checklist,'' dated June 29, 2023; Checklist, ''Enforcement and Compliance, Office of AD/CVD Operations, R410A from Turkey Circumvention Initiation Checklist,'' dated June 29, 2023; and Checklist, ''Enforcement and Compliance, Office of AD/CVD Operations, R10B from Turkey Circumvention Initiation Checklist,'' dated June 29, 2023 (Collectively, Initiation Checklists).

[13] *See, e.g., Certain Corrosion-Resistant Steel Products from the Republic of Korea and Taiwan: Initiation of Anti-Circumvention Inquiries on the Antidumping Duty and Countervailing Duty Orders,* 83 FR 37785 (August 2, 2018); *Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China: Initiation of Anti-Circumvention Inquiry on the Antidumping Duty Order,* 82 FR 40556, 40560 (August 25, 2017) (stating at initiation that Commerce would evaluate the extent to which a country-wide finding applicable to all exports might be warranted); and *Certain Corrosion-Resistant Steel Products from the People's Republic of China: Initiation of Anti-Circumvention Inquiries on the Antidumping Duty and Countervailing Duty Orders,* 81 FR 79454, 79458 (November 14, 2016) (stating at initiation that Commerce would evaluate the extent to which a country-wide finding applicable to all exports might be warranted).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–883]

Glycine From India: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review June 1, 2021, through May 31, 2022. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, 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) 482–5760.

SUPPLEMENTARY INFORMATION:

Background

On June 21, 2019, Commerce published the antidumping duty order on glycine from India.[1] On June 3, 2022, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On August 9, 2022, based on timely filed requests for review, Commerce initiated this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[3] On February 24, 2023, Commerce extended the time limit for these preliminary results to June 30, 2023, in accordance with section 751(a)(3)(A) of the Act.[4]

Scope of the Order

The merchandise subject to the *Order* is glycine. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.[5]

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Act. Export price and constructed export price are calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *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.*

Application of Facts Available With Adverse Inferences

Pursuant to section 776(a) of the Act, Commerce is preliminarily relying upon facts otherwise available to determine a weighted-average dumping margin for Kumar Industries/Rudraa International (collectively, Kumar) [6] because: (1) necessary information is not available on the record; and (2) Kumar withheld requested information, failed to provide such information by the established deadlines, and significantly impeded this proceeding. Further, Commerce preliminarily determines that an adverse inference is warranted in selecting from among the facts otherwise available pursuant to section 776(b) of the Act because Kumar failed to cooperate to the best of its ability. For further information, *see* the section, ''Application of Facts Available and Adverse Inferences'' in the Preliminary Decision Memorandum.

Rate for Non-Selected Respondent

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for non-examined companies in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.''

In this administrative review, we have preliminarily calculated a weighted-average dumping margin for the mandatory respondent, Avid Organics Private Limited, that is not zero, *de minimis,* or based entirely on facts available (*i.e.,* 3.90 percent). Accordingly, we have preliminarily assigned this rate to Paras Intermediates Private Limited, the sole respondent not selected for individual examination in this administrative review.[7]

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period June 1, 2021, through May 31, 2022.

Producer/exporter	Weighted-average dumping margin (percent)
Avid Organics Private Limited	3.90
Kumar Industries/Rudraa International	52.03
Paras Intermediates Private Limited	3.90

Disclosure and Public Comment

We intend to disclose the calculations performed in connection with these preliminary results to parties in this administrative review within five days after public announcement of the preliminary results in accordance with 19 CFR 351.224(b).

Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[8] Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.[9] Parties who submit case or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[10] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[11]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a

[1] *See Glycine from India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Orders,* 84 FR 29170 (June 21, 2019) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 87 FR 33706, 33708 (June 3, 2022).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459, 48461 (August 9, 2022).

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 24, 2023.

[5] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Administrative Review of the Antidumping Duty Order on Glycine from India; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] In the last two completed administrative reviews, Commerce treated Kumar Industries and Rudraa International as a collapsed joint entity. *See Glycine from India: Final Results of Antidumping Duty Administrative Review; 2018–2020*, 86 FR 62508, 62509 n.4 (November 10, 2021); and *Glycine from India: Final Results of Antidumping Duty Administrative Review; 2020–2021,* 87 FR 67870, 67871, n.5 (November 10, 2022). For these preliminary results, we continue to treat these two companies as a collapsed joint entity.

[7] *See* Preliminary Decision Memorandum at 7–8.

[8] *See* 19 CFR 351.309(d); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect)'').

[9] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2); *see also* 19 CFR 351.303 (for general filing requirements).

[11] *See Temporary Rule.*

hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.[12]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice in the **Federal Register**, unless extended, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon completion of the administrative review, Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries covered by this review. If the weighted-average dumping margin for any individually examined respondent is above *de minimis* (*i.e.,* 0.50 percent) in the final results of this review, we will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).[13] If any of these companies' weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate for any of these companies is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[14] For entries of subject merchandise during the period of review produced by any of these companies for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries.[15]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this administrative review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of administrative review for all shipments of glycine from India entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will be 7.23 percent, the all-others rate established in the less-than-fair-value investigation, adjusted for the export-subsidy rate in the companion countervailing duty investigation.[16] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and sections 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(4).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Application of Facts Available and Adverse Inferences
V. Rate for Non-Selected Respondent
VI. Discussion of the Methodology
VII. Currency Conversion
VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–891–001]

Common Alloy Aluminum Sheet From Croatia: Final Results of Antidumping Duty Administrative Review; 2020–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on common alloy aluminum sheet (CAAS) from Croatia. The period of review (POR) is October 15, 2020, through March 31, 2022. The review covers one producer/exporter of the subject merchandise, Impol d.o.o./Impol-TLM d.o.o. (Impol). We determine that sales of subject merchandise by Impol were made at less than normal value (NV).

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Dennis McClure, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue

[12] *See* 19 CFR 351.310(c); *see also* 19 CFR 351.303 (for general filing requirements).

[13] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings: Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[14] *Id.,* 77 FR at 8102–03; *see also* 19 CFR 351.106(c)(2).

[15] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[16] *See Order,* 84 FR at 29171.

NW, Washington, DC 20230; telephone: (202) 482–5973.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the preliminary results of this review on March 2, 2023.[1] We invited interested parties to comment on the *Preliminary Results.* On April 3, 2023, Impol and the petitioner filed case briefs.[2] For a complete description of the events that occurred after the *Preliminary Results, see* the Issues and Decision Memorandum.[3] Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [4]

The product covered by this *Order* is CAAS from Croatia. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

The issues raised in the parties' case briefs are addressed in the Issues and Decision Memorandum and are listed in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on-file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNNoticesListLayout.aspx.*

Changes Since the Preliminary Results

Based on the comments received from interested parties and our examination of record information, we made changes to our preliminary dumping margin calculation for Impol. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Final Results of Review

As a result of this review, we determine the following weighted-average dumping margin exists for the POR:

Exporter/producer	Weighted-average dumping margin (percent)
Impol d.o.o./Impol-TLM d.o.o.[5] ...	3.76

Disclosure

Commerce intends to disclose the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with section 751(a) of the Act and 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Impol's weighted-average dumping margin is not *de minimis* (*i.e.,* less than 0.50 percent). Therefore, Commerce has calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales.[6] Where we did not have entered values for all U.S. sales to a particular importer, we have calculated an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(1), we have calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[7]

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instance, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[8]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Impol will be equal to the weighted-average dumping margin established in the final results of this review; (2) for producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or a prior segment of the proceeding but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 3.19 percent, the all-others rate established in the less-than-fair-value investigation.[9] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a

[1] *See Common Alloy Aluminum Sheet from Croatia: Preliminary Results of Antidumping Duty Administrative Review; 2020–2022;* 88 FR 13095 (March 2, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Impol's Letter, ''Case Brief,'' dated April 3, 2023; *see also* Petitioner's Letter, ''Case Brief,'' dated April 3, 2023.

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results in the 2020–2021 Antidumping Duty Administrative Review of Common Aluminum Alloy Sheet from Croatia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders,* 86 FR 22139 (April 27, 2021) (*Order*).

[5] The final rate calculated for Impol applies to subject merchandise produced by Impol-TLM d.o.o. and exported by either Impol-TLM d.o.o. (Croatia) or Impol d.o.o. (Slovenia).

[6] *See* 19 CFR 351.212(b)(1).

[7] *See* 19 CFR 352.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[8] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[9] *See Order,* 86 FR at 22142.

certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Discussion of the Issues
Comment 1: Whether Commerce Appropriately Limited Its Comparison Market Analysis
Comment 2: Whether Commerce Should Weight Average and Match Home Market Sales to U.S. Sales by Month Instead of Quarter
VI. Recommendation

[FR Doc. 2023–14368 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–838]

Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Italy: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on certain cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from Italy with respect to one exporter/producer of subject merchandise. The period of review (POR) is June 1, 2021, through May 31, 2022. Commerce preliminarily finds that sales of cold-drawn mechanical tubing from Italy were made at less than normal value (NV) during the POR. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Whitley Herndon, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6274.

SUPPLEMENTARY INFORMATION:

Background

On June 11, 2018, Commerce published the AD order on cold-drawn mechanical tubing from Italy.[1] On August 9, 2022, Commerce initiated an administrative review of the *Order,* in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[2] This administrative review covers one producer/exporter of the subject merchandise, Dalmine S.p.A. (Dalmine).[3]

On February 2, 2023, Commerce extended the deadline for the preliminary results until June 30, 2023.[4] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[5]

Scope of the Order

The products covered by this *Order* are certain cold-drawn mechanical tubing of carbon and alloy steel from Italy. For a full description of the scope, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margin exists for the period June 1, 2021, through May 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Dalmine S.p.A	2.00

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), if Dalmine's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent)

[1] *See Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from the People's Republic of China, the Federal Republic of Germany, India, Italy, the Republic of Korea, and Switzerland: Antidumping Duty Orders; and Amended Final Determinations of Sales at Less Than Fair Value for the People's Republic of China and Switzerland,* 83 FR 26962 (June 11, 2018) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022).

[3] *Id.*

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 2, 2023.

[5] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Italy; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

in the final results of this review, we will calculate importer-specific assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales. If Dalmine's weighted-average dumping margin is zero or *de minimis,* or if an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[6]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Dalmine for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation (*i.e.,* 47.87 percent)[7] if there is no rate for the intermediate company(ies) involved in the transaction.[8]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expire (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Dalmine in the final results of review will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment in which it was reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 47.87 percent,[9] the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after public announcement of the preliminary results or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[10] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[11] Case and rebuttal briefs should be filed using ACCESS[12] and must be served on interested parties.[13] Executive summaries should be limited to five pages total, including footnotes. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[14]

Interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary, filed electronically via ACCESS.[15] Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.[16] If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Verification

As provided in section 782(i)(3) of the Act, on June 8–9, 2023, Commerce verified the information reported by Dalmine's U.S. affiliate, Tenaris Global Services USA, at its offices in Houston, TX.[17] Commerce intends to verify Dalmine's remaining U.S. and home market sales information in Italy prior to the final results of this review.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

This administrative review and notice are issued and published in accordance

[6] *See* section 751(a)(2)(C) of the Act.

[7] *See Order.*

[8] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[9] *See Order.*

[10] *See* 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[11] *See* 19 CFR 351.309(c)(2) and (d)(2).

[12] *See, generally,* 19 CFR 351.303.

[13] *See* 19 CFR 351.303(f).

[14] *See Temporary Rule.*

[15] *See* 19 CFR 351.310(c).

[16] *See* 19 CFR 351.310.

[17] *See* Memorandum, ''Verification of the Questionnaire Response of Tenaris Global Services (U.S.A.) Corporation in the Administrative Review of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Italy,'' dated June 16, 2023.

with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2023–14429 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of May 2023.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Terri Monroe, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–1384.

SUPPLEMENTARY INFORMATION:

Notice of Scope Ruling Applications

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of May 2023. This notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics (including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.[1] This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at *https://access.trade.gov*.

Scope Ruling Applications

Certain Vertical Shaft Engines Between 99cc and Up to 225cc and Parts Thereof from the People's Republic of China (China) (A–570–124/C–570–125); Ducar DVO 150 Engine;[2] produced in and exported from China; submitted by Seago, Inc.; May 10, 2023; ACCESS scope segment ''Ducar DVO150.''

Certain Quartz Surface Products from China (A–570–084/C–570–085); Mineral Based Surface Products;[3] produced in and exported from China; submitted by Vanguard Trading Company; May 12, 2023; ACCESS scope segment ''Mineral-based surface products.''

Certain Cold-Rolled Steel Flat Products from India (A–533–865/C–570–866); End Module Side Cover and Cable Tray Connection Bracket;[4] produced in and exported from India; submitted by SIGMA Corp.; May 19, 2023; ACCESS scope segment ''Side Cover & Cable Tray Bracket.''

Certain Hot-Rolled Carbon Steel Flat Products from China (A–570–865); Front Foot and Front Foot Caster Assembly for Exercise Equipment;[5] produced in and exported from China; submitted by Concept2, Inc. (Concept2); May 25, 2023; ACCESS scope segment ''Concept2 Front Foot and Caster Assembly.''

Fresh Garlic from China (A–570–831); whole garlic cloves in brine;[6] produced in and exported from China; submitted by Marcatus QED, Inc.; May 26, 2023; ACCESS scope segment ''Marcatus.''

Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.[7] Commerce's

[1] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) (''It is our expectation that the **Federal Register** list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.'')

[2] The product is a 150cc engine with a seven-point mounting bracket, with integrated cable guide, built into the aluminum crankcase. It has integrated fuel pump and the capability for sustained operation at 45-degree slope. The HTSUS code is 8407.90.9040.

[3] The product is Fritech, a waste mineral-based surface product produced from silicate materials where Silicon Dioxide/Silica is not the material of chief weight. The slab is produced in large slabs with dimensions of approximately 63'' by 126''. Finished slab is either 20mm or 30mm thick and mimics the feel and appearance of natural stone such as marble.

[4] The two products are components of a modular battery storage assembly. The first product is described as an end module side cover, which is made by bending cold-rolled flat ASTEM A1008 grade steel into shape. Prior to bending the cold-rolled flat steel into shape, the product is hole-punched or laser cut. Three clinched nuts are also attached to the bent plate after forming. The product is powder coated with paint. The second product is described as a cable tray connection bracket, which is made by bending cold-rolled flat ASTEM A1008 grade steel into shape. The cable tray is bent into two right-angle brackets that, once adjoined, form a rectangle. Prior to bending the cold-rolled flat steel into shape, the product is hole punched or laser cut. The product is powder coated with paint. The final product includes accompanying size 18–8 stainless steel washers and passivated size 18–8 stainless steel, M4 x 0.70 mm threaded 16mm screws.

[5] The products are two component parts of a stationary exercise bicycle. Part 7165 BikeErg Front Foot is made of 13GA, 2.278 mm thick hot-rolled pickled and oiled steel sheet, bent along its width four times to form a C shape with rounded corners. The finished part has punched hex holes and a powder coat finish. This component is 23.63 inches in length, 2.50 inches in width and 1.50 inches in height. Part 2465 Front Foot with Large Caster Assembly is an assembly comprising Part 7165, two casters, and fasteners. The foot caster assemblies each include a foot caster housing made of 10% glass-filled polypropylene, and a large hard rubber wheel, held together with a stainless steel retaining clip and clevis pin. These foot caster assemblies are installed on the ends of Part 7165 BikeErg Front Foot to form the completed Part 2465 Front Foot with Large Caster Assembly, which will be imported in assembled condition.

[6] The product is processed whole garlic cloves preserved in brine that are blanched in boiling water and preserved in brine consisting of 20–25 percent salinity. Citric acid is added to the finished product as a preservative.

[7] In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address

Continued

practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.[8] Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the ''updated'' 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the ''updated'' 30th day.[9]

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at *https://access.trade.gov/help/Scope_Ruling_Guidance.pdf*. Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.[10]

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to James Maeder, Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to *CommerceCLU@trade.gov*.

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: June 30, 2023.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2023–14392 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–557–819]

Prestressed Concrete Steel Wire Strand From Malaysia: Preliminary Results of Antidumping Duty Administrative Review, 2020–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that prestressed concrete steel wire strand (PC strand) from Malaysia was not sold in the United States at prices below normal value. The period of review (POR) is November 19, 2020, through May 31, 2022. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Miranda Bourdeau or Samuel Frost, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2021 or (202) 482–8180, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 4, 2021, Commerce published in the **Federal Register** an antidumping duty order on PC strand from Malaysia.[1] On June 3, 2022, we published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On August 9, 2022, based on timely requests for an administrative review, Commerce initiated an administrative review with respect to four companies.[3] On August 26, 2022, Commerce selected Kiswire Sdn. Bhd. (Kiswire) and Wei Dat Steel Wire Sdn. Bhd. (Wei Dat) as mandatory respondents for individual examination.[4]

On February 17, 2023, Commerce extended the time limit for completing the preliminary results of this review until June 30, 2023.[5] For a complete description of the events between the initiation of this review and these preliminary results, *see* the Preliminary Decision Memorandum

the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

[8] *See Notice of Clarification: Application of ''Next Business Day'' Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

[9] This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

[10] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021).

[1] *See Prestressed Concrete Steel Wire Strand from Indonesia, Italy, Malaysia, South Africa, Spain, Tunisia, and Ukraine: Antidumping Duty Orders,* 86 FR 29998 (June 4, 2021) (*Order*).

[2] *See Antidumping and Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 87 FR 33706 (June 3, 2022).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022) (*Initiation Notice*). Although there are five entities listed in the *Initiation Notice,* one of these entities (*i.e.,* Kiswire Sdn. Bhd. (Kota Kiswire)) is part of another exporter/producer under review. Thus, Commerce only considers four of these entities to be companies covered by this administrative review. For further details, *see* Memorandum, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Prestressed Concrete Steel Wire Strand from Malaysia; 2020–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* Memorandum, ''Respondent Selection,'' dated August 26, 2022; *see also* Preliminary Decision Memorandum at 2.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2021–2022,'' dated February 17, 2023.

Scope of the Order

The merchandise covered by the scope of this *Order* is prestressed concrete steel wire strand. A complete description of the scope of the *Order* is in the Preliminary Decision Memorandum.[6]

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). We calculated export price in accordance with section 772(a) of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. *See* the appendix to this notice for a complete list of topics discussed in the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Rate for Non-Examined Companies

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.''

Where the dumping margin for individually examined respondents are all zero, *de minimis,* or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use ''any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including averaging the estimated weighted average dumping margins determined for the exporters and producers individually investigated.''

In this review, Commerce preliminarily determines that the estimated weighted-average dumping margins for both Kiswire and Wei Dat are zero percent. Therefore, in accordance with section 735(c)(5)(B) of the Act, we are preliminarily assigning Southern Steel Sdn. Bhd. and Southern PC Steel Sdn. Bhd., the two companies not selected for individual examination, a rate of zero percent, because we calculated rates of zero percent for both mandatory respondents.

Preliminary Results of the Review

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist during the period November 19, 2020, through May 31, 2022:

Exporter/producer	Estimated weighted-average dumping margin (percent)
Kiswire Sdn. Bhd	0.00
Wei Dat Steel Wire Sdn. Bhd	0.00
Review-Specific Rate Applicable to the Following Non-Examined Companies	
Southern Steel Sdn. Bhd	0.00
Southern PC Steel Sdn. Bhd	0.00

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify certain information reported by Kiswire prior to issuing its final results.

Disclosure and Public Comment

Commerce intends to disclose to interested parties the calculations performed for these preliminary results within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs containing issues pertaining to Kiswire to Commerce no later than seven days after the date on which the last verification report is issued in this administrative review. Interested parties may submit case briefs containing issues pertaining to Wei Dat to Commerce no later than 30 days after the publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing the applicable case briefs.[7] Commerce modified certain of its requirements for servicing documents containing business proprietary information until further notice.[8] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[9] Note that Commerce has temporarily modified certain portions of its requirements for serving documents containing business proprietary information, until further notice.[10]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days of the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. An electronically-filed hearing request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in the case briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act, unless otherwise extended.

Assessment Rates

Upon issuance of the final results of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[11] If a respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). We intend to instruct CBP to assess antidumping

[6] *See* the Preliminary Decision Memorandum at ''Scope of the *Order*.''

[7] *See* 19 CFR 351.309(d).

[8] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[9] *See* 19 CFR 351.309(c) and (d); *see also* 19 CFR 351.303 (for general filing requirements).

[10] *See Temporary Rule.*

[11] *See* 19 CFR 351.212(b)(1).

duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis.* Where an importer-specific assessment rate is zero or *de minimis* in the final results of this review, or where the cash deposit rate is zero or *de minimis,* we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties in accordance with 19 CFR 351.106(c)(2). If Commerce calculates margins above *de minimis* in the final results of this review, we intend to instruct CBP to take into account the ''provisional measures deposit cap,'' in accordance with 19 CFR 351.212(d). For the companies which were not selected for individual review, we will assign an assessment rate based on the review-specific average rate, calculated as noted in the ''Preliminary Results of Review'' section above. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[12]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Kiswire or Wei Dat for which these companies did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair-value (LTFV) investigation (*i.e.,* 5.13 percent),[13] if there is no rate for the intermediate company(ies) involved in the transaction.[14]

We intend to issue instructions to CBP no earlier than 35 days after the publication date of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed in the final results of this review will be equal to the weighted-average dumping margin established in the final results of this administrative review; (2) if the exporter is not a firm covered in this review, or the original LTFV investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (3) the cash deposit rate for all other producers or exporters will continue to be 5.13 percent, the all-others rate established in the LTFV investigation.[15] The cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2023–14431 Filed 7–6–23; 8:45 am]

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[12] *See* section 751(a)(2)(C) of the Act.

[13] *See Order,* 86 FR at 30000.

[14] For a full description of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Order,* 86 FR at 30000.

DEPARTMENT OF COMMERCE

International Trade Administration

Opportunity To Comment on the Modernization of the Export Promotion Services and Assistance Delivered by the U.S. and Foreign Commercial Service

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Request for comments.

SUMMARY: The U.S. Department of Commerce's International Trade Administration (ITA) includes the U.S. and Foreign Commercial Service (CS), which assists and advocates for U.S. businesses in international markets to foster U.S. economic prosperity. Utilizing its network of trade promotion and policy professionals located in 79 countries and 106 U.S. locations, CS promotes U.S. exports, especially among small and medium-sized enterprises; advances and protects U.S. commercial interests overseas; and attracts inward investment into the United States. CS is seeking feedback from the general public—including businesses that are new to exporting or not currently exporting—on ways to modernize services for the 21st century. CS is reviewing its services to assess their effectiveness in meeting the needs of U.S. exporters and identify opportunities to innovate and enhance services offered, with the objective of driving U.S. innovation and global competitiveness by increasing U.S. exports and ensuring more U.S. regions benefit, as well as workers and businesses from underserved communities.

DATES: Comments must be received by 5 p.m. EDT, 30 days from publication, for consideration in the immediate review.

ADDRESSES: Respondents are encouraged to provide feedback electronically at: *https://trade.gov/cs-innovate*. Respondents who do not wish to submit feedback via the website may submit written comments to the point of contact identified below.

FOR FURTHER INFORMATION CONTACT: Mr. Carlos Ortiz, International Trade Administration, Global Markets, Office of Strategy & Engagement, 1401 Constitution Avenue NW, Rm. 21022, Washington, DC 20230, Phone: (202) 768–0821, Email: *carlos.ortiz@trade.gov*.

SUPPLEMENTARY INFORMATION: CS launched this review of the services it provides to ensure services are designed to meet the needs of the U.S. exporters

and the business community in the future. These services are intended to provide the resources and assistance that U.S. businesses need to successfully research, evaluate, and expand into global markets. Public feedback will help ITA to better understand what assistance is most helpful and to identify opportunities to innovate and enhance the types of services and delivery methods offered by CS (*e.g.,* virtual versus in-person). The service review includes:

- Resources that equip U.S. businesses with the knowledge to achieve their export objectives, such as market research by industry or country.
- Fee-based services that provide businesses with standardized or customized assistance for attracting and connecting with foreign buyers. Fee-based services include business-to-business matchmaking, promotional events and campaigns, and individualized market research.
- Trade events such as trade missions and educational seminars; additional services offered at trade events and trade shows include business-to-business matchmaking and export counseling. CS Staff also recruit international buyer delegations to attend U.S. trade shows, and help businesses expand global sales at trade events.
- Other direct or indirect support provided by the CS.

Please visit Export Solutions for a better understanding of all the services and assistance the CS provides to the U.S. business and export community.

To submit feedback, complete the following questions (OMB Control Number 0625–0275, expiration date 31 December 2024) and submit them to *carlos.ortiz@trade.gov*:

1. What assistance would be most useful or important to your business?

2. What assistance is most difficult to obtain?

3. What assistance do you think we (the ITA/CS) need to provide?

4. If you are a U.S. based company, what is your zip code?

5. How would you describe your level of exporting experience?

○ Not Yet Exporting
○ New to Export
○ Experienced Exporter
○ N/A

6. Is your company . . . (check all that apply)

○ Woman-owned
○ Veteran-owned
○ Minority-owned
○ Disabled-owned

For additional information about current CS services and assistance, please see the following resources.

a. *https://www.trade.gov/all-services:* This site provides a listing of the export and investment services available from the CS.

b. *https://trade.gov/attend-event:* This site allows visitors to search all CS events by type of event, industry, or location.

c. *https://www.trade.gov/us-commercial-service-user-fees:* This site provides a full listing of the CS user fee schedule for export and investment promotion services.

d. *https://trade.gov/export-solutions:* This site provides practical advice and business tools to help U.S. companies expand in global markets.

For reference, CS currently provides the following fee-based export assistance and services:

e. *Business Service Provider:* The Business Service Provider is an online program to help U.S. exporters identify professional export service providers to support them in the assessment, financing, or completion of an export transaction.

f. *Certified Trade Mission:* The Certified Trade Mission program offers services to support overseas events that are planned, organized, recruited, and led by private and public sector export-oriented groups outside of the U.S. Department of Commerce.

g. *Conference:* Conferences are events organized by CS to provide U.S. firms with export knowledge and/or market intelligence from experts located around the globe or to advertise the opportunities for investment promotion to foreign companies.

h. *Contact List:* The Contact List service provides U.S. firms with a contact list of five (5) to ten (10) potential agents, distributors, and partners in a foreign market.

i. *Customized Market Research:* The Customized Market Research service provides answers beyond general counseling/market research to client questions specific to their products/services in a market.

j. *Featured U.S. Exporter:* The Featured U.S. Exporters Listing service provides U.S. companies with an opportunity to enhance their international marketing efforts through improved search engine optimization.

k. *Foreign Buyer Delegation:* The Foreign Buyer Delegation service offers resources to foreign buyer delegates to U.S. trade events seeking U.S. suppliers of goods/services.

l. *Gold Key Service:* The Gold Key Service provides U.S. firms traveling to a foreign market with appointments to establish relationships with pre-screened potential overseas agents, distributors, sales representatives, business partners, and other local entities in-country.

m. *Initial Market Check:* The Initial Market Check service is an initial assessment of the market potential of a client's product or service in a targeted market.

n. *International Company Profile:* The International Company Profile service provides U.S. companies with in-depth background check information on a specific foreign company to help determine its suitability as a potential business partner.

o. *International Partner Search:* The International Partner Search service provides U.S. companies with a list of up to five (5) potential agents, partners, or distributors that have expressed an interest in the client's product or service.

p. *International Partner Search + Virtual Introductions:* The International Partner Search + Virtual Introductions service provides the same as the International Partner Search service listed above, but also includes virtual introductions via conference calls with up to five of the contacts identified.

q. *Official Letter:* The Official Letter service issues official letters to U.S. businesses when necessary for businesses to comply with local regulatory requirements to conduct business in these local markets.

r. *Other Services/Events:* The Other Service and Event offering provides clients with export or investment promotion assistance within the scope of CS authorities that is not within the scope of one of the CS standard service offerings.

s. *Seminar:* Seminars are events organized by CS offices to provide U.S. firms with export knowledge and/or market intelligence from experts located around the globe or to advertise the opportunities for investment promotion to foreign companies.

t. *Single Company Promotion:* The Single Company Promotion service provides U.S. companies with promotional services to help increase the awareness of their product/service in a specific market.

u. *Trade Event:* Trade events are events organized by CS offices to help U.S. businesses navigate the increasingly complex global marketplace.

v. *Trade Show Representation:* The Trade Show Representation service provides U.S. companies and economic development organizations with the ability to increase their marketing exposure at an overseas trade show when they are unable to attend in person.

w. *Virtual Introduction:* The Virtual Introduction service provides U.S. companies with a virtual introduction via conference call or email to a foreign buyer/partner that they have pre-identified.

x. *Virtual Fair:* The Virtual Fair service provides a group of U.S. entities with an opportunity to promote their products/services to potential partners in a foreign market live via a webinar platform.

y. *Webinar:* Webinars are events organized by CS offices to provide U.S. firms with export knowledge and/or market intelligence from experts located around the globe or to advertise the opportunities for investment promotion to foreign companies.

z. *Website Globalization:* The website Globalization Review Gap Analysis service provides technical and strategic assessment of a business's eCommerce sales channel efforts.

The Department of Commerce will utilize the input received to determine opportunities for updating ITA/CS's export promotion service and assistance. Once finalized, proposed updates to ITA/CS's export promotion services and assistance will be shared with the public through the **Federal Register** Portal and on *www.trade.gov*.

OMB Number: 0625–0275.

Expiration Date: 12/31/2024.

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 unless the information collection has a currently valid OMB Control Number. The approved OMB Control Number for this information collection is 0625–0275. Without this approval, we could not conduct this survey. Public reporting for this information collection is estimated to be approximately five minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. All responses to this information collection are voluntary. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the ITA Paperwork Reduction Act Program at *pra@trade.gov* if desired.

Carlos Ortiz,

Director, Customer Experience & Services/ Events Management.

[FR Doc. 2023–14418 Filed 7–6–23; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–113]

Certain Collated Steel Staples From the People's Republic of China: Preliminary Results and Partial Rescission of the Countervailing Duty Administrative Review; 2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies were provided to producers and exporters of certain collated steel staples (collated staples) from the People's Republic of China (China) during the period of review (POR) from January 1, 2021, through December 31, 2021. Additionally, Commerce is rescinding the review with respect to 79 companies. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Shane Subler and Jinny Ahn, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6241 and (202) 482–0339, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 20, 2020, Commerce published the countervailing duty (CVD) order on collated staples from China.[1] On August 1, 2022, we received a timely request for an administrative review from Kyocera Senco Industrial Tools, Inc. (the petitioner), Tianjin Hweschun Fasteners Manufacturing Co., Ltd. (Tianjin Hweschun), and Tianjin Jinyifeng Hardware Co., Ltd. (Tianjin Jinyifeng).[2] On September 6, 2022, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the *Order* on 84 producers/exporters.[3] For a description of the events that occurred since the initiation of this review, *see* the Preliminary Decision Memorandum.[4]

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.* A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I to this notice.

Scope of the Order

The product covered by the *Order* is collated staples from China. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

Based on our analysis of U.S. Customs and Border Protection (CBP) information, we determine that 79 companies had no entries of subject merchandise during the POR.[5] On May 25, 2023, we notified parties that we intended to rescind this administrative review with respect to the 79 companies because there are no reviewable suspended entries.[6] No parties commented on the notification of intent to rescind the review, in part. Pursuant to 19 CFR 351.213(d)(3), we are rescinding the administrative review of these companies. We have included a list of these 79 companies in Appendix II of this notice. For additional information regarding this determination, *see* the Preliminary Decision Memorandum.[7]

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that confers a benefit to the recipient, and that the subsidy is

[1] *See Certain Collated Steel Staples from the People's Republic of China: Countervailing Duty Order,* 85 FR 43813 (July 20, 2020) (*Order*).

[2] *See* Petitioner's Letter, ''Request for Administrative Review,'' dated August 1, 2022; *see also* Tianjin Hweschun and Tianjin Jinyifeng's Letter, ''Request for Administrative Review,'' dated August 1, 2022.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 54463, 54474–75 (September 6, 2022) (*Initiation Notice*).

[4] *See* Memorandum, ''Decision Memorandum for the Preliminary Results and Partial Rescission of the Countervailing Duty Administrative Review: Certain Collated Steel Staples from the People's Republic of China; 2021,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[5] *See* Appendix II (listing the 79 companies).

[6] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated May 25, 2023.

[7] *See* Preliminary Decision Memorandum at 3.

specific.[8] For a full description of the methodology underlying our preliminary conclusions, including our reliance, in part, on adverse facts available pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.[9]

Preliminary Rate for Non-Selected Companies Under Review

As discussed above, Commerce initiated this administrative review on 84 producers/exporters and is rescinding this administrative review, in part, with respect to 79 producers/exporters. In addition, Commerce selected Tianjin Hweschun Fasteners Mfg. Co. Ltd. (Tianjin Hweschun) for individual examination. For the remaining four companies subject to this review, because the preliminary subsidy rate calculated for Tianjin Hweschun is above *de minimis* and not based entirely on facts available, we are preliminarily applying to the four non-selected companies, identified below, Tianjin Hweschun's subsidy rate. This methodology to establish the rate for the non-selected companies is applied pursuant to section 705(c)(5)(A) of the Act, which governs the calculation of the ''all-others'' rate in an investigation, as guidance. For additional information, *see* the Preliminary Decision Memorandum.[10]

Preliminary Results of the Review

In accordance with 19 CFR 351.221(b)(4)(i), we calculated a countervailable subsidy rate for the mandatory respondent Tianjin Hweschun. As this rate is not zero, *de minimis,* or based entirely on facts otherwise available, as discussed above, we applied it to all other producers/exporters subject to this review but not selected for individual examination (*i.e.,* non-selected companies).

We preliminarily find the countervailable subsidy rates for the mandatory and non-selected respondents under review for the period of January 1, 2021, through December 31, 2021, to be as follows:

Producer/exporter	Subsidy rate (percent)
Tianjin Hweschun Fasteners Manufacturing Co., Ltd	86.44
Ningbo Pacrim Manufacturing Co., Ltd	86.44
Shanghai Jade Shuttle Hardware	86.44
Shaoxing Bohui Import Export Co., Ltd	86.44
Youngwoo (Cangzhou) Fasteners Co., Ltd	86.44

Disclosure and Public Comment

We intend to disclose to interested parties the calculations performed for these preliminary results within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date.[11] Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.[12] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information until further notice.[13]

Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this review are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Case and rebuttal briefs must be filed using ACCESS.[14] An electronically filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time on the established deadline.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.[15] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date.

Final Results

Unless the deadline is extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review. For the companies for which this review is rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2021, through December 31, 2021, in accordance with 19 CFR 351.212(c)(l)(i). For the companies for which this review is rescinded, we intend to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

For the companies remaining in the review, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at the subsidy rates calculated in the final results of this review. For the companies remaining in the review, we intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of

[8] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

[9] *See* Preliminary Decision Memorandum at 5–36.

[10] *Id.* at 3–4.

[11] *See* 19 CFR 351.309(c).

[12] *See* 19 CFR 351.309(d); *see* also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).'').

[13] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[14] *See* 19 CFR 351.303.

[15] *See* 19 CFR 351.310.

estimated countervailing duties in the amounts shown for each of the respective companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Interested Parties

These preliminary results are issued and published pursuant to sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Partial Rescission of Review
IV. Non-Selected Companies Under Review
V. Scope of the *Order*
VI. Diversification of China's Economy
VII. Use of Facts Otherwise Available and Application of Adverse Inferences
VIII. Subsidies Valuation
IX. Inputs and Electricity Benchmarks
X. Analysis of Programs
XI. Recommendation

Appendix II

List of Companies Subject to Rescission of Review

1. A-Jax International Co., Ltd.
2. Anping Haotie Metal Technology Co.
3. Changzhou Kya Trading Co., Ltd.
4. China Dinghao Co., Ltd.
5. China Wind International Ltd.
6. Dezhou Hualude Hardware Products Co., Ltd.
7. Dt China (Shanghai) Ltd, Ningbo Branch.
8. Ejen Brothers Limited.
9. eTeklon Co., Ltd.
10. Fastnail Products Limited.
11. Foshan Chan Seng Import and Export Co., Ltd.
12. Guangdong Meite Mechanical Co., Ltd.
13. H&B Promotional Limited.
14. Hangzhou Great Import & Export Co., Ltd.
15. Hangzhou Light Industrial Products, Arts & Crafts, Textiles Import & Export Co., Ltd
16. Hangzhou Strong Lion New Material Co., Ltd.
17. Hebei Cangzhou New Century Foreign Trade Co., Ltd.
18. Hebei Jinshi Industrial Metal Co., Ltd.
19. Hebei Machinery Import and Export Co., Ltd.
20. Hebei Minmetals Co., Ltd.
21. Hengtuo Metal Products Co., Ltd.
22. Hk Quanyi Coil Spring Metals Product Limited.
23. Huanghua Baizhou Trading Co., Ltd.
24. Jiangmen Rui Xing Yuan Import and Export Co., Ltd.
25. Jiaxing Brothers Hardware Co., Ltd.
26. Jinhua Qual Max Trading Co., Ltd.
27. Kinglong Manufacturing Co., Ltd.
28. Milan Pacific International Limited.
29. Mingguang Ruifeng Hardware Products Co., Ltd.
30. Ningbo (Yinzhou) Yongjia Electrical Tools Co., Ltd.
31. Ningbo Alldo Stationery Co., Ltd.
32. Ningbo Guangbo Import & Export Co., Ltd.
33. Ningbo Huayi Import & Export Co., Ltd.
34. Ningbo Mascube Imp. & Exp. Corp.
35. Ningbo Mate Import & Export Co., Ltd.
36. Ningbo S-Chande Import & Export Co., Ltd.
37. Ningbo Sunlit International Co., Ltd.
38. Ningbo Yuanyu Imp. & Exp. Co., Ltd.
39. Ninghai Huihui Stationery Co., Ltd.
40. Oli-Fast Fasteners (Tianjin).
41. Qingdao Top Metal Industrial Co., Ltd.
42. Qingdao Top Steel Industrial Co., Ltd.
43. Rayson Electrical Mfg., Ltd.
44. Rebon Building Material Co., Limited.
45. Rise Time Industrial Ltd.
46. Shanghai Genmes Office Products Co., Ltd.
47. Shanghai Lansi Trading Co., Ltd.
48. Shanghai Yinwo Technologies Development Co., Ltd.
49. Shaoxing Best Nail Industrial Co., Ltd.
50. Shaoxing Feida Nail Industry Co., Ltd.
51. Shaoxing Huasheng Stationery Manufacturing Co., Ltd.
52. Shaoxing Jingke Hardware Co., Ltd.
53. Shaoxing Mingxing Nail Co., Ltd.
54. Shaoxing Shunxing Metal Producting Co., Ltd.
55. Shaoxing Xinyi Hardware & Tools Co., Ltd.
56. Shaoxing Yiyou Stationery Co., Ltd.
57. Shenzhen Jinsunway Mould Co., Ltd.
58. Shijiazhuang Shuangming Trade Co., Ltd.
59. Shouguang Hongsheng Import and Export Co., Ltd.
60. Shun Far Enterprise Co., Ltd.
61. Suntec Industries Co., Ltd.
62. Suqian Real Faith International Trade Co., Ltd.
63. Taizhou Dajiang Ind. Co., Ltd.
64. Team One (Shanghai) Co., Ltd.
65. Tianjin Bluekin Industries Co., Ltd.
66. Tianjin D&C Technology Development.
67. Tianjin Huixinshangmao Co., Ltd.
68. Tianjin Jin Xin Sheng Long Metal Products Co., Ltd.
69. Tianjin Jinyifeng Hardware Co., Ltd.
70. Tsi Manufacturing LLC.
71. Tung Yung International Limited.
72. Unicom (Tianjin) Fasteners Co., Ltd.
73. Wire Products Manufacturing Co., Ltd.
74. Yangjiang Meijia Economic & Trade Co., Ltd.
75. Yuchen Imp. and Exp. Co, Ltd.
76. Yueqing Yuena Electric Science and Technology Co., Ltd.
77. Zhejiang Best Nail Industrial Co., Ltd.
78. Zhejiang Fairtrade E-Commerce Co., Ltd.
79. Zhejiang KYT Technology Co., Ltd.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that tapered roller bearings and parts thereof, finished and unfinished, (TRBs) from the People's Republic of China (China) have been sold at less than normal value (NV) during the period of review (POR), June 1, 2021, through May 31, 2022. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Melissa Porpotage, 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) 482–1413.

SUPPLEMENTARY INFORMATION:

Background

On August 9, 2022, Commerce published a notice of initiation of an administrative review of the antidumping duty (AD) order on TRBs from China covering the POR with respect to seven companies.[1] On February 22, 2023, we extended the preliminary results of this review to no later than June 30, 2023.[2]

For a complete description of the events that followed the initiation of

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022) (*Initiation Notice*). Changshan Peer Bearing Co., Ltd. (CPZ) was listed in the *Initiation Notice;* however, prior to publication, CPZ withdrew its request for an administrative review. Thus, in September 2022, Commerce published in the **Federal Register** a notice correcting the inadvertent inclusion of CPZ. *See* CPZ's letter, ''Withdrawal of Request for Administrative Review,'' dated July 8, 2022; *see also Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 54463 (September 6, 2022).

[2] *See* Memorandum, ''Extension of Deadline for Preliminary Results of 2021–2022 Antidumping Duty Administrative Review,'' dated February 22, 2023.

this administrative review, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included in 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.*

Scope of the Order [4]

The products covered by the *Order* are shipments of tapered roller bearings and parts thereof, finished and unfinished, from China; flange, take up cartridge, and hanger units incorporating tapered roller bearings; and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). For a full description of the methodology underlying our preliminary results, *see* the Preliminary Decision Memorandum.[5]

China-Wide Entity

C&U Group Shanghai Bearing Co., Ltd. (C&U Group), Hangzhou C&U Automotive Bearing Co., Ltd. (C&U Automotive), Hangzhou C&U Metallurgy Bearing Co., Ltd. (C&U Metallurgy), Huangshi C&U Bearing Co., Ltd. (Huangshi C&U), and Sichuan C&U Bearing Co., Ltd. (Sichuan C&U) did not submit separate rate applications or recertify their eligibility for a separate rate; therefore, Commerce preliminarily determines that these companies are not eligible for a separate rate and, as such, are a part of the China-wide entity.

Under Commerce's policy regarding the conditional review of the China-wide entity, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the China-wide entity. Because no party requested a review of the China-wide entity and no review was initiated for the China-wide entity, the China-wide entity is not under review. Thus, the weighted-average dumping margin determined for the China-wide entity is not subject to change and continues to be 92.84 percent.[6]

Rate for Non-Examined Companies That Are Eligible for a Separate Rate

Commerce calculated an individual weighted-average dumping margin for Shanghai Tainai Bearing Co., Ltd. (Tainai), the only company individually examined in this administrative review. Because the only individually calculated weighted-average dumping margin is not zero, *de minimis,* or based entirely on facts otherwise available, the weighted-average dumping margin calculated for Tainai is the basis to determine the weighted-average dumping margin for the separate rate, non-examined companies, consistent with section 735(c)(5)(A) of the Act, which provides for the determination of the estimated weighted-average dumping margin for all other producers and exporters in an investigation.

As indicated in the ''Preliminary Results of Review'' section below, we preliminarily determine that a weighted-average dumping margin of 27.02 percent applies to Zhejiang Jingli Bearing Technology Co., Ltd. (Jingli), the only company not selected for individual examination that is eligible for a separate rate. For further information, *see* the Preliminary Decision Memorandum at ''Weighted-Average Dumping Margin for the Separate Rate Companies.''

Preliminary Results of Review

Commerce preliminarily determines that the following weighted-average dumping margins exist for the period June 1, 2021, through May 31, 2022:

Exporter	Weighted average dumping margin (percent)
Shanghai Tainai Bearing Co., Ltd	27.02
Zhejiang Jingli Bearing Technology Co., Ltd	27.02

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[7] Case briefs or other written comments may be submitted to Commerce no later than 30 days after the date of publication of this notice.[8] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the time limit for filing case briefs.[9] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[10] Case and rebuttal briefs should be filed using ACCESS.[11] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[12]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days after the date of publication of this notice.[13] Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.[14] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date. An electronically filed document must be received successfully in its entirety by ACCESS by 5 p.m.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2021–2022 Antidumping Duty Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from the People's Republic of China,* 52 FR 22667 (June 15, 1987), as amended in *Tapered Roller Bearings from the People's Republic of China; Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order in Accordance with Decision Upon Remand,* 55 FR 6669 (February 26, 1990) (*Order*).

[5] *See* Preliminary Decision Memorandum at ''Discussion of the Methodology.''

[6] *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review,* 74 FR 3987, 3988–89 (January 22, 2009) (*TRBs from China 2009*).

[7] *See* 19 CFR 351.224(b).

[8] *See* 19 CFR 351.309(c).

[9] *See* 19 CFR 351.309(c); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2).

[11] *See* 19 CFR 351.303.

[12] *See Temporary Rule.*

[13] *See* 19 CFR 351.310(c).

[14] *See* 19 CFR 351.310(d).

Eastern Time on the established deadline.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless otherwise extended.[15]

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.[16]

For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce intends to calculate importer-specific assessment rates for antidumping duties, in accordance with 19 CFR 351.212(b)(1).[17] Where the respondent reported reliable entered values, Commerce intends to calculate importer-specific *ad valorem* assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer and dividing this amount by the total entered value of the merchandise sold to the importer.[18] Where the respondent did not report entered values, Commerce will calculate importer-specific per-unit assessment rates by dividing the amount of dumping for reviewed sales to the importer by the total quantity of those sales. In addition, Commerce will calculate an estimated importer-specific *ad valorem* assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[19] Where an importer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer-specific *ad valorem* assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[20]

For the final results, if we continue to treat the C&U Group, C&U Automotive, C&U Metallurgy, Huangshi C&U, and Sichuan C&U as part of China-wide entity, we will instruct CBP to apply an *ad valorem* assessment rate of 92.84 percent to all entries of subject merchandise during the POR that were exported by these companies.

For Jingli, the company that is receiving a separate rate and was not individually examined, its assessment rate will be equal to the weighted-average dumping margin determined in the final results of this review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for the exporters listed above that have a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review (except, if the rate is zero or *de minimis,* then a cash deposit rate of zero will be established for that company); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that are currently eligible for a separate rate, the cash deposit rate will continue to be equal to the exporter-specific weighted-average dumping margin published for the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the cash deposit rate established for the China-wide entity, 92.84 percent; and (4) for all exporters of subject merchandise that are not located in China and that are not eligible for a separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter.

These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(l) and 777(i)(l) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Recommendation

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[15] *See* section 751(a)(3)(A) of the Act.

[16] *See* 19 CFR 351.212(b)(1).

[17] *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification*).

[18] *See* 19 CFR 351.212(b)(1).

[19] *Id.*

[20] *See Final Modification,* 77 FR at 8103.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–889]

Certain Quartz Surface Products From India: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments and Partial Rescission of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on certain quartz surface products (quartz surface products) from India. We preliminarily determine that Pokarna Engineered Stone Limited (PESL) and Marudhar Rocks International Pvt. Ltd./Marudhar Quartz Surface Private Limited (collectively, Marudhar Rocks) did not make sales of subject merchandise at less than normal value during the period of review (POR) June 2021,

through May 31, 2022. We also preliminarily determine that one company had no shipments. Interested parties are invited to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Joy Zhang, 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) 482–4243 or (202) 482–1168, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 22, 2020, Commerce published the antidumping duty order on quartz surface products from India in the **Federal Register**.[1] On August 9, 2022, in accordance with 19 CFR 351.221(c)(1)(i), Commerce published a notice of initiation for this administrative review.[2] Commerce amended this initiation to include two companies inadvertently omitted from its August 9, 2022, *Initiation Notice.*[3] On February 13, 2023, we extended the deadline for the preliminary results to June 30, 2023.[4] For a complete description of the events that followed the initiation of this administrative review, *see* the Preliminary Decision Memorandum.[5]

Scope of the Order

The products covered by the *Order* are quartz surface products from India. For a complete description of the scope, *see* the Preliminary Decision Memorandum.

Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Six companies upon which we initiated a review timely withdrew their review requests and no other interested party requested a review of their entries during the POR. As a result, Commerce is rescinding this review with respect to these six companies (ASI Industries Limited, Divine Surfaces Private Limited, Evetis Stone India Pvt. Ltd., Imperiaal Granimarmo Pvt Ltd., PM Quartz Surfaces Pvt. Ltd., and Shanmukha Exports) in accordance with 19 CFR 351.213(d)(1).

Methodology

Commerce is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). We calculated export price in accordance with section 772 of the Act. We calculated normal value in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I 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.*

Preliminary Results of the Review

Commerce preliminarily determines the following weighted-average dumping margins exist for the POR:

Producer/exporter	Weighted-average dumping margin (percent)
Pokarna Engineered Stone Limited	0.00
Marudhar Rocks International Pvt. Ltd./Marudhar Quartz Surface Private Limited[6]	0.00
Non-Selected Companies[7]	0.00

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[8] Interested parties may submit case briefs no later than 30 days after the date of publication of this notice.[9] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the time limit for filing case briefs.[10] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[11] Executive summaries should be limited to five pages total, including footnotes. Case and rebuttal briefs should be filed using ACCESS.[12] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.[14] If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, no later than 120 days after the date of publication of these preliminary results

[1] *See Certain Quartz Surface Products from India and Turkey: Antidumping Duty Orders,* 85 FR 37422 (June 22, 2020) (*Order*).

[2] *See Initiation of Antidumping Duty and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022) (*Initiation Notice*).

[3] *See Initiation of Antidumping Duty and Countervailing Duty Administrative Reviews,* 87 FR 61278 (October 11, 2022).

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 13, 2023.

[5] *See* Memorandum, ''Decision Memorandum for the Preliminary Results and Partial Rescission of the Administrative Review of the Antidumping Duty Order on Certain Quartz Surface Products from India; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] We have preliminarily determined to treat Marudhar Rocks International Pvt. Ltd. Marudhar Quartz Surface Private Limited as a single entity for this administrative review. *See* Memorandum, ''Preliminary Affiliation and Collapsing Memorandum,'' dated concurrently with this notice.

[7] *See* Appendix II for a full list of the companies not individually examined in this review.

[8] *See* 19 CFR 351.224(b).

[9] *See* 19 CFR 351.309(c)(1)(ii).

[10] *See* 19 CFR 351.309(d)(1).

[11] *See* 19 CFR 351.309(c)(2) and (d)(2) and 19 CFR 351.303 (for general filing requirements).

[12] *See* 19 CFR 351.303.

[13] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[14] *See* 19 CFR 351.310(c).

of review, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

If the weighted-average dumping margin for PESL or Marudhar Rocks is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates for the merchandise based on the ratio of the total amount of dumping calculated for the examined sales made during the POR to each importer and the total entered value of those same sales, in accordance with 19 CFR 351.212(b)(1). Where an importer-specific *ad valorem* assessment rate is zero or *de minimis* in the final results of review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2). If a respondent's weighted-average dumping margin is zero or *de minimis* in the final results of review, we will instruct CBP not to assess duties on any of its entries in accordance with the *Final Modification for Reviews, i.e., ''*{w}here the weighted-average margin of dumping for the exporter is determined to be zero or *de minimis,* no antidumping duties will be assessed.'' [15] For entries of subject merchandise during the POR produced by PESL or Marudhar Rocks for which the producer did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company (or companies) involved in the transaction.[16]

For the companies which were not selected for individual examination, we will instruct CBP to assess antidumping duties at an *ad valorem* assessment rate equal to the company-specific weighted-average dumping margin determined in these final results. For the companies for which the administrative review is rescinded, antidumping duties shall be assessed at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for each company listed above will be that established in the final results of this administrative review, except if the rate is less than 0.50 percent, and therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or in the investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be the all-others rate of 1.02 percent, the rate established in the investigation of this proceeding, as adjusted for subsidy offsets.[17] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Partial Rescission of Review
V. Preliminary Determination of No Shipments
VI. Companies Not Selected for Individual Examination
VII. Affiliation and Collapsing
VIII. Discussion of the Methodology
IX. Currency Conversion
X. Recommendation

Appendix II

List of Companies Not Selected for Individual Examination

1. Antique Granito Shareholders Trust
2. Antique Marbonite Private Limited
3. Argil Ceramics
4. Aro Granite Industries Ltd.
5. Asian Granito India Limited
6. Baba Super Minerals Pvt. Ltd.
7. Camrola Quartz Limited
8. Classic Marble Company Pvt. Ltd.
9. Cuarzo
10. Divya Shakti Granites Ltd
11. Divya Shakti Ltd
12. Esprit Stones Private Limited
13. Global Surfaces Limited
14. Glowstone Industries Pvt. Ltd.
15. Hi Elite Quartz LLP
16. Internaational Stones India Pvt. Ltd.
17. Keros Stone LLP
18. Mahi Granites Private Limited
19. Malbros Marbles and Granites Industries
20. Mountmine Impex Pvt. Ltd.
21. Pacific Industries Limited
22. Pacific Quartz Surfaces LLP
23. Paradigm Stone India Pvt. Ltd.
24. Pelican Buildmat Pvt. Ltd.
25. Pelican Grani Marmo Pvt. Ltd.
26. Pelican Quartz Stone
27. Prism Johnson Limited
28. QuartzKraft LLP
29. Renshou Industries
30. RMC Readymix Porselano India Limited
31. Rocks Forever
32. Safayar Ceramics Pvt. Ltd.
33. Satya Exports
34. Shivam Enterprises
35. Southern Rocks and Minerals Pvt. Ltd.
36. Sunex Stones Private Limited
37. Tab India Granites Pvt. Ltd.

[15] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8102 (February 14, 2012) (*Final Modification for Reviews*).

[16] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[17] *See Order,* 85 FR at 37423.

38. Venkata Sri Balaji Quartz Surfaces

[FR Doc. 2023–14396 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–913]

Certain Non-Refillable Steel Cylinders From India: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Shane Subler or Zachariah Hall, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6241 or (202) 482–6261, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 17, 2023, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of certain non-refillable steel cylinders (cylinders) from India.[1] Currently, the preliminary determination is due no later than July 21, 2023.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On June 26, 2023, the petitioner in this CVD investigation[2] submitted a timely request that Commerce postpone the preliminary determination.[3] The petitioner stated that Commerce needs additional time to collect and analyze questionnaire responses from the Government of India (GOI) and the mandatory respondents in this investigation.[4] Additionally, the petitioner stated that the additional time will: (1) permit the petitioner to review data submitted by the GOI and the respondents; and (2) allow Commerce to request additional or clarifying information as necessary, as well as determine the extent to which countervailable subsidies have benefited the respondents.[5]

In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.,* September 25, 2023.[6] Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2023–14427 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

[1] *See Certain Non-Refillable Steel Cylinders From India: Initiation of Countervailing Duty Investigation,* 88 FR 33580 (May 24, 2023) (*Initiation Notice*).

[2] The petitioner is Worthington Industries.

[3] *See* Petitioner's Letter, ''Petitioner's Request to Postpone Preliminary Determination,'' dated June 26, 2023.

[4] *Id.*

[5] *Id.*

[6] Postponing the preliminary determination to 130 days after the date of initiation would place the deadline on Sunday, September 24, 2023. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. *See Notice of Clarification: Application of ''Next Business Day'' Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended,* 70 FR 24533 (May 10, 2005).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–873]

Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From India: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that certain cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from India was sold in the United States at less than normal value (NV) during the period of review (POR) of June 1, 2021, through May 31, 2022.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Alexis Cherry or Samantha Kinney, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0607 or (202) 482–2285, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 11, 2018, Commerce published the antidumping duty (AD) order on cold-drawn mechanical tubing from India.[1] On August 9, 2022, in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order,* covering two producers/exporters, Goodluck India Limited (Goodluck) and Tube Products of India, Ltd., a unit of Tube Investments of India Limited (collectively, TII).[2]

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), on January 17, 2023, Commerce

[1] *See Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from the People's Republic of China, the Federal Republic of Germany, India, Italy, the Republic of Korea, and Switzerland: Antidumping Duty Orders; and Amended Final Determinations of Sales at Less Than Fair Value for the People's Republic of China and Switzerland,* 83 FR 26962 (June 11, 2018); *see also Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Notice of Second Amended Final Determination; Notice of Amended Order; Notice of Resumption of First and Reinitiation of Second Antidumping Duty Administrative Reviews; Notice of Opportunity for Withdrawal; and Notice of Assessment in Third Antidumping Duty Administrative Review,* 86 FR 74069 (December 29, 2021) (collectively, *Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022) (*Initiation Notice*).

determined that it was not practicable to complete the preliminary results of this review within 245 days and extended the deadline for the preliminary results of this review until June 30, 2023.[3]

For a detailed description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[4] The Preliminary Decision Memorandum is a public document and is available 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 at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise covered by the *Order* is cold-drawn mechanical tubing from India. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a) of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

Preliminary Results

We preliminarily determine the following weighted-average dumping margins for the period June 1, 2021, through May 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Goodluck India Limited	0.58
Tube Products of India, Ltd., a unit of Tube Investments of India Limited	3.50

[3] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2021–2022,'' dated January 17, 2023.

[4] *See* Memorandum, ''Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Verification

On November 8, 2022, the petitioners, ArcelorMittal Tubular Products LLC, Michigan Seamless Tube, LLC, PTC Alliance Corp., Webco Industries, Inc., and Zekelman Industries, timely requested that Commerce conduct verification of Goodluck's responses.[5] Moreover, no verification was conducted during the two immediately preceding reviews of Goodluck. Therefore, Commerce intends to verify the information that Commerce relies upon for the final results with respect to Goodluck, as provided in section 782(i)(3) of the Act.

Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results of review to interested parties with an Administrative Protective Order within five days of the date of publication of these preliminary results in accordance with 19 CFR 351.224(b).

Case briefs or other written comments may be submitted to Commerce. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.[6] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[7] Case and rebuttal briefs should be filed using ACCESS.[8]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold a hearing at a time and date to be determined.[9] Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time on the date that the document is due. Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.[10]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any case or rebuttal briefs, no later than 120 days after the date of publication of this notice, unless this deadline is extended.[11]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this administrative review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For an individually examined respondent whose weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, Commerce intends to calculate an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). Where we do not have entered values for all U.S. sales to a particular importer/customer, we will calculate a per-unit assessment rate by aggregating the antidumping duties due for all U.S. sales to that importer (or customer) and dividing this amount by the total quantity sold to that importer

[5] *See* Petitioners' Letter, ''Petitioners' Verification Request for Goodluck,'' dated November 8, 2022.

[6] *See* 19 CFR 351.309(d)(1) and (2); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).''); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

[7] *See* 19 CFR 351.309(c)(2) and (d)(2).

[8] *See* 19 CFR 351.303(f).

[9] *See* 19 CFR 351.310(d).

[10] *See Temporary Rule.*

[11] *See* section 751(a)(3)(A) of the Act; and 19 CFR 351.213(h).

(or customer).[12] We intend to instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis* (*i.e.,* 0.50 percent). To determine whether the duty assessment rates are *de minimis,* in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculate importer- (or customer-) specific *ad valorem* ratios based on the estimated entered value. Where either a respondent's weighted-average dumping margin is zero or *de minimis,* or an importer- (or customer-) specific *ad valorem* rate is zero or *de minimis* in the final results of review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[13]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by the respondents for which they did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate those entries at the all-others rate in the original less-than-fair-value (LTFV) investigation.[14] if there is no rate for the intermediate company(ies) involved in the transaction.[15]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be that established in the final results of this administrative review, except if the rate is less than 0.50 percent, and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not covered in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the underlying investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 5.87 percent, the all-others rate established in the LTFV investigation.[16] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

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[12] *See* 19 CFR 351.212(b)(1).

[13] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8103 (February 14, 2012).

[14] *See Order,* 83 FR at 26965.

[15] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[16] *See Order,* 83 FR at 26965.

DEPARTMENT OF COMMERCE

International Trade Administration

Announcement of Approved International Trade Administration Trade Mission

AGENCY: International Trade Administration, Department of Commerce.

SUMMARY: The United States Department of Commerce, International Trade Administration (ITA), is announcing one upcoming trade mission that will be recruited, organized, and implemented by ITA. This mission is: Financial Technologies Business Development Mission to Singapore and Japan, with an optional stop in South Korea—November 13–20, 2023. A summary of the mission is found below. Application information and more detailed mission information, including the commercial setting and sector information, can be found at the trade mission website: *https://www.trade.gov/trade-missions.* For each mission, recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar (*https://www.trade.gov/trade-missions-schedule*) and other internet websites, press releases to general and trade media, direct mail, broadcast fax, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows.

FOR FURTHER INFORMATION CONTACT: Jeffrey Odum, Events Management Task Force, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482–6397 or email *Jeffrey.Odum@trade.gov.*

SUPPLEMENTARY INFORMATION:

The Following Conditions for Participation Will Be Used for the Mission

Applicants must submit a completed and signed mission application and supplemental application materials, including adequate information on their products and/or services, primary market objectives, and goals for participation that is adequate to allow the Department of Commerce to evaluate their application. If the Department of Commerce receives an incomplete application, the Department of Commerce may either: reject the application, request additional information/clarification, or take the lack of information into account when evaluating the application. If the

requisite minimum number of participants is not selected for a particular mission by the recruitment deadline, the mission may be cancelled.

Each applicant must also certify that the products and services it seeks to export through the mission are either produced in the United States, or, if not, are marketed under the name of a U.S. firm and have at least fifty-one percent U.S. content by value. In the case of a trade association or organization, the applicant must certify that, for each firm or service provider to be represented by the association/organization, the products and/or services the represented firm or service provider seeks to export are either produced in the United States or, if not, marketed under the name of a U.S. firm and have at least 51% U.S. content.

A trade association/organization applicant must certify and agree to the above for every company it seeks to represent on the mission. In addition, each applicant must:

- Certify that the products and services that it wishes to market through the mission would be in compliance with U.S. export controls and regulations;
- Certify that it has identified any matter pending before any bureau or office in the Department of Commerce;
- Certify that it has identified any pending litigation (including any administrative proceedings) to which it is a party that involves the Department of Commerce; and
- Sign and submit an agreement that it and its affiliates (1) have not and will not engage in the bribery of foreign officials in connection with a company's/participant's involvement in this mission, and (2) maintain and enforce a policy that prohibits the bribery of foreign officials.

In the case of a trade association/organization, the applicant must certify that each firm or service provider to be represented by the association/organization can make the above certifications.

The Following Selection Criteria Will Be Used for the Mission

Targeted mission participants are U.S. firms, services providers and trade associations/organizations providing or promoting U.S. products and services that have an interest in entering or expanding their business in the mission's destination country. The following criteria will be evaluated in selecting participants:

- Suitability of the applicant's (or in the case of a trade association/organization, represented firm's or service provider's) products or services to these markets;
- The applicant's (or in the case of a trade association/organization, represented firm's or service provider's) potential for business in the markets, including likelihood of exports resulting from the mission; and
- Consistency of the applicant's (or in the case of a trade association/organization, represented firm's or service provider's) goals and objectives with the stated scope of the mission. Balance of company size and location may also be considered during the review process.

Referrals from a political party or partisan political group or any information, including on the application, containing references to political contributions or other partisan political activities will be excluded from the application and will not be considered during the selection process. The sender will be notified of these exclusions. The Department of Commerce will evaluate applications and inform applicants of selection decisions on a rolling basis until the maximum number of participants has been selected.

Trade Mission Participation Fees

If and when an applicant is selected to participate on a particular mission, a payment to the Department of Commerce in the amount of the designated participation fee below is required. Upon notification of acceptance to participate, those selected have 5 business days to submit payment or the acceptance may be revoked.

Participants selected for a trade mission will be expected to pay for the cost of personal expenses, including, but not limited to, international travel, lodging, meals, transportation, communication, and incidentals, unless otherwise noted. Participants will, however, be able to take advantage of U.S. Government rates for hotel rooms. In the event that a mission is cancelled, no personal expenses paid in anticipation of a mission will be reimbursed. However, participation fees for a cancelled mission will be reimbursed to the extent they have not already been expended in anticipation of the mission.

Trade mission members participate in trade missions and undertake mission-related travel at their own risk. The nature of the security situation in a given foreign market at a given time cannot be guaranteed. The U.S. Government does not make any representations or guarantees as to the safety or security of participants. The U.S. Department of State issues U.S. Government international travel alerts and warnings for U.S. citizens available at *https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html/.* Any question regarding insurance coverage must be resolved by the participant and its insurer of choice.

Definition of Small- and Medium-Sized Enterprise

For purposes of assessing participation fees, an applicant is a small or medium-sized enterprise (SME) if it qualifies as a ''small business'' under the Small Business Administration's (SBA) size standards (*https://www.sba.gov/document/support--table-size-standards*), which vary by North American Industry Classification System (NAICS) Code. The SBA Size Standards Tool (*https://www.sba.gov/size-standards*) can help you determine the qualifications that apply to your company.

Important Note About the Covid–19 Pandemic

Travel and in-person activities are contingent upon the safety and health conditions in the United States and the mission countries. Should safety or health conditions not be appropriate for travel and/or in-person activities, the Department will consider postponing the event or offering a virtual program in lieu of an in-person agenda. In the event of a postponement, the Department will notify the public and applicants previously selected to participate in this mission will need to confirm their availability but need not reapply. Should the decision be made to organize a virtual program, the Department will adjust fees, accordingly, prepare an agenda for virtual activities, and notify the previously selected applicants with the option to opt-in to the new virtual program.

Mission List: (additional information about trade missions can be found at *https://www.trade.gov/trade-missions*).

Financial Technologies Business Development Mission to Singapore and Japan, With an Optional Stop in South Korea—November 13–20, 2023

Summary

The United States Department of Commerce, International Trade Administration (ITA) is organizing a financial technologies business development mission to Singapore and Tokyo, Japan, with an optional stop in Seoul, South Korea from November 13 to 20, 2023.

The purpose of the mission is to expand opportunities for U.S.

companies in the Indo-Pacific region at the intersection of financial services, financial technology, payments, reg fintech, and sustainable financial technology. This mission will also be part of delivering and advancing U.S. technology, standards, and commercial interests in this vital region of the world.

The objective is to identify, where appropriate and in line with U.S. policy objectives, trade promotion opportunities that will help cement U.S. financial technology organizations as global leaders in this emerging industry, while also creating new commercial opportunities and encouraging strong regulation and supervision worldwide.

The mission is designed for U.S. firms and organizations who play a part in the financial technology industry, especially those with products in the following categories:

- Payments (mobile payment and others)
- Insurance Technology
- Regulatory FinTech
- Lending
- Cross-border Trade Finance
- New Economy Finance
- Sustainable Finance/Finance
- Blockchain Infrastructure Solutions

This list is not intended to be exhaustive of all opportunities but shows best prospect sectors. Applications from companies selling products or services within the scope of this mission, but not specifically identified, will be considered, and evaluated by the International Trade Administration on a case-by-case basis.

Commercial Setting

This trade mission will showcase U.S. financial technology services and products and help ensure the Indo-Pacific region will look at U.S. financial services and technology standards and approaches for their own financial services industry. The mission will provide curated visits to key governmental agencies, non-governmental organizations, and other local industry organizations in the market. Trade mission partners include high level government representatives as well as directors from leading incubators and business associations.

Delegations will also be visiting key private sector companies and organizations in the local market that are challenging to set-up meetings with, such as possible visits to the Tokyo Stock Exchange, Singapore Big 4 local banks, leading asset management companies in Japan and Singapore, and local investment organizations.

In May 2022, the United States launched the Indo-Pacific Economic Framework for Prosperity (IPEF) with 13 other countries, including Singapore, Japan, and the Republic of Korea. The goal of IPEF is to advance sustainability, inclusiveness, economic growth, and competitiveness to benefit each of the participating economies, with which the U.S. financial technology industry can participate and support.

In 2023, the United States is hosting the Asia-Pacific Economic Cooperation (APEC) meetings. As part of its 2023 APEC Host Year, the United States continues to focus on sustainable economic growth. This mission will serve as one means to further U.S. and APEC economy private sector collaborations to establish responsible and sustainable financial technology industry standards and practices.

Proposed Timetable

* **Note:** The final schedule and potential site visits will depend on the availability of host government and business officials, specific goals of mission participants, and ground transportation.

Saturday/Sunday, November 11–12, 2023	• All Trade Mission Participants Arrive in Tokyo, Japan by Sunday. • *Optional:* No-Host Evening Reception for Participants.
Monday, November 13, 2023: Japan	Full Day program in Tokyo, Japan: • Welcome remarks by U.S. Ambassador. • U.S. Mission Japan market briefing. • Networking Lunch. • Welcome remarks on Japanese Financial Services Market by Ministry Official. • Panel discussion on Japanese Financial Technologies Market. • Networking Reception at the U.S. Ambassador's Residence.
Tuesday, November 14, 2023: Japan	Partial Day program in Tokyo, Japan: • Visit to the Tokyo Stock Exchange & Panel. • Lunch Roundtable with Japanese Banks. • Tour of Tokyo FinTech Accelerator. • Meeting with Tokyo Metropolitan Government FinTech. • Tokyo Mission Stop Hot Wash. • Travel—Tokyo to Singapore.
Wednesday, November 15, 2023: Japan—Singapore.	Full Day program day in Singapore: • Introductory Market Briefing Singapore. • Singapore FinTech Festival visit. • Networking reception at Ambassador/DCM's residence.
Thursday, November 16, 2023: Singapore	• B2B meetings. • Sponsored Networking Reception.
Friday, November 17, 2023: Singapore	• Briefing from Singapore Ministry Officials. • Tour of local Singapore Innovation Labs. • Meeting and networking with local companies and industry professionals. *Main Mission Concludes.*
Saturday/Sunday, November 18–19, 2023: S Korea (Optional Stop).	• (Optional) Trade Mission Participants Arrive in Seoul, South Korea.
Monday, November 20, 2023: S Korea (Optional Stop).	• Trade Mission Participants Full Day in Seoul, South Korea. • Visit to Fintech Center Korea. • Panel with Financial Supervisory Service. • Visit to Korean Central Bank FinTech Hub. • Matchmaking Sessions. • Visit to Korean Financial Services Commission. • Networking Reception with South Korean Fintech Accelerator.
Tuesday, November 21, 2023	• Participants return home.

Participation Requirements

All parties interested in participating in the trade mission must complete and submit an application package for consideration by the DOC. All applicants will be evaluated on their ability to meet certain conditions and best satisfy the selection criteria as outlined below. A minimum of 12 companies and maximum of 20 firms and/or trade associations will be selected to participate in the mission from the applicant pool. A minimum of six companies will be recruited for the optional stop to Seoul, South Korea.

Fees and Expenses

After a firm or trade association has been selected to participate on the mission, a payment to the Department of Commerce in the form of a participation fee is required. The participation fee for the Business Development Mission will be $3,900 for small or medium-sized enterprises (SME) 1; and $4,600 for large firms or trade associations. The fee for each additional firm representative (large firm or SME/trade organization) is $750. Companies opting to participate in the optional stop to Seoul, South Korea will pay an additional fee of $1,300 for SMEs and $2,100 for large firms or trade associations. All fees also include access to the SFF in Singapore, where participants will participant in mission planned activities at the show. Expenses for travel, lodging, meals, and incidentals will be the responsibility of each mission participant. Interpreter and driver services can be arranged for additional cost. Delegation members will be able to take advantage of U.S. Embassy rates for hotel rooms.

If an applicant is selected to participate on a particular mission, a payment to the Department of Commerce in the amount of the designated participation fee is required. Upon notification of acceptance to participate, those selected have 5 business days to submit payment or the acceptance may be revoked.

Participants selected for a trade mission will be expected to pay for the cost of personal expenses, including, but not limited to, international travel, lodging, meals, transportation, communication, and incidentals, unless otherwise noted. Participants will, however, be able to take advantage of U.S. Government rates for hotel rooms. In the event that a mission is cancelled, no personal expenses paid in anticipation of a mission will be reimbursed. However, participation fees for a cancelled mission will be reimbursed to the extent they have not already been expended in anticipation of the mission.

If a visa is required to travel on a particular mission, applying for and obtaining such a visa will be the responsibility of the mission participant. Government fees and processing expenses to obtain such a visa are not included in the participation fee. However, the Department of Commerce will provide instructions to each participant on the procedures required to obtain business visas.

Trade mission members participate in trade missions and undertake mission-related travel at their own risk. The nature of the security situation in a given foreign market at a given time cannot be guaranteed. The U.S. Government does not make any representations or guarantees as to the safety or security of participants. The U.S. Department of State issues U.S. Government international travel alerts and warnings for U.S. citizens available at *https://travel.state.gov/content/passports/en/alertswarnings.html.* Any question regarding insurance coverage must be resolved by the participant and its insurer of choice.

Timeframe for Recruitment and Applications

Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar (*https://www.trade.gov/trade-missions*) and other internet websites, press releases to general and trade media, direct mail, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows. Recruitment for the mission will begin immediately and conclude no later than July 21, 2023. The U.S. Department of Commerce will review applications and inform applicants of selection decisions on a rolling basis. Applications received after July 21, 2023, will be considered only if space and scheduling constraints permit.

Contacts

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Gemal Brangman,

Director, Trade Events Management Task Force.

[FR Doc. 2023–14355 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–856–001]

Common Alloy Aluminum Sheet From Slovenia: Final Results of Antidumping Duty Administrative Review; 2020–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty order on common alloy aluminum sheet (CAAS) from Slovenia. The period of review (POR) is October 15, 2020, through March 31, 2022. The review covers one producer/exporter of the subject merchandise, Impol d.o.o./Impo FT, d.o.o. (Impol). We determine that sales of subject merchandise by Impol were made at less than normal value (NV).

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Dennis McClure, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5973.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* on March 2, 2023.[1] We invited interested parties to comment on the *Preliminary Results.* On April 3, 2023, Impol filed a case brief.[2] For a complete description of the events that occurred

[1] *See Common Alloy Aluminum Sheet From Slovenia: Preliminary Results of Antidumping Duty Administrative Review; 2020–2022;* 88 FR 13090 (March 2, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Impol's Letter, ''Case Brief,'' dated April 3, 2023.

after the *Preliminary Results, see* the Issues and Decision Memorandum.[3] Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [4]

The product covered by this *Order* is CAAS from Slovenia. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

The issue raised in the Impol's case brief is addressed in the Issues and Decision Memorandum and is listed in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on-file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at *https://access.trade.gov/public/FRNNoticesListLayout.aspx.*

Changes Since the Preliminary Results

Based on our further examination of the record information, we made changes to our preliminary dumping margin calculation for Impol. For a discussion of these changes, *see* the Issues and Decision Memorandum.

Final Results of Review

As a result of this review, we determine the following weighted-average dumping margin exists for the POR:

Exporter or producer	Weighted average dumping margin (percent)
Impol d.o.o./Impol FT, d.o.o.[5]	5.43

Commerce intends to disclose the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with section 751(a) of the Act and 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Impol's weighted-average dumping margin is not *de minimis* (*i.e.,* less than 0.50 percent). Therefore, Commerce has calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales.[6] Where we did not have entered values for all U.S. sales to a particular importer, we have calculated an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(1), we have calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis,* we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[7]

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instance, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[8]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Impol will be equal to the weighted-average dumping margin established in the final results of this review; (2) for producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or a prior segment of the proceeding but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 13.43 percent, the all-others rate established in the less-than-fair-value investigation.[9] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance

[3] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results in the 2020–2022 Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from Slovenia,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[4] *See Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan, and the Republic of Turkey: Antidumping Duty Orders,* 86 FR 22139 (April 27, 2021) (*Order*).

[5] The final rate calculated for Impol applies to subject merchandise produced by Impol FT, d.o.o. and exported by either Impol FT, d.o.o. or Impol d.o.o.

[6] *See* 19 CFR 351.212(b)(1).

[7] *See* 19 CFR 352.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[8] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[9] *See Order,* 86 FR at 22142.

with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Discussion of the Issue
Comment: Whether Commerce Appropriately Limited Its Comparison Market Analysis
VI. Recommendation

[FR Doc. 2023–14369 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–979]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) has determined that companies in the People's Republic of China (China) sold subject merchandise at less than normal value (NV) during the period of review (POR), December 1, 2020, through November 30, 2021. Commerce has also determined that one company did not sell subject merchandise below NV and that 18 companies subject to this review are part of the China-wide entity.

DATES: Applicable July 7, 2023,

FOR FURTHER INFORMATION CONTACT: Dakota Potts or Paola Aleman Ordaz, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0223 or (202) 482–4031, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 6, 2023, Commerce published the *Preliminary Results* of this review in the **Federal Register**.[1] For details regarding the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[2] Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order [3]

The merchandise covered by the *Order* is crystalline silicon photovoltaic cells, and modules, laminates, and panels, consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including, but not limited to, modules, laminates, panels and building integrated materials.[4] Merchandise covered by this order is currently classified under subheadings 8501.71.0000, 8501.72.1000, 8501.72.2000, 8501.72.3000, 8501.72.9000, 8501.80.1000, 8501.80.2000, 8501.80.3000, 8501.80.9000, 8507.20.8010, 8507.20.8031, 8507.20.8041, 8507.20.8061, 8507.20.8091, 8541.42.0010, and 8541.43.0010 of the Harmonized Tariff Schedule of the United States (HTSUS).[5] Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the *Order* is dispositive.

Analysis of Comments Received

We addressed all issues raised in the case and rebuttal briefs filed in this administrative review in the Issues and Decision Memorandum. A list of the issues raised in parties' briefs is included in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Changes Since the Preliminary Results

Based on our analysis of the comments received, and for the reasons explained in the Issues and Decision Memorandum, we made certain changes to the *Preliminary Results.* Specifically, we changed (1) the calculations of the weighted-average dumping margins for Chint Solar [6] and Shenzhen Glory Industries Co., Ltd. (Shenzhen Glory) (the mandatory respondents), including changing certain surrogate values used in those calculations; (2) granted Shenzhen Sungold Solar Co., Ltd. a separate rate; and (3) updated the dumping margin assigned to the non-individually examined companies that demonstrated their eligibility for a separate rate.

Final Determination of No Shipments

In the *Preliminary Results,* Commerce determined that nine companies/company groupings did not export or sell subject merchandise, nor did they have knowledge that their subject merchandise was entered into the United States during the POR.[7] No parties commented on Commerce's preliminary no shipments determination. For these final results of review, we have continued to determine that these nine companies/company

[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Antidumping Administrative Review, and Preliminary Determination of No Shipments; 2020–2021,* 88 FR 1046 (January 6, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

[2] *See* Memorandum ''Issues and Decision Memorandum for the Final Results of the 2020–2021 Administrative Review of the Antidumping Duty Order on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China'' dated concurrently with, and adopted by, this notice (Issues Decision Memorandum).

[3] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order,* 77 FR 73018 (December 7, 2012) (*Order*).

[4] For a complete description of the scope of the *Order, see* the Issues Decision Memorandum.

[5] During the POR, solar cells and modules were primarily classified under USHTS subheadings 8541.40.6015 and 8541.40.6025. These two categories were updated to USHTS subheadings 8541.42.0010 and 8541.43.0010 in 2022.

[6] We have continued to treat the following companies as a single entity: Chint New Energy Technology Co., Ltd. (f/k/a Chint New Energy Technology (Haining) Co., Ltd.); Chint Solar (Hong Kong) Company Limited; Chint Solar (Jiuquan) Co., Ltd.; Chint Solar (Zhejiang) Co., Ltd.; Chint New Energy Technology (Yancheng) Co., Ltd.; Chint Solar (Yancheng) Co., Ltd.; Haining Chint Solar Energy Technology Co., Ltd.; Zhejiang Taiheng New Energy Co., Ltd.; Hangzhou Taifu New Energy Co., Ltd (collectively, Chint Solar).

[7] See *Preliminary Results* PDM at 5–6.

groupings [8] did not export or sell subject merchandise, nor did they have knowledge that their subject merchandise was entered into the United States, during the POR.

Separate Rates

We have continued to grant the companies listed in the table in the ''Final Results of Review'' section below, a separate rate because they demonstrated that they are entitled to separate rate status. We have continued to find that the companies listed in Appendix II have not demonstrated their entitlement to a separate rate because they did not file a separate rate application or certification. Consequently, we are treating the companies listed in Appendix II as part of the China-wide entity. Because no party requested a review of the China-wide entity, the entity is not under review and the entity's rate (*i.e.,* 238.95 percent [9]) is not subject to change.[10]

Dumping Margins for Separate Rate Companies

The statute and Commerce's regulations do not address what dumping margin to apply to respondents not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the dumping margin for non-selected respondents that are not individually examined in an administrative review. Section 735(c)(5)(A) of the Act provides that the all-others rate should be calculated by averaging the weighted-average dumping margins calculated for individually-examined respondents, excluding dumping margins that are zero, *de minimis,* or based entirely on facts available. Because we calculated a dumping margin of zero or *de minimis* for Shenzhen Glory, and a dumping margin that is not zero, *de minimis,* or based entirely on facts available for Chint Solar, we assigned the separate rate recipients that we did not individually examine a dumping margin equal to Chint Solar's dumping margin consistent with Commerce's practice and section 735(c)(5)(A) of the Act.

Final Results of Review

We are assigning the following dumping margin to the firms listed below for the period December 1, 2020, through November 30, 2021:1.

Exporter	Weighted-average dumping margin (percent)
Chint New Energy Technology Co., Ltd. (f.k.a. Chint New Energy Technology (Haining) Co., Ltd.);[11] Chint Solar (Hong Kong) Company Limited; Chint Solar (Jiuquan) Co., Ltd.; Chint Solar (Zhejiang) Co., Ltd.; Chint New Energy Technology (Yancheng) Co., Ltd.; Chint Solar (Yancheng) Co., Ltd.; Haining Chint Solar Energy Technology Co., Ltd.; Zhejiang Taiheng New Energy Co., Ltd.; Hangzhou Taifu New Energy Co., Ltd	36.50
Shenzhen Glory Industries Co., Ltd	0.00
Review-Specific Average Rate Applicable to the Following Companies:	
Anji DaSol Solar Energy Science & Technology Co., Ltd	36.50
BYD (Shangluo) Industrial Co., Ltd	36.50
JA Solar Technology Yangzhou Co., Ltd	36.50
Jinko Solar Import and Export Co., Ltd.; Jinko Solar Co., Ltd.; Jinko Solar (Haining) Co., Ltd. (f/k/a Jinko Solar Technology (Haining) Co., Ltd.); Yuhuan Jinko Solar Co., Ltd.; Zhejiang Jinko Solar Co., Ltd.; Jiangsu Jinko Tiansheng Solar Co., Ltd	36.50
LONGi Solar Technology Co., Ltd	36.50
Shanghai JA Solar Technology Co., Ltd	36.50
Shenzhen Sungold Solar Co., Ltd	36.50
Shenzhen Topray Solar Co., Ltd	36.50
Shenzhen Yingli New Energy Resources Co., Ltd.; Baoding Jiasheng Photovoltaic Technology Co., Ltd.; Baoding Tianwei Yingli New Energy Resources Co., Ltd.; Beijing Tianneng Yingli New Energy Resources Co., Ltd.; Hainan Yingli New Energy Resources Co., Ltd.; Hengshui Yingli New Energy Resources Co., Ltd.; Lixian Yingli New Energy Resources Co., Ltd.; Tianjin Yingli New Energy Resources Co., Ltd.; Yingli Energy (China) Company Limited	36.50
Trina Solar Co., Ltd.; Trina Solar (Changzhou) Science and Technology Co., Ltd.; Yancheng Trina Guoneng Photovoltaic Technology Co., Ltd.; Changzhou Trina Solar Yabang Energy Co., Ltd.; Turpan Trina Solar Energy Co., Ltd.; Hubei Trina Solar Energy Co., Ltd.; Trina Solar (Hefei) Science and Technology Co., Ltd.; Changzhou Trina Hezhong Photoelectric Co., Ltd	36.50
Trina Solar (Singapore) Science and Technology Pte. Ltd	36.50
Trina Solar Energy Development Company Limited	36.50
Trina Solar Science & Technology (Thailand) Ltd	36.50
Wuxi Tianran Photovoltaic Co., Ltd	36.50

[8] The nine companies/company groupings are: (1) BYD H.K. Co., Ltd.; (2) Canadian Solar International Limited, Canadian Solar Manufacturing (Changshu) Inc., Canadian Solar Manufacturing (Luoyang) Inc., CSI Cells Co., Ltd., CSI Solar Power (China) Inc., CSI–GCL Solar Manufacturing (Yancheng) Co., Ltd. (collectively, Canadian Solar); (3) CSI Modules (Dafeng) Co. Ltd.; (4) JA Solar Co., Ltd.; (5) JingAo Solar Co., Ltd. (JingAo); (6) Risen Energy Co., Ltd., Risen Energy (Changzhou) Co., Ltd., Risen (Wuhai) New Energy Co., Ltd., Zhejiang Twinsel Electronic Technology Co., Ltd., Risen (Luoyang) New Energy Co., Ltd., Jiujiang Shengchao Xinye Technology Co., Ltd., Jiujiang Shengzhao Xinye Trade Co., Ltd., Ruichang Branch, Risen Energy (HongKong) Co., Ltd.; (7) Shanghai BYD Co., Ltd.; (8) Xiamen Yiyusheng Solar Co., Ltd.; and (9) Zhejiang Aiko Solar Energy Technology Co., Ltd.

[9] The China-wide entity rate was last changed in the first administrative review of this proceeding and has been the applicable rate for the entity in each subsequent review, including the most recently completed review. *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2012–2013,* 80 FR 40998, 41002 (July 14, 2015); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2019–2020,* 87 FR 38379, 38381 (June 28, 2022).

[10] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

Disclosure

Commerce intends to disclose to parties to the proceeding the calculations performed for these final results of review within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by the final results of this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For the individually examined respondents whose weighted-average dumping margin is not zero or *de minimis,* we calculated importer-specific assessment rates in accordance with 19 CFR 351.212(b)(1) [12] by dividing the total amount of dumping calculated for all reviewed U.S. sales to the importer by the total entered value of the merchandise sold to the importer.[13] Where either the respondent's *ad valorem* weighted average dumping margin, or an importer-specific *ad valorem* assessment rate, is zero or *de minimis,* Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[14]

Where sales of subject merchandise exported by an individually examined respondent were not reported in the U.S. sales data submitted by the respondent, but the merchandise was entered into the United States during the POR under the CBP case number of the respondent, Commerce will instruct CBP to liquidate any entries of such merchandise at the weighted-average dumping margin for the China-wide entity (*i.e.,* 238.95 percent). Additionally, where Commerce determines that an exporter under review made no shipments of subject merchandise during the POR, Commerce will instruct CBP to liquidate any suspended entries of subject merchandise that entered under that exporter's CBP case number during the POR at the weighted-average dumping margin for the China-wide entity.

The antidumping duty assessment rate for the companies not individually examined in this administrative review that qualified for a separate rate, will be equal to the weighted-average dumping margin listed for the company in the table above.

For companies not eligible for a separate rate which Commerce considered to be part of the China-wide entity, the assessment rate will be equal to the weighted-average dumping margin for the China-wide entity, *i.e.,* 238.95 percent.

Cash Deposit Requirements

The following cash deposit requirements will be effective for shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on, or after, the date of publication of this notice in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) for the companies listed in the table above, the cash deposit rate will be equal to the weighted-average dumping margin listed for the company in the table; (2) for a previously investigated or reviewed exporter of subject merchandise not listed in the table above that has a separate rate, the cash deposit rate will continue to be the exporter's existing cash deposit rate; (3) for all China exporters of subject merchandise that do not have a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin assigned to the China-wide entity, which is 238.95 percent; and (4) for a non-China exporter of subject merchandise that does not have a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin applicable to the China exporter that supplied that non-China exporter.

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant POR entries. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing these final results of administrative review and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213(h)(2) and 19 CFR 351.221(b)(5).

Dated: June 30, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Discussion of the Issues
Comment 1: Whether to Grant Shenzhen Sungold Separate Rate Status
Comment 2: Whether to Assess Duties on Canadian Solar's Entries at the China-Wide Rate
Comment 3: The Appropriate Surrogate Value (SV) for Labor
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Comment 5: The Correct Name of a Company in the Collapsed Chint Solar Entity
Comment 6: The Appropriate SV for Anti-Reflective Glass
Comment 7: The Appropriate SV for Junction Boxes
Comment 8: The Appropriate SV for Silver Paste
Comment 9: Whether to Deduct a Service Fee Related to Movement Expenses from U.S. Prices

[11] Based on our successor-in-interest analysis, we have determined that Chint New Energy Technology Co., Ltd. is the entity formerly known as Chint New Energy Technology (Haining) Co., Ltd. For further information, *see* Comment 5 of the accompanying Issues Decision Memorandum.

[12] We applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[13] *See* 19 CFR 351.212(b)(1).

[14] *Id.*

Comment 10: The Appropriate SV for Ethylene Vinyl Acetate (EVA) Input
Comment 11: The Appropriate SV for Packing Strap
Comment 12: Whether Commerce Incorrectly Deducted 301 Duties
Comment 13: The Appropriate SV for Shenzhen Glory's Baseboard Input
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Appendix II

Companies Determined To Be Part of the China-Wide Entity

1. De-Tech Trading Limited HK
2. Fuzhou Sunmodo New Energy Equipment
3. Hengdian Group DMEGC Magnetics Co. Ltd.
4. Jiawei Solarchina (Shenzhen) Co., Ltd.
5. Jiawei Solarchina Co., Ltd.
6. Jinko Solar International Limited
7. Lightway Green New Energy Co., Ltd.
8. Longi (HK) Trading Ltd.
9. Ningbo ETDZ Holdings, Ltd.
10. Ningbo Qixin Solar Electrical Appliance Co., Ltd.
11. Renesola Jiangsu Ltd.
12. ReneSola Zhejiang Ltd.
13. Sumec Hardware & Tools Co., Ltd.
14. Suntech Power Co., Ltd.
15. Taizhou BD Trade Co., Ltd.
16. tenKsolar (Shanghai) Co., Ltd
17. Wuxi Suntech Power Co., Ltd.; Luoyang Suntech Power Co., Ltd.
18. Yingli Green Energy International Trading Company Limited

[FR Doc. 2023–14428 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–469–814]

Chlorinated Isocyanurates From Spain: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that sales of chlorinated isocyanurates (chlorinated isos) from Spain have been made below normal value during the period of review (POR), June 1, 2021, through May 31, 2022. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Andrew Huston, 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) 482–4261.

SUPPLEMENTARY INFORMATION:

Background

Based on a timely request for review, and in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated this administrative review of the antidumping duty order on chlorinated isos from Spain covering three companies, Ercros S.A. (Ercros), Industrias Quimicas Tamar S.L. (Industrias Quimicas Tamar), and Electroquimic de Hernani, S.A. (EHER).[1] On September 16, 2022, we limited the number of respondents for individual examination in this administrative review to Ercros.[2] We did not select Industrias Quimicas Tamar or EHER for individual examination, and these companies remain subject to this administrative review. For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3] On February 16, 2023, we extended the deadline for these preliminary results until no later than June 30, 2023.[4]

Scope of the Order [5]

The products covered by the *Order* are chlorinated isos, which are derivatives of cyanuric acid, described as chlorinated s-triazine triones. Chlorinated isos are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, 2933.69.6050, 3808.40.50, 3808.50.40 and 3808.94.5000 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the *Order* is dispositive. For a full description of the scope of the order, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum 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, the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Non-Individually Examined Companies

For the rate for non-selected companies in an administrative review, generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.'' We preliminarily calculated a margin for Ercros that was not zero, *de minimis,* or based entirely on facts available. Accordingly, we have preliminarily applied the margin calculated for Ercros to the non-individually examined companies.

Preliminary Results of Review

As a result of our review, we preliminarily determine the following weighted-average dumping margins for the period June 1, 2021, through May 31, 2022:

Manufacturer/exporter	Weighted-average Dumping Margin (percent)
Ercros S.A	8.92
Industrias Quimicas Tamar *	8.92
EHER *	8.92

* Non-selected company.

Disclosure and Public Comment

Commerce intends to disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b). Interested

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022).

[2] *See* Memorandum, ''Administrative Review of Chlorinated Isocyanurates from Spain: Respondent Selection,'' dated September 16, 2022.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review: Chlorinated Isocyanurates from Spain; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* Memorandum, ''Chlorinated Isocyanurates from Spain: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 16, 2023.

[5] *See Chlorinated Isocyanurates from Spain: Notice of Antidumping Duty Order,* 70 FR 36562 (June 24, 2005) (*Order*).

parties are invited to comment on the preliminary results of this review. Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.[6] Parties who submit case briefs or rebuttal briefs in this review are requested to submit with each brief: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[7] Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.[8] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[9]

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register**. If a hearing is requested, Commerce will notify interested parties of the hearing schedule. Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs.

Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[10] If the weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent), then Commerce will calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). If the weighted-average dumping margin is zero or *de minimis* in the final results, or if an importer-specific assessment rate is zero or *de minimis* in the final results, Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise that entered the United States during the POR that were produced by Ercros for which Ercros did not know that its merchandise was destined to the United States, Commerce will instruct CBP to liquidate unreviewed entries at the all-others rate, if there is no rate for the intermediate company(ies) involved in the transaction.[11] The final results of this review shall be the basis for the assessment of antidumping duties on entries of subject merchandise covered by the final results of this review, where applicable.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of chlorinated isos from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will be the rate established in the final results of this review (except, if the rate is zero or *de minimis,* no cash deposit will be required); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 24.83 percent, the all-others rate established in the investigation.[12] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of our analysis of issues raised by the parties in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

These preliminary results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Companies Not Selected for Individual Examination
V. Discussion of the Methodology
VI. Normal Value
VII. Currency Conversion
VIII. Recommendation

[FR Doc. 2023–14398 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–DS–P

[6] *See* 19 CFR 351.309(d); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19,* 85 FR 17006, 17007 (March 26, 2020) (''To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect)'').

[7] *See* 19 CFR 351.309(c)(2) and (d)(2).

[8] *See* 19 CFR 351.303 (for general filing requirements).

[9] *See* 19 CFR 351.303(f).

[10] *See* 19 CFR 351.212(b).

[11] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[12] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–469–815]

Finished Carbon Steel Flanges From Spain: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that producers or exporters of finished carbon steel flanges (flanges) from Spain subject to this review made sales of subject merchandise at less than normal value during the period of review (POR) June 1, 2021, through May 31, 2022. We invite interested parties to comment on these preliminary results.

DATES: Applicable July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Carolyn Adie or Mark Flessner, 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) 482–6250 or (202) 482–6312, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 9, 2022, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the antidumping duty order on flanges from Spain.[1] This review covers eight producers and/or exporters of the subject merchandise: (1) Aleaciones De Metales Sinterizados S.A.; (2) Central Y Almacenes; (3) Farina Group Spain; (4) Friedrich Geldbach Gmbh; (5) Grupo Cunado; (6) Transglory S.A.; (7) Tubacero, S.L.; and (8) ULMA Forja, S.Coop (ULMA).[2] On September 23, 2022, we identified ULMA as the sole mandatory respondent in this review.[3] On February 22, 2023, we extended the deadline for the preliminary results by 120 days, until June 30, 2023.[4]

For a complete description of the events that followed the initiation of this administrative review, *see* the Preliminary Decision Memorandum.[5] A list of topics included 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/.*

Scope of the Order [6]

The scope of the *Order* covers finished carbon steel flanges. Finished carbon steel flanges are currently classified under subheadings 7307.91.5010 and 7307.91.5050 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also be entered under HTSUS subheadings 7307.91.5030 and 7307.91.5070. The HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope is dispositive. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Non-Individually Examined Companies

For the rate for non-selected respondents in an administrative review, generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.'' We preliminarily calculated a margin for ULMA that was not zero, *de minimis,* or based on facts available. Accordingly, we have preliminarily applied the margin calculated for ULMA to the non-individually examined respondents.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period June 1, 2021, through May 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
ULMA Forja, S.Coop	3.96
Aleaciones De Metales Sinterizados S.A	3.96
Central Y Almacenes	3.96
Farina Group Spain	3.96
Friedrich Geldbach Gmbh	3.96
Grupo Cunado	3.96
Transglory S.A	3.96
Tubacero, S.L	3.96

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon for its final results.

Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to the parties within five days after public announcement of the preliminary results in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than seven days after the date on which the verification report is issued, unless Commerce alters the time limit. Rebuttal briefs may be filed no later than seven days after case briefs are due and may respond only to arguments raised in the case briefs.[7] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[8] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[9]

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[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 87 FR 48459 (August 9, 2022).

[2] *Id.*

[3] *See* Memorandum, ''Identification of Mandatory Respondent for the 2021–2022 Administrative Review of the Antidumping Duty Order on Finished Carbon Steel Flanges from Spain,'' dated September 23, 2022.

[4] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated February 22, 2023.

[5] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Administrative Review of the Antidumping Duty Order on Finished Carbon Steel Flanges from Spain; 2021–2022,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] *See Finished Carbon Steel Flanges from Spain: Antidumping Duty Order,* 82 FR 27229 (June 14, 2017) (*Order*).

[7] *See* 19 CFR 351.309(d).

[8] *See* 19 CFR 351.309(c)(2) and (d)(2).

[9] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.[10] Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs.

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results of review, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rate

Upon issuance of the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[11] Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Pursuant to 19 CFR 351.212(b)(1), where an examined respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent), we will calculate an importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for the U.S. sales for a given importer to the total entered value of those sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For entries of subject merchandise during the POR produced by ULMA for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[12]

Cash Deposit Requirements

The following deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this review for all shipments of flanges from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for the companies under review will be the rate established in the final results of the review (except, if the rate is zero or *de minimis,* no cash deposit will be required); (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 18.81 percent,[13] the all-others rate established in the less-than-fair-value investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an 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 the return or 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

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 29, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2023–14397 Filed 7–6–23; 8:45 am]

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[10] *See* 19 CFR 351.310(c).

[11] *See* 19 CFR 351.212(b)(1).

[12] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[13] *See Order,* 82 FR at 27229.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XD118]

Endangered and Threatened Species; Initiation of 5-Year Reviews for Black Abalone and White Abalone

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

ACTION: Notice of initiation of 5-year review; request for information.

SUMMARY: NMFS announces its intent to conduct 5-year reviews for black abalone (*Haliotis cracherodii*) and white abalone (*H. sorenseni*), both listed as endangered under the Endangered Species Act (ESA). NMFS is required by the ESA to conduct 5-year reviews to ensure that the listing classifications of species are accurate. The 5-year reviews must be based on the best scientific and commercial data available at the time. We request submission of any such information on black abalone and white abalone, particularly information on

their status, threats, and recovery that has become available since the last 5-year reviews in 2018.

DATES: To allow us adequate time to conduct this review, we must receive your information no later than September 5, 2023. However, we will continue to accept new information about any listed species at any time.

ADDRESSES: Submit your information, identified by docket number NOAA–NMFS–2023–0086, electronically via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov.* In the ''Search'' box, enter the above docket number for this notice. Then, click on the ''Search'' icon. On the resulting web page, click the ''Comment'' icon, complete the required fields, and enter or attach your comments.

Instructions: NMFS may not consider comments if they are sent by any other method or received after the comment period ends. All comments received are a part of the public record. NMFS will post the comments for public viewing on *https://www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, *etc.*), confidential business information, or otherwise sensitive or protected information submitted voluntarily by the sender is publicly accessible. NMFS will accept anonymous submissions (enter ''N/A'' in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Melissa Neuman, NMFS West Coast Region, 562–980–4115, or Susan Wang, NMFS West Coast Region, 562–980–4199.

SUPPLEMENTARY INFORMATION: Section 4(c)(2)(A) of the ESA requires that we conduct a review of listed species at least once every 5 years. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing species currently under active review. On the basis of such reviews, under section 4(c)(2)(B) of the ESA we determine whether a listed species should be delisted or reclassified from endangered to threatened or from threatened to endangered. As described by the regulations in 50 CFR 424.11(e), the Secretary shall delist a species if the Secretary finds that, after conducting a status review based on the best scientific and commercial data available: (1) The species is extinct; (2) the species does not meet the definition of an endangered species or a threatened species; or (3) the listed entity does not meet the statutory definition of a species. Any change in Federal classification would require a separate rulemaking process.

The white abalone was listed as endangered under the ESA on May 29, 2001 (66 FR 29046), and the black abalone was listed as endangered under the ESA on January 14, 2009 (74 FR 1937). Background information on white abalone is available on the NMFS website at: *https://www.fisheries.noaa.gov/species/white-abalone.* Background information on black abalone is available on the NMFS website at: *https://www.fisheries.noaa.gov/species/black-abalone.*

Determining if a Species Is Threatened or Endangered

Section 4(a)(1) of the ESA requires that we determine whether a species is endangered or threatened based on one or more of the five following factors: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. Section 4(b) also requires that our determination be made on the basis of the best scientific and commercial data available after conducting a review of the status of the species and after taking into account those efforts, if any, being made by any State or foreign nation, to protect such species.

Public Solicitation of New Relevant Information

To ensure that the 5-year reviews are complete and based on the best scientific and commercial data available, we are soliciting new information from the public, governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of white abalone and/or black abalone. Categories of requested information include: (1) species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics; (2) habitat conditions including, but not limited to, amount, distribution, and important features for conservation; (3) status and trends of threats to the species and its habitats; (4) conservation measures that have been implemented that benefit the species, including monitoring data demonstrating effectiveness of such measures; (5) need for additional conservation measures; and (6) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes and improved analytical methods for evaluating extinction risk.

If you wish to provide information for the 5-year reviews, you may submit your information and materials electronically (see **ADDRESSES** section). We request that all information be accompanied by supporting documentation such as maps, bibliographic references, or reprints of pertinent publications. We also would appreciate the submitter's name, address, and any association, institution, or business that the person represents; however, we will also accept anonymous submissions.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: June 30, 2023.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XV194]

Final National Oceanic and Atmospheric Administration Tribal Consultation Policy and Procedures

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

ACTION: Notice.

SUMMARY: On January 26, 2021, the White House issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships that reaffirmed the Executive order on Consultation and Coordination with Indian Tribal Governments (2000). In response, NOAA sought review and comment on its Tribal consultation policy and procedures in November 2021. NOAA revised its Consultation Handbook describing procedures for government-to-government consultation with federally recognized Indian tribes, and updated an associated NOAA Administrative Order (NAO 218–8) and the Indigenous Knowledge (IK) guidance.

DATES: The policy and procedures took effect on June 28, 2023.

ADDRESSES: Requests for additional information or an electronic copy of the revised Consultation Handbook, the associated NOAA Administrative Order (NAO 218–8), and/or the Indigenous Knowledge (IK) guidance should be

directed to Becky Cruz Lizama, NOAA Senior Tribal Liaison, NOAA Office of Legislative and Intergovernmental Affairs, U.S. Department of Commerce, NOAA, 1401 Constitution Ave. NW, Station Number 62006FB, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Becky Cruz Lizama, NOAA Senior Tribal Liaison, telephone (202) 482–0809; email at *OLIA.Tribal@noaa.gov.*

SUPPLEMENTARY INFORMATION: The revised Handbook is intended to assist NOAA, including its regional and field staff, in conducting effective government-to-government consultations and fulfill NOAA's obligations under E.O. 13175 and associated Presidential memorandums, the Department Administrative Order 218–8 on Consultation and Coordination with Indian Tribal Governments, and the Department of Commerce Tribal Consultation and Coordination Policy. The IK guidance will facilitate inclusion of IK into the line offices' environmental science, policy and decision making process, and build partnerships with Indigenous peoples.

On January 26, 2021, the White House issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships. The Memorandum requires the Secretary of Commerce to submit to the Director of the Office of Management and Budget (OMB), a detailed plan of actions the agency will take to implement the policies and directives of E.O. 13175 (2000) and the Presidential Memorandum on Tribal Consultation issued in November 2009.

NOAA's mission is to understand and predict changes in climate, weather, oceans, and coasts, to share that knowledge and information with others, and to conserve and manage coastal and marine ecosystems and resources. NOAA has established policies and guidance to provide for meaningful and timely input from federally recognized Indian tribes into NOAA's decision-making process on policy matters that have tribal implications. In addition, NOAA offers its employees training and other guidance to support a consistent, effective, and proactive approach to conducting government-to-government consultations with federally recognized Indian tribes under E.O. 13175, the Department of Commerce (DOC) Department Administrative Order 218–8 Consultation and Coordination with Indian Tribal Governments (2014), and the DOC Tribal Consultation and Coordination Policy (78 FR 33331, June 4, 2013).

While much of NOAA's existing policy and guidance has been developed in consultation with federally recognized Indian tribes, NOAA recognized that these documents could benefit from a review and update. As part of its effort to implement the January 26, 2021 Presidential Memorandum, NOAA requested comments from Tribal Nations, tribal officials, members of the public, and other interested parties to help identify appropriate updates or revisions to the following existing NOAA policies and guidance documents, which facilitate NOAA's implementation of E.O. 13175: (1) Tribal Consultation Handbook titled NOAA Procedures for Government-to-Government Consultation With Federally Recognized Indian Tribes and Alaska Native Corporations (2013); (2) NOAA Administrative Order 218–8 titled Policy on Government-to-Government Consultation with Federally Recognized Indian Tribes and Alaska Native Corporations (Reaffirmed in 2018); and (3) a traditional ecological knowledge (TEK) guidance currently titled NOAA Fisheries and National Ocean Service Guidance and Best Practices for Engaging and Incorporating Traditional Ecological Knowledge in Decision-Making (2019). NOAA proposed revisions to its Tribal Consultation Handbook reflect lessons learned and improved practices to better facilitate meaningful and effective tribal consultations. NOAA also proposed minor revisions to Administrative Order 218–8 to reflect necessary updates since its issuance in 2014. We also sought comments on the existing TEK Guidance, which had not been previously made available for public comment. Though the TEK Guidance was originally only implemented by NOAA Fisheries and the National Ocean Service, NOAA is now extending the applicability of the TEK Guidance to all NOAA Offices and renaming it the IK guidance. Based on written and oral comments received, NOAA revised its Tribal Consultation Handbook, Administrative Order, and IK guidance. All three documents can be found on the NOAA website *https://www.noaa.gov/legislative-and-intergovernmental-affairs/noaa-tribal-resources-updates.*

NOAA's revised Handbook and NAO also reflect the recent Presidential Memorandum on Uniform Standards for Tribal Consultation (November 30, 2022), which among things, commits agencies to conducting government-to-government consultation in a manner that recognizes and respects Tribal self-government and sovereignty; identifies and considers Tribal treaty rights, reserved rights, and other rights; respects and elevates IK, including cultural norms and practices relevant to such consultations; and meets the responsibilities that arise from the unique legal relationship between the Federal Government and Tribal governments.

NOAA is also releasing guidance on the recognition and application of IK to improve decision making for our partners and within NOAA. Through the IK guidance, NOAA encourages the inclusion of IK, as appropriate and to the extent practicable and permitted by law, in the line offices' environmental science, policy and decision making process, to better facilitate consultations, fulfill Federal trust responsibilities, respect treaty rights, understand environmental justice concerns as directed by E.O. 12898, inform agency decision making, and to build partnerships with indigenous peoples.

The consultation policy and procedures are intended only for NOAA internal management purposes and does not create any right or benefit, substantive or procedural, enforceable against the United States, its agencies, entities, or instrumentalities, its officers or employees, or any other person.

Summary of Comments Received in Response to the Draft Policy and Procedures

On November 24, 2021, NOAA published a notice and request for information on NOAA's Tribal consultation draft policy and procedures in the **Federal Register** (86 FR 67036). In response, NOAA received 18 written comments on the revised Tribal Consultation Handbook and the updated IK guidance. A summary of comments received and NOAA's responses to those comments are presented below.

Comments received, and responses thereto, from two national consultation webinars held on January 10, 2022, and January 11, 2022, are also included.

General Comments and Recommendations (Consultation Handbook and Policy)

Comment 1: The definition of consultation should include ''with a goal of reaching consensus.''

Response: NOAA's Handbook is designed to ensure that NOAA implements a consistent and accountable process for meaningful and timely consultation on policies with tribal implications. The Handbook notes the Agency's commitment to working with the federally recognized Indian

tribe(s) to reach agreement during the consultation process on a path forward or course of action to the extent practicable. NOAA has determined, however, that in some circumstances, it may not be possible to reach consensus on actions subject to consultation. In such circumstances, and as consistent with the Handbook, NOAA will provide the consulted tribe(s) with notice of the course of action adopted by the Agency and the rationale for that decision. This approach is consistent with NOAA's long-standing implementation of E.O. 13175 and the general approach to government-to-government consultation across the Federal Government. See, *e.g.,* Presidential Memorandum on Uniform Standards for Tribal Consultation (November 30, 2022).

Comment 2: Delete ''Consultation is not necessarily a format for consensus decision-making'' as it falls short of trust obligations.

Response: Partially accepted. As discussed in NOAA's Handbook, consultation supports NOAA's efforts to fulfill its trust responsibility to Indian tribes. There may, however, be situations where reaching consensus on policies that have tribal implications is not possible as discussed in the response to *Comment 1* above. In such situations, NOAA will comply with the policies described in the Handbook to provide an explanation as to why NOAA will not or cannot address the concern(s) raised by the tribe.

Comment 3: Explicitly state in policies and procedures that meaningful consultation's goal should always be obtaining tribal informed consent when a project would impact tribal land or resources on or off a reservation.

Response: NOAA's Handbook describes the Agency's commitment to working with the federally recognized Indian tribe(s) to reach agreement during the consultation process on a path forward or course of action to the extent practicable.

Comment 4: The current language in the Handbook indicates that the goal of consultation is simply the exchange of information—essentially that the goal is the process itself. We recommend that NOAA update this section to align more closely with the Makah Ocean Policy: ''The goal of early engagement and formal consultation is to enhance governing and management efficiencies by avoiding, minimizing, or mitigating adverse impacts a federal, state, or local decision may have on [Tribal] treaty rights, resources, or interests. The ultimate goal is to engage [Tribal] interests at the earliest development of scoping or planning activities by identifying possible solutions that avoid any adverse impact to the [delete tribe name] Tribe's treaty rights, resources, or governing interests.'' The goal of consultation should go beyond the process itself and include the protection of treaty rights, resources, and interests.

Response: Accepted and modified slightly to include all tribes and focus on Federal rule making. The following was added to the Handbook ''The goal of early engagement and formal consultation is to enhance governing and management efficiencies by avoiding, minimizing, or mitigating adverse impacts a federal decision may have on tribal treaty rights, resources, or interests. The ultimate goal is to engage tribal interests at the earliest stage of scoping or planning activities by identifying possible solutions that avoid adverse impacts to the tribe's treaty rights, resources, or governing interests.''

Comment 5: Ensure decisions are not made when consultation occurs.

Response: Accepted. Text added to pages 6–7 of the Handbook: ''Regardless of whether it is an informal engagement or a consultation, such discussions should happen prior to a decision being made.'' In addition, on page 12 the Handbook states ''it should always occur at the earliest time practicable, well before a final policy or regulatory decision with tribal implications is made.''

Comment 6: Training should also include training from tribes. In addition, strike ''as financial resources allow'' as it is critically important that all employees of Federal departments and agencies receive comprehensive training on working with and communicating effectively with Tribal Nations. Federal actions impact Tribal Nations and our citizens.

Response: NOAA agrees that effective employee training is an important component of successful implementation of the Handbook and meeting NOAA's Tribal Trust Responsibilities. NOAA has established a team of Tribal Liaisons within each Line Office to help facilitate employee training. In addition, online and regional trainings are available to staff. However, there are currently no specific funds appropriated for tribal consultation training in NOAA's budget. Therefore, we have retained ''as financial resources allow''.

Comment 7: NOAA personnel in the role of liaison need clear guidance that their role is facilitation of communication. The position of liaison should have guidance that articulates the breadth of the role: ''Information exchange'' to ''Request to initiate Government-to-Government.''

Response: The Position Description for the Senior NOAA Tribal Liaison describes the responsibilities of this position, including communications responsibilities. NOAA does not agree this information is necessary to include in the Consultation Handbook.

Comment 8: Edit sentence as follows ''If a NOAA line office or staff office deems necessary, or by request from a Tribal government, they also may consider establishing a tribal liaison within a program or region.''

Response: Accepted. Added ''or by request from a Tribal government. . . .'' See Handbook Section IV.D.

Comment 9: NOAA line offices, staff offices, and Regional Teams should designate more than one staff person in each department as a tribal liaison. These liaison positions should be separate positions from existing staff positions. Communicating, coordinating, and consulting with tribes in culturally appropriate and meaningful ways is year-round, full time work. Moreover, it is not possible for one regional tribal liaison to adequately engage with all the tribes in their region; for instance, consider that the NOAA Alaska Region has 229 federally recognized Indian Tribes with whom NOAA is directed to consult.

Response: NOAA line offices, staff offices, and Regional Teams have the ability to designate a Tribal Liaison and other staff to support consultation efforts where there is a need and funding is available.

Comment 10: Include involvement of Tribes in the hiring process for Tribal Liaisons wherever possible to ensure that they have the appropriate experience and relationships. Given the important role of Headquarters and Regional Tribal Liaisons in consultation processes, engaging tribes in selecting and building relationships with these important staff people will help facilitate effective consultation.

Response: No changes. Comments regarding Federal hiring processes are beyond the scope of this Handbook.

Comment 11: NOAA's consultation policy should require an office of tribal liaison be created. NOAA should have high level staff with expertise in Indian law and policy. NOAA's institutional structure should have Indian law and policy built into it.

Response: NOAA has a number of senior positions with responsibility for tribal matters. These include a Senior Advisor to the Under Secretary on Fisheries and Tribal Engagement, a Senior NOAA Tribal Liaison, and each line office and relevant staff office has a Headquarters Tribal Liaison which forms the NOAA Headquarters Tribal

Team. The NOAA Office of the General Counsel also maintains a Tribal Team of Indian law practitioners. In addition, many line offices have additional Tribal Liaisons. For example, every NOAA Fisheries Science Center and National Marine Fisheries Service (NMFS) Regional Offices and Science Centers have a Tribal Liaison, one of which is a full time position (*i.e.,* the NMFS West Coast Tribal Liaison).

Comment 12: We recommend that Tribal Liaison positions be independent positions (*i.e.,* not duties assigned to staff already fulfilling other duties, such as fishery analysts) that are filled by highly-qualified individuals with the specific training, expertise and skillsets related to the tasks such a position is assigned to. Tribes and Tribal organizations in Alaska have requested positions like these be established at the NMFS Alaska Region and at Alaska Fisheries Science Center (AFSC) for many years.

Response: As noted in response to *Comment 11,* NOAA employs a number of staff with a specific focus on the Agency's work with tribes and tribal organizations. These staff include a Senior Advisor to the Under Secretary on Fisheries and Tribal Engagement, a NOAA Senior Tribal Liaison, and a full time NMFS West Coast Tribal Liaison.

Comment 13: Provide more information on Tribal Tracker.

Response: The Tribal Tracker is an internal tracking system that allows NOAA to collect summary information on consultations conducted by the Agency. This system is used, in part, to support NOAA's tribal engagement reporting obligations.

Comment 14: Strengthen the statement ''NOAA should provide available information to the tribes in advance of the consultation to allow the tribes to prepare: by changing it to ''NOAA must provide all necessary and available information.''

Response: Accepted. Edit made: ''In order to have a meaningful consultation, NOAA will provide available information to the tribes in advance of the consultation to allow the tribes to prepare. NOAA will work with tribes in an effort to ensure that the information is provided to tribes in a format that tribes can access and use.'' See Handbook Section V.A. In addition, NOAA added language that NOAA will work with tribes to ensure that the information is provided to tribes in a format that tribes can access and use. NOAA has received comments previously that there are some constraints that might limit the ability to access and use information, such as lack of internet access or sufficient bandwidth to access or download materials, such as lengthy PDFs. In light of these constraints, NOAA will endeavor to work with tribes to make sure tribes can access and use the materials. For example, in some cases, NOAA may mail materials in advance.

Comment 15: NOAA must make the utmost effort to protect TEK and other sensitive cultural information from public disclosure and ensure Tribal Nations have the ability to control what is shared by the Agency, including through Freedom of Information Act (FOIA) requests.

Response: While information shared between NOAA and a tribe may be beneficial for the consultation process, it is generally not protected from disclosure under FOIA, especially if this information is used in the decision-making process and becomes part of the administrative record. As such, the Handbook notes the importance of advance notification to tribes of the limited capacity of NOAA to protect the confidentiality of information provided by the tribe consistent with the requirements of FOIA or litigation.

Comment 16: Language should be added to the FOIA section to protect information shared by tribal religious and cultural leaders as well as tribal government officials such as Tribal Historic Preservation Officers and environmental, cultural, and natural resource managers.

Response: While information shared between NOAA and a tribe may be beneficial for the consultation process, it is generally not protected from disclosure under FOIA, especially if this information is used in the decision-making process and becomes part of the administrative record. As such, the Handbook notes the importance of advance notification to tribes of the limited capacity of NOAA to protect the confidentiality of information provided by the tribe consistent with the requirements of FOIA or litigation. The applicable requirements for disclosure of information subject to FOIA are not modified by the internal procedures identified in this Handbook. While NOAA does make efforts to safeguard sensitive information submitted by tribes, it must comply with applicable Federal information disclosure requirements.

Comment 17: Make this sentence stronger ''NOAA will make reasonable efforts to provide adequate information about its actions and policies at the earliest practical time,'' by changing it to ''NOAA will provide adequate information about its actions and policies at the earliest practical time in advance of consultation to provide the tribe adequate time to review and reflect on it.''

Response: Accepted in part. Edit made: NOAA will provide available information about its actions and policies at the earliest practical time. See Handbook Section V.A.

Comment 18: NOAA recommends that line offices and regions establish consultation protocols with tribal governments consistent with this Handbook as necessary. Consultation protocols should not just be made when NOAA deems necessary.

Response: No changes made. The Handbook provides that ''it may be useful and expeditious for those tribes and NOAA offices to develop protocols reflecting their mutually preferred timeline for and means of communication and exchange of information'' and authorizes such protocols consistent with the Handbook.

Comment 19: The Federal Government must also recognize that it has become the norm in recent years that tribes and other community organizations are faced with having to engage with multiple agencies regarding multiple major projects almost continuously. NOAA must acknowledge, and actively work to reduce, this extraordinary burden on our people.

Response: The Handbook acknowledges this issue and includes a new Section V.C., which directs staff to coordinate and cooperate with interested Federal agencies to ensure the most efficient and expeditious manner of consultation with tribes on a particular matter.

Comment 20: Our experience and observations, consultations are usually scheduled for certain dates and times that prioritize the needs of the Federal regulatory process over those of Native communities, and those appointments rarely consider or appreciate the often competing, conflicting, and overriding obligations associated with sustaining our communities.

Response: Accepted. Added the following sentence ''Timelines should reflect that tribal members often have competing, conflicting and overriding obligations associated with sustaining tribal communities.'' See Handbook Section VI.D.

Comment 21: Document is missing the direct recognition of the unique role, and often multiple roles, that tribal officials and other local leaders play in their communities, and how that reality can significantly impact engagement with Federal agencies and others. It is critical to understand that often for these leaders, and particularly for Alaskan Tribal leaders, their leadership

activities are not their primary employment. Beyond that employment, virtually all of them also contribute significant time and energy to the demands inherent to a subsistence lifestyle.

Response: Accepted. Added the following sentence: ''Timelines should reflect that tribal members often have competing, conflicting and overriding obligations associated with sustaining tribal communities.'' See Handbook Section VI.D.

Comment 22: Better recognize the difference and mandates of Treaty Tribes in documents including case law.

Response: As noted above, NOAA has added additional content to explain the need to account for tribal treaty rights, reserved rights, and similar rights when considering actions that may have tribal implications. See Handbook Section VI.A. Discussion has also been added to note the importance of NOAA staff becoming familiar with relevant treaties and other sources of reserved and similar rights. The new discussion also includes a resource for assisting with the identification of relevant treaties. See Handbook Section VI.A.

Comment 23: We recommend that NOAA construe the consultation mandate broadly. If NOAA is unsure whether an action may have tribal implications, the appropriate approach would be for NOAA to communicate with the tribe and determine, based on an informed exchange of views with the tribe, whether the action affects the tribe.

Response: The Handbook provides that an invitation to consult on a proposed policy should be sent to the appropriate representative of the governing body of the tribe for NOAA actions ''that may have tribal implications.'' See Handbook at Section VII.A. NOAA believes this directive provides adequate direction for NOAA staff to invite consultation on actions for which there may be tribal implications.

Comment 24: In the list of examples of policies where consultation with tribes is appropriate, NOAA should amend the first bullet point to include the text: ''A policy or action that will have effects within or near a reservation or Alaska Native Village.''

Response: Accepted in part. However, this statement should be broader than AK Natives. The third bullet was changed to read ''[a] policy or action affecting a tribal entity, or facility, land, or resources owned or operated by a tribal government, or held in trust for a federally recognized tribe.'' See Handbook Section VII.A.

Comment 25: Move this sentence ''While books and other documents may serve as useful secondary references for understanding the political and cultural history of an indigenous people, agency staff should remember that the tribal members themselves are the best source of knowledge about their particular tribe'' to the beginning of the consultation section and emphasize the importance of reaching out to a tribe for this information first.

Response: Accepted. Text moved to the beginning of the consultation section.

Comment 26: Make clear that consultation should be early and often.

Response: The Handbook states that consultation ''should always occur at the earliest time practicable, well before a final policy or regulatory decision with tribal implications is made.'' See Handbook Section VII.

Comment 27: Not enough detail on the consultation process to ensure it is not a ''check the box'' effort. For example the Handbook does not provide guidance or elaboration on how NOAA offices should address and incorporate the substantive elements of consultation in order to inform Federal policy and regulatory development. Instead, the Handbook identifies a range of factors that can either enhance or inhibit effective consultation, and provides detailed guidance on the procedural elements of consultation.

Response: The Handbook is a process document designed to provide—per E.O. 13175—an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications. The Handbook is designed to address procedural aspects of this obligation and not necessarily the substantive points suggested by the commenter.

Comment 28: There may be two phases in a consultation: Tribal Consultation and Tribal G2G Consultation. Tribal Consultation is viewed as a process of sharing information, coordination, dialogue, and considering the tribal viewpoint. This occurs before an agency commits to a path of action and provides for a tribe to identify if an action will affect tribal rights, lands, governance, resources, or interests. Often the completion of a Tribal Consultation can ensure that should a Tribal G2G Consultation between decision makers be necessary, it is meaningful and productive. We encourage NOAA to review: ''Guidance and Responsibilities for Effective Tribal Consultation, Communication, and Engagement'': A guide for Agencies Working with West Coast Tribes on Ocean & Coastal Issues developed by members of the West Coast Tribal Caucus of the West Coast Ocean Alliance.

Response: In the Handbook we have distinguished the first phase as ''engagement'' and the second and formal phase as ''consultation''.

Comment 29: Timeline: Often tribal decisions are two and sometimes three tiered in structure, this allows for our leadership access to available expertise both within staff and within its community. To provide for multiple discussions could easily occupy a 90 days or more timeline.

Response: Agree. NOAA believes the Handbook addresses this concern. The Handbook provides that NOAA staff should be knowledgeable and respectful of the decision-making practices of the tribe. This may require a departure from highly-structured agendas and timeframes. It further provides that consultation should be initiated at the earliest practicable time and that an explanation of any time constraints known to the Agency, such as statutory deadlines, should be disclosed at the initiation of the consultation. See Handbook at Section VII.

Comment 30: Should include an appeals process if NOAA determines that a formal consultation is not needed due to an action not having tribal implications.

Response: Section VI.H. added to address dispute resolution procedures.

Comment 31: If the scope changes, consultation is required. ''Although consultation need not occur at every step of the Federal decision-making process, it should always occur at the earliest time practicable, well before a final policy or regulatory decision with tribal implications is made.''

Response: The following sentence was added: ''If the scope of action changes, that change should be addressed as part of the ongoing consultation.'' See Handbook Section VII.A.

Comment 32: Revise bullet in Section VII.A., to read: ''A policy or action affecting a facility or entity land or resources owned or operated by a tribal government'' to account for those areas that may affect lands that are tribal lands.

Response: Accepted. Added ''land or resources'' to the bullet.

Comment 33: Under ''[e]xamples of policies where consultation with tribes is appropriate include but are not limited to'', there should be an inclusion of ''a policy or action that impacts Treaty areas'' under the bullet points listed.

Response: Accepted. A new paragraph was added to this section on treaty rights.

Comment 34: Page 14, Section B mentions instances and factors NOAA takes into consideration when responding to a request for consultation. NOAA should amend the second sentence to include ''change in tribal government'' as a factor to be considered.

Response: Accepted. Added ''change in tribal government'' to the second sentence. See Section VII.B.

Comment 35: We request that NOAA clarify what circumstances would lead NOAA to make the determination to decline to consult.

Response: Accepted in part. Added the following sentence ''NOAA may only decline a consultation if it is determined that an issue of interest does not have tribal implications.'' Given the unique aspects of each determination, providing an exhaustive list in the Handbook is not feasible.

Comment 36: NOAA should invite inter-tribal bodies to consultation along with the tribes they represent. Excluding tribal bodies only hinders NOAA's attempts to meaningfully include tribal participation and promote environmental justice in its work, as directed by Executive Order 13175.

Response: Information regarding the permissible role of tribal organizations in consultations can be found on page 14 at Section VII.E., of the Handbook. NOAA notes that, where expressly authorized by a tribe, such an organization may represent or conduct consultation on behalf of an authorizing tribe.

Comment 37: If a Tribe does not respond to an initiation of Tribal Consultation within the requested time frame, NOAA should consider reaching out to the tribe at least once more and extending the response time period. It is likely that the tribe has many pressing matters to attend to within their community and/or is participating in subsistence fishing, hunting, and gathering seasons. This underscores the need for NOAA to reach out to tribes regularly and well before any deadlines to include tribal input in policy decisions.

Response: Accepted. The following sentence was added ''[i]t may be that the tribe has pressing matters to attend to within their community and/or is participating in subsistence fishing, hunting, and gathering seasons. This underscores the importance for NOAA to reach out to tribes regularly and well before any deadlines to include tribal input in policy decisions.''

Comment 38: Include a vetting process for Tribal Organizations that includes reaching out to affective tribes.

Response: The Handbook includes the following statement ''If a tribe wants to authorize a tribal organization to represent it or conduct consultation on its behalf, NOAA should confirm that in writing with the appropriate tribal officials and with the tribal organization. NOAA should also confirm in writing the scope of that representation (*e.g.,* which tribes are represented by the tribal organization) and the role that the tribal organization will fulfill during the consultation process.'' See Handbook Section VII.E.

Comment 39: This requirement should be mandatory ''if NOAA believes its action will have substantial direct effects on that tribe, NOAA staff should consider following the written invitation with a phone call, site visit, and/or an email/fax (assuming those forms of communication are available to the tribal points of contact).''

Response: Accepted. Replaced ''should consider'' with ''will''.

Comment 40: Ensure adequate funding for consultations (*e.g.,* travel for tribes).

Response: NOAA does not have a standing appropriation available for tribal consultations. Where appropriate, and consistent with federal law, individual NOAA program offices may consider requests for funding activities associated with consultations.

Comment 41: ''If it becomes clear that NOAA and the tribe have divergent views about the issues and topics appropriate for the consultation, effort should be made by both parties to agree upon a single statement of the issues. If the parties cannot reach an agreement, the record of the consultation should reflect the different view'' and reiterate we should aim for consensus and differing views should be last resort.

Response: Agree. As previously noted, the NOAA 13175 Handbook describes the Agency's commitment to working with the federally recognized Indian tribe(s) to reach agreement during the consultation process on a path forward or course of action to the extent practicable and consistent with NOAA's legal requirements. There may, however, be situations where reaching consensus on policies that have tribal implications is not possible. In such situations, NOAA will comply with the policies described in the Handbook to provide an explanation as to why NOAA will not or cannot address the concern(s) raised by the tribe.

Comment 42: We strongly disagree that a tribe's choice of participants necessarily indicates how important the issues and consultation are to the tribe, as many other considerations (capacity, expertise, availability, *etc.*) all may play into the decision as to who participates. If a tribe has decided to engage in Consultation on an issue, NOAA should consider the issue of utmost importance unless the tribe states otherwise.

Response: Accepted. Deleted: ''will indicate how important the issues and consultation are to the tribe.''

Comment 43: True consultation should occur at a Leader-to-Leader level. Duly elected or appointed Tribal Leaders must be afforded the respect and opportunity to directly voice Tribal Nation concerns to those Federal officials with actual decision-making authority. In addition, the Federal Government must not delegate its consultation obligation to third party (*e.g.,* non-profit organizations, industries/corporations, hired consultants and contractors); the Federal Government must exercise appropriate oversight in ensuring tribal interests are not adversely impacted.

Response: Accepted in part. In response to this comment, NOAA updated Handbook Section VII.F.2., to provide that: ''if the tribe designates its leader or members of the tribal council as representatives in the consultation, it is important that a NOAA official with decision-making authority participate in the consultation. The Handbook further provides that NOAA should ''identify and prepare consultation participants who are able to fully address the concerns and issues articulated for discussion through government-to-government consultation.'' Handbook at Section VII.F.2.

Comment 44: In the sentence that states NOAA ''should acknowledge and discuss the limited capacity of NOAA to protect the confidentiality of information provided by the tribe consistent with the requirements of [FOIA] or litigation[,]'' the use of the term ''limited'' should be struck from this section since it could be interpreted by NOAA staff that the Agency will not make the utmost effort to protect the confidentiality of sensitive Tribal government and cultural information. Upon removal of the term 'limited', this language should also be referenced under Section IV(A).

Response: Accepted. Sentence revised to: ''NOAA should, however, in advance notify tribes of the information disclosure requirements that may apply to information shared by tribes with the Federal Government (examples include FOIA and litigation discovery). Although NOAA will endeavor to comply with a tribe's request that information be kept confidential, there may be applicable Federal disclosure requirements that compel its release.''

Comment 45: Modify sentence to read ''5) reach agreement with tribes on the method of recordkeeping and documentation of the consultation. . . .''

Response: Accepted. Added ''and reach agreement on'' to Handbook Section VII.F.5.

Comment 46: The draft consultation handbook provides one way of closing a consultation with a one-way-response letter that does not meet a trust responsibility. Edit to read ''written notice from NOAA and consent from affected tribes or the absence of any tribal objections by a predetermined time.''

Response: NOAA agrees that transparency is an important aspect of government-to-government consultation. In response to this comment, NOAA added the following sentence Handbook Section VII.G.: ''As a best practice, NOAA should share a draft of the closing record for review and comment with the tribe before it is finalized.''

Comment 47: Add ''6) Prior to beginning consultation inform the Tribe of NOAA's obligations under FOIA.''

Response: Accepted. Added the following: ''NOAA and tribes should not create or share recorded information, such as summaries, transcripts or recordings, without first discussing the government's obligations under applicable law, including the Federal Records Act, FOIA and the Privacy Act, as well as in response to litigation obligations or as required by court order. This discussion should occur prior to beginning consultation.''

Comment 48: NOAA agencies do not abide by the close out guidance which is disrespectful to the tribe.

Response: NOAA appreciates the comment. The Handbook Section VII.G., describes the process for closing out government-to-government consultations. It states that government-to-government consultation is closed through a formal, written communication from the lead NOAA official to the most senior tribal official.

Comment 49: This title should be amended to state: ''Completing and recording the government-to-government consultation.'' Consultation process should include a follow-up phase. Consultation is an on-going process, and ''closing'' carries a connotation that prompts the consultation process to come to an end once formal, written communication has recounted the agreed-upon issues. Follow-up and follow-through are key components for a healthy government-to-government relationship. Follow-up and follow-though will also provide validation for the record that the consultation was engaging and meaningful.

Response: Accepted. NOAA changed the title of Section VII.G., to include the term ''completing.''

Comment 50: Recognize the unique status of Native land tenure in Alaska and the value of the unique and diverse systems of Native governance in Alaska.

Response: Accepted in part. NOAA included additional language requested concerning the unique system of Native governance and Native land tenure in Alaska. The following paragraph was added to the Handbook Section: There is a unique system of Native governance in Alaska, and a variety of entities represent the interests of Alaska Native communities, including Alaska Tribes and governments, Alaska Native corporations, Alaska Native non-profits, and Alaska Native organizations. The purpose and structure of some of these entities is dictated in part by Federal law, such as the Alaska Native Claims Settlement Act (ANCSA) and the Marine Mammal Protection Act (MMPA). Moreover, the status of land ownership in Alaska is similarly defined in part by Federal law, including ANCSA. Pursuant to ANCSA, Alaska native corporations hold title to land in Alaska; as such, ANCSA lands are not held in trust by the United States and do not qualify as Indian Country. There is one reservation located in Alaska, the Annette Islands Reserve of the Metlakatla Indian Community. However, the lands and reservation defined under Federal law may not represent the traditional homelands of Alaska Native tribes.

In response to this comment, NOAA added clarification to the following existing sentence: ''NOAA recognizes the distinct and individual cultural traditions and values of Alaska native peoples and their representative tribal governments'' Handbook Section IV.B. (Emphasis added). Commenter requested that NOAA include additional information about ANCSA. We added an explanation of how ANCSA altered land ownership in Alaska, with corporations holding land, and we added a reference to the statute and a website with more information about ANCSA; however, additional details about ANSCA are beyond the scope of this Handbook. Handbook Section IX.D.

Comment 51: Tribal Consultation should not occur after a Fishery Management Council has taken Action. Tribes should inform recommendations. Previsions in the Magnuson-Stevens Fishery Conservation and Management Act (MSA) do not supersede tribal trust responsibilities.

Response: Accepted. Handbook Section IX.F., was revised to include: ''NOAA and the tribes should continue to work together to develop specific, proactive, and effective processes and procedures to better integrate the outcomes from tribal consultation between NOAA Fisheries and tribes with the appropriate Council process(es), with the goal that consultation outcomes would be shared with the appropriate Council before the Council takes action. Consultation should always occur at the earliest time practicable, well before a final policy or regulatory decision with tribal implications is made.''

Comment 52: Agencies have increasingly moved to the electronic distribution of documents. With internet connectivity often a challenge in small remote Alaskan communities, the digital transfer of documents, and particularly large complex documents featuring many maps, is impossible. Zoom and comparable virtual meetings are also often not an option given the extremely limited availability of broadband in rural Alaska. Accommodations must be made, and appropriate time must be allowed, for the distribution and review of all materials necessary for meaningful consultation to occur.

Response: NOAA appreciates the concerns expressed in this comment. There are a number of flexibilities in the Handbook for this reason. Specifically, the Handbook states ''[t[he Department and operating units' consultation processes may include one or more of the following: meetings, letters, conference calls, webinars, on-site visits, or participation in regional and national events.'' In addition, NOAA added language that NOAA will work with tribes to ensure that the information is provided to tribes in a format that tribes can access and use. As this comment reflects, there are some constraints that might limit the ability to access and use information, such as lack of internet access or sufficient internet bandwidth to access or download materials, such as lengthy PDFs.

In light of these constraints, NOAA will endeavor to work with tribes to make sure tribes can access and use the materials. For example, in some cases, NOAA may mail materials in advance. In response to this comment, NOAA made the following edits to the Handbook at Section V.A.: In order to have a meaningful consultation, NOAA will provide available information to the tribes in advance of the consultation to allow the tribes to prepare. NOAA will work with tribes in an effort to ensure that the information is provided to

tribes in a format that tribes can access and use.

Comment 53: Add The United Nations Declaration on Rights of Indigenous Peoples to Appendix to emphasize consent in consultation.

Response: This is outside the scope of NOAA's consultation procedures. As noted in the ''Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples,'' the United States recognizes the significance of the Declaration's provisions on free, prior and informed consent, which the United States ''understands to call for a process of meaningful consultation with tribal leaders, but not necessarily the agreement of those leaders, before the actions addressed in those consultations are taken.'' NOAA's 13175 Handbook reflects this view, and as such, the Agency does not believe inclusion of the Declaration as an appendix to the Handbook is necessary or appropriate.

Comment 54: NOAA Fisheries and National Ocean Service (NOS) are obligated, among other things, to follow Federal statutes regarding tribal resources, lands, and waters. This includes the Alaska National Interest Lands Conservation Act (ANILCA) of 1980; specifically, NOAA must adhere to Title VIII of ANILCA, which designates that subsistence fish, wildlife, and other resources used by Alaska Natives and non-Natives must be federally protected and prioritized when experiencing a conservation threat. The subsistence uses of these resources are prioritized during conservation closures and shortages means NOAA Fisheries and NOS management bodies must prioritize Alaska Native and non-Native subsistence users before commercial interests when multi-use fisheries are in decline, such as Western Alaska salmon populations.

Response: No edits made. This comment is beyond the scope of the Handbook.

Comment 55: Add Religious Freedom Act.

Response: This comment is outside the scope of the Handbook. Although relevant to Tribal Rights, NOAA does not believe inclusion of the Religious Freedom Act as an appendix to the Handbook is necessary or appropriate.

Comment 56: Mass Dear Tribal letters are not ideal for consultations.

Response: Noted for implementation. NOAA values direct correspondence. Frequently in regional consultations individual letters are sent, however, for National Policies that may have tribal implications for hundreds of federally recognized Indian tribes, direct correspondence is not always feasible.

Comment 57: NOAA must recognize the authority of Tribal Nations to designate cultural resources and landscapes for protection similar to those guaranteed by treaty, statute, judicial decisions, and executive orders.

Response: This comment is outside the scope of the Handbook.

Comment 58: NOAA's consultation policy should explicitly affirm and differentiate treaty rights issues and the government-to-government process from the public and administrative process.

Response: NOAA has added additional language to the Handbook to highlight the need to account for tribal treaty rights, reserved rights, and similar rights when considering actions that may have tribal implications. See Handbook Section VI.A. In addition, the Handbook notes that ''Consultation recognizes and distinguishes the views and policies of tribes from those of the general public and considers those views in the context of the responsibilities of federally recognized tribes to their people and tribal members.'' Consultation Handbook Section VI.

Comment 59: Provide a redline of document in the future.

Response: Accepted. A redline version of the revisions included with the final version of the Handbook is available at: *https://www.noaa.gov/legislative-and-intergovernmental-affairs/noaa-tribal-resources-updates.*

Comment 60: Policy was not provided for review.

Response: The NOAA Policy on Government-to-Government Consultations with Federally Recognized Indian Tribes and Alaska Native Corporations is included as Appendix F to the Consultation Handbook.

Comment 61: This request should have been put in the **Federal Register**.

Response: The request was published in the **Federal Register** on November 24, 2021, at 86 FR 67036 and the comment period extended in a notice published on January 21, 2022, at 87 FR 3280.

Comment 62: Please capitalize Alaska Native throughout.

Response: Capitalization is based on Federal style guides. Including: *https://www.archives.gov/files/federalregister/write/handbook/ddh.pdf.*

Comment 63: It may be useful to add a section on threats (*e.g.,* plastics, dead zones, climate change) to the documents.

Response: This suggested addition is outside the scope of the Handbook.

Comment 64: Federal Government should standardize and codify consultation requirements. For far too long, Tribal Nations have experienced inconsistencies in consultation policies, the violation of consultation policies, and mere notification of Federal action as opposed to a solicitation of input.

Response: NOAA's goal for the Handbook, consistent with the requirements of E.O. 13175, is to develop an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications. The revisions to the Handbook are designed to further enhance NOAA's consultation process.

Comment 65: Because the U.S. is engaged in a diplomatic relationship with each federally recognized Tribal Nation, greater effort must be made to consult with Tribal Nations on an individual basis.

Response: See response to *Comment 57* above.

Comment 66: Do not use the number of tribes to consult with as a reason not to consult. Many tribes are willing to meet as a group or by video.

Response: Noted, NOAA will endeavor to engage and consult tribes using methods that work best for each party.

Comment 67: E.O. 13175, Section 3 lays out a set of policy making criteria that have been implemented unevenly over the last two decades. In particular, this includes directives to extend ''maximum administrative discretion'' to Tribal Nations by encouraging Tribal Nations to develop our own policies and standards to achieve objectives as well as consult with those Tribal Nations on the necessity of any Federal standards. Commenter urges NOAA and the Biden Administration to consider how this section can be better operationalized and consistently applied throughout the Federal Government.

Response: The aspects of this comment related to the consultation processes occurring outside of NOAA are beyond the scope of the Handbook. NOAA appreciates commenter's suggestions regarding better operationalization of the consultation process.

Comment 68: E.O. 13175, Section 6 encourages the Federal Government to facilitate and streamline tribal applications for waivers of statutory and regulatory requirements. With some notable exceptions, this section does not appear to be actively implemented across the Federal Government.

Response: This comment regarding the implementation of E.O. 13175 across the Federal Government is beyond the scope of the Handbook. NOAA considers any tribal application for a waiver or statutory and regulatory requirements on a case-by-case basis,

and as such, we do not believe it is necessary or appropriate to address waivers within the Handbook.

Comment 69: NOAA does not correctly quote the consultation provision. In both NOAA Administrative Order 218–8 and the Handbook, NOAA states that ''[a]s defined in Section 5 of E.O. 13175, [consultation] refers to an accountable process ensuring meaningful and timely input from tribal officials on NOAA policies that have tribal implications.'' E.O. 13175 states that ''[e]ach agency shall have an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' By omitting the phrase ''in the development of,'' NOAA appears to be discounting both the role and substance of consultation with respect to the Federal decision-making process.

Response: NOAA's Handbook notes the Agency's commitment to having an accountable process with the federally recognized Indian tribe(s) for development of policies and guidance. It is not NOAA's intent to discount the role or substance of consultation for the Federal decision-making process.

Comment 70: There is a need for a robust communication strategy with tribes.

Response: Noted, however the need for a robust communication strategy is beyond the scope of the Handbook.

Comment 71: NOAA should form a permanent Tribal Advisory Committee to advise on decision-making, policy development, and effective consultation; and support the institutionalization of education about tribes and treaty rights at the Federal level. The Tribal Advisory Committee would represent a permanent investment in NOAA's commitment to tribes that would persist beyond administration changes.

Response: Noted, however the recommendation to form a Tribal Advisory Committee is beyond the scope of the Handbook.

Comment 72: The ''NOAA Tribal Team'' on NOAA's website should include Regional roles to provide context, email and phone information would be most useful.

Response: This comment regarding the context of NOAA's website is beyond the scope of the Handbook. However, NOAA is updating its tribal website and will consider this comment through that process.

General Comments and Recommendations (IK Guidance)

Comment 1: It is the sole authority of Tribal Nations and cultural and religious leaders to determine how TEK can and should be used to inform these processes and NOAA must make every effort to protect the confidentiality of this sensitive cultural and religious information. Commenter requested that the recommendations provided in these comments on the 2021 draft Tribal Consultation Handbook regarding FOIA requests also be referenced in the TEK Guidance to ensure that NOAA staff understand that these documents are inextricably connected.

Response: The current Guidance references the Handbook and vice versa, establishing the connections between these two documents. While information shared between NOAA and a tribe may be beneficial for the consultation process, it is generally not exempt from disclosure under FOIA, especially if this information is used in the decision-making process and becomes part of the administrative record. As such, the Guidance notes the importance of advance notification to tribes of the limited capacity of NOAA to protect the confidentiality of information provided by the tribe consistent with the requirements of FOIA or other applicable legal obligations.

Comment 2: We also support expanding the TEK Guidance to be implemented agency-wide at NOAA.

Response: NOAA agrees that the Guidance should be implemented agency-wide. This change is reflected in the finalized TEK Guidance.

Comment 3: Commenter recommends the inclusion of language in the TEK Guidance to require NOAA offices to promote the incorporation and use of TEK to inform policy and decision-making processes when collaborating with other Federal departments and agencies on projects that may have direct or indirect implications for Tribal Nations.

Response: NOAA agrees that a discussion of interagency coordination should be included in the TEK Guidance. A new section on Interagency Coordination was added to TEK Guidance on page 13.

Comment 4: TEK must be respected and protected as Tribal proprietary knowledge, as Tribal Nations and cultures carry the responsibility of its application for the well-being of our communities, homelands, and seascapes. NOAA must make the utmost effort to protect TEK and other sensitive cultural information from public disclosure and ensure Tribal Nations have the ability to control what is shared by the Agency, including through FOIA requests.

Response: Accepted in part. NOAA added in the ''Guidance'' section, 1st paragraph: ''IK should be respected as belonging to the IK holder(s).'' Under Data Confidentiality, first paragraph, added, ''NOAA employees should not begin collecting IK without establishing mutual trust, respect, and recognition of knowledge sovereignty.'' NOAA acknowledges that IK holders may not support public disclosure of this information, however, the Agency has limited ability under existing public disclosure obligations to prevent disclosure of information shared with NOAA. For this reason, the IK Guidance describes the need to clearly disclose any constraints or limitations regarding the ability to protect sensitive or confidential information before NOAA seeks access to IK.

Comment 5: Currently NOAA is largely unequipped to collect and engage TEK in a meaningful way. Fixing this will involve more than revision to the TEK Guidance, it will involve continuous employee training, extensive tribal engagement, and a change in the culture at NOAA and other Federal agencies.

Response: Accepted. NOAA agrees that guidance should reference NOAA capacity. A new section was added on, ''Building Capacity Within NOAA.''

Comment 6: When approaching tribes regarding TEK, NOAA officials must view tribes as knowledge co-producers and co-owners and engage tribes as true partners in acquiring the information necessary for informed decision-making. NOAA must inform tribes of the specific, tangible benefits of such information sharing and refrain from making only broad claims that it will ''inform policy.''

Response: NOAA appreciates the views expressed in this comment.

Comment 7: The TEK Guidance should also cite to Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that relates specifically to traditional knowledge: Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games, and visual and performing arts. They also have the right

to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. In conjunction with indigenous peoples, states shall take effective measures to recognize and protect the exercise of these rights.

Response: Accepted. NOAA added a reference to Knowledge Sovereignty and UNDRIP language from Article 31 in a renamed ''Principles'' section.

Comment 8: Tribes should have an opportunity to review and object to any use or recitation of TEK by NOAA. Provision needs to be stronger by removing ''should'' and replacing it with ''must.''

Response: Disagree. While the Guidance is premised on the principle of ''Free, Prior and Informed Consent,'' it is designed to provide best practices to help ensure that the sharing and application of IK is responsible, effective, and mutually beneficial. It does not create binding or enforceable rights, and as such, NOAA does not believe inclusion of mandatory directives such as ''must'' is appropriate.

Comment 9: TEK must come directly from tribes. On page 4 of the TEK Guidance, ''literature review'' is listed as the first method of identifying and collecting TEK. If NOAA officials utilize this method, tribes need to guide the literature review to ensure that the right sources are being reviewed. Further, literature review should always be used in conjunction with outreach to tribes to identify and collect TEK.

Response: Accepted. Added to ''literature review'' section: ''Researchers should work with IK holder(s) to share information about the project and seek their guidance on sources.''

Comment 10: Confidentiality is important in order for tribes to candidly share TEK. In some cases, anonymity may be appropriate to prevent resource damage, backlash, enforcement action, legal risk, or other harms. Before any information is shared, NOAA and tribes should fully understand how such information will be shared. NOAA personnel should also explain to tribes if any of that information is subject to disclosure under the FOIA. NOAA should not approach individual tribal members for TEK without first receiving consent from the tribe through its formal, identified institutions. The qualifier ''Ideally'' should be removed, since collection outside a method established by a tribe does not amount to free, prior, and informed consent from the tribe to provide such TEK.

Response: Accepted. Removed word ''ideally'' from ''Identifying and/or collect IK'' section. The section now includes the following sentence: ''No data should be collected until a preferred method is established with indigenous group leaders and, through them or previous fieldwork, with IK holder(s).''

Comment 11: The TEK Guidance provides one example of successful use of TEK in decision-making. Providing additional examples in more detail may help NOAA personnel and tribes understand the benefits of sharing TEK and what TEK may be useful for NOAA decision-makers.

Response: Accepted. NOAA has included four examples of the benefits of using IK in decision making.

Comment 12: NOAA should include TEK as the best available science. NOAA should be more forthright in its TEK Guidance and state that the ''best available science shall incorporate TEK and other related indigenous practices.''

Response: Partly accepted. Under Guidance, the first paragraph has been changed to substitute the word ''should'' for ''can.'' Under the new Interagency Coordination section, the second sentence reads: ''When conducting formal or informal consultations with other Federal agencies on issues with implications for tribes and indigenous communities, NOAA should include and acknowledge IK as part of best available science and as part of the administrative record.'' As noted in the response to IK *Comment 8,* NOAA does not believe inclusion of mandatory directives such as ''shall'' is appropriate in this Guidance document.

Comment 13: NOAA should ensure that TEK is properly incorporated into decision-making. One impediment to the sharing of TEK is that knowledge holders frequently do not understand or observe how their information or data are incorporated into Federal decision-making. Final results used to inform Federal decision making and policy development should also be shared. We urge NOAA to adhere to these provisions in the TEK Guidance and foster true scientific collaboration with TEK holders.

Response: Accepted. NOAA will undertake training and outreach to ensure that staff are aware of the guidance. In addition, a section on ''Building Capacity within NOAA'' was added.

Comment 14: We encourage NOAA to conduct additional engagement directly with tribes, Alaska Native corporations, and other holders of Indigenous knowledge to further develop substantive guidance addressing the incorporation and consideration of TEK along with other scientific information.

Response: NOAA appreciates the recommendation provided in this comment. NOAA conducted tribal consultation on this guidance in January 2022, and does not believe additional consultation is needed at this time to finalize the IK Guidance, particularly given the additional consultation conducted by the White House Council on Environmental Quality (CEQ) in developing its interagency guidance on IK. As noted, the IK Guidance is intended to be a living document that will be updated and improved over time. NOAA anticipates continued engagement with tribes on this document as it continues to mature.

Comment 15: We request that the agency, through regulation or other means, more formally recognize indigenous knowledge in its definition of ''best available science'' under the Endangered Species Act, 16 U.S.C. 1531 *et seq.,* and other applicable laws.

Response: Guidance updated to note that Indigenous Knowledge should be included in the definition of ''best available science'' where possible, but does not specifically reference the Endangered Species Act. Under Guidance, the first paragraph has been changed to substitute the word ''should'' for ''can.'' New text reads: ''Best available science should incorporate IK and other related indigenous practices.''

Comment 16: Commenter requests that NOAA revise its ''Guidance and Best Practices for Engaging and Incorporating Traditional Ecological Knowledge in Decision-Making'' to reflect an acceptance of indigenous knowledge on their own terms.

Response: Addressed in new ''Context'' section.

Comment 17: NOAA also should repudiate any perceived need to integrate or assimilate indigenous knowledge into a Western science format. What is needed instead is a multiple evidence base approach that recognizes and respects the inherent value and worth of indigenous knowledge systems. We encourage NOAA to review and integrate Two-Eyed Seeing into its tribal policies and procedures.

Response: Reference to, and discussion of, ''Two-Eyed Seeing'' has been added to the Guidance section.

Comment 18: To the extent the Agency has questions about the best way to do this, we suggest that NOAA invite indigenous community members to help craft the Agency's policies and guidance documents.

Response: Accepted. NOAA held tribal consultation on this guidance, and incorporated most of the tribal input into the revised version. Added the Guidance section on co-production of knowledge. NOAA is interested in building partnerships with tribes to recognize and include IK.

Comment 19: Not all environmental concerns faced by Indigenous peoples are mere Environmental Justice concerns, but instead rise to the level of adverting cultural genocide from robbing of Environmental Sovereignty from the Indigenous population. By not clearly defining that the purpose of this document is to foster partnership and not disenfranchisement of Indigenous lifeways, this document leaves it open for industry to circumvent the Federal regulators and other Federal entities who have the fiduciary trust responsibilities to the tribes and other Indigenous peoples of the United States.

Response: In response to this comment, NOAA added ''fulfill Federal trust responsibilities'' to the purposes addressed by the inclusion of IK.

Comment 20: Commenter notes that the guidance leaves a big hole in this portrayal of what NOAA can do by neglecting to affirm that NOAA with its science-based objectivity have the ability to act as an advocate for the Indigenous peoples when speaking with other Federal agencies who do have the ability to ensure enforceability of rights or the ability to cause action under the law.

Response: Accepted. NOAA agrees that IK can be a relevant and valuable element of interagency coordination. In response to this section, NOAA has added a section on ''Interagency Coordination'' to acknowledge this concept and provide guidance to NOAA staff.

Comment 21: NOAA Fisheries should recognize generally, and in the subject documents specifically, the distinct, unique feature or attribute that distinguishes the tribe and its members from most other Americans (such as those commonly identified among ''Environmental Justice'' communities). We have Treaty Rights, and derived from that fact, the Federal Government has a Trust Responsibility to us.

Response: Accepted. A reference to treaty rights and trust responsibilities has been added to the Introduction section.

Comment 22: Given that ''Ecology'' is a relationship between an organism (or being) and its environment, NOAA needs to understand that the tribe has developed an applied First Foods management mission, and applied River and Upland Visions to guide restoration and management of First Foods (water, native fish, wildlife, plants), that are based on the ecology between and among First Foods, the ecology of the tribe and our Foods, and our relationship to the landscapes and waters that provide the Foods. Our management visions should be recognized as high level, applied ''Traditional Ecological Knowledge,'' and given at least equal weight to Federal agency management guidance. Where our management goals or priorities differ, we can consult to address those differences.

Response: NOAA appreciates the views expressed in this comment.

Comment 23: Infringement on Treaty Rights and Trust Irresponsibility have occurred in the Pacific Northwest, too often under active Federal oversight, or from the lack of it. A fundamental objective of the subject documents should be to facilitate the correction of these past and continuing injustices.

Response: A reference to treaty rights and trust responsibilities has been added to the Introduction section.

Comment 24: In developing and revising the documents, it may be helpful and informative to refer to the Environmental Protection Agency's (EPA) 2016 Guidance, ''EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights.''

Response: NOAA appreciates the recommendation provided in this comment. As noted above, a reference to treaty rights and trust responsibilities has been added to the Introduction.

Comment 25: NOAA Fisheries' response to our petition thus far has not only completely ignored the tribe's TEK and any sense of a meaningful Government-to-Government relationship but has also misrepresented Western science.

Response: This fact-specific concern is beyond the scope of the IK Guidance.

Comment 26: We request NOAA Fisheries' leadership team to immediately convene a Government-to-Government meeting with the [tribe] and relevant NOAA staff to revisit this issue and appropriately engage in consultation and integration of our TEK into decision making to ensure Executive Order 13175 is carried out appropriately.

Response: See response to IK Guidance *Comment 25.*

Comment 27: We recommend that NOAA integrate the best available Western science with Indigenous Knowledge provided by tribes to inform decision-making and management.

Response: NOAA appreciates the recommendation included with this comment.

Comment 28: We also recommend that the TEK guidance document includes robust protective measures that ensure that sensitive information that may be shared with NOAA in the course of our work together is not made publicly available. We encourage NOAA to develop specific data-sharing agreements with tribes regarding the use of TEK that outline intellectual property and data ownership, privacy, and use.

Response: Accepted. Added the following to Data Confidentiality section, first paragraph: ''NOAA employees should not begin collecting IK without establishing mutual trust, respect, and recognition of knowledge sovereignty, preferably in the form of a jointly developed agreement. The agreement should outline the purpose of the data collection, intellectual property and data ownership, privacy, and use.''

Comment 29: We further recommend that NOAA support TEK integration into management approaches by increasing dedicated and long-term capacity funding for natural and cultural research staff, including Tribal Historic Preservation Offices, to support coordinated engagement across tribal organizations. NOAA should integrate and fund opportunities for research and planning, training and capacity building, and implementation programs for the safe resumption of traditional management approaches, as these efforts would also support the integration of TEK into management.

Response: Comments regarding Federal funding allocation decisions are beyond the scope of the IK Guidance.

Comment 30: We would look forward to engaging with the NMFS Alaska Region to discuss the implementation of this guidance with Alaska Tribes, and urge you to encourage the Alaska Region to outreach to tribes and tribal organizations to engage in such discussions.

Response: NOAA appreciates the views expressed in this comment.

Comment 31: The NOAA TEK Guidance document constitutes an excellent baseline document on this topic and we encourage NOAA staff working with tribes to be familiar with it.

Response: Accepted. A new section on ''Building Capacity Within NOAA'' has been added to the IK Guidance.

Comment 32: As noted above with regard to the Tribal Consultation Handbook, it is important to bear in mind that there are other aspects of Alaska Native and tribal knowledge other than TEK which are valuable and

should be engaged in NOAA's work. This includes the aspects of Traditional Knowledge (TK) outside those which are strictly considered 'ecological,' understanding the interlinkages between the 'ecological' and 'other' aspects of TK, and crucially important forms of Indigenous Knowledge other than TK.

Response: NOAA appreciates the views expressed in this comment, and notes that the terminology of the IK Guidance has been revised from TEK to IK in the final document, in part, to address considerations noted in this comment.

Comment 33: We encourage NOAA to look at the work on Knowledge Sovereignty and Indigenization in which the tribe has been engaged.

Response: NOAA appreciates the recommendation provided in this comment. Discussion of knowledge sovereignty has been added to the Principles section of the IK Guidance.

Comment 34: We encourage NOAA to work with tribes via a co-productive framework as pertains to knowledge-related, as well as other (*e.g.,* policy), activities.

Response: Accepted. Discussion of knowledge sovereignty has been added to the Principles section of the IK Guidance. NOAA has also added the following text to the Guidance section: ''NOAA staff should consider ways to co-develop and include IK for decision-making through multiple programs and approaches.''

Comment 35: Commenter emphasizes that ''it may be inappropriate to suggest that TEK should be 'validated,' '' and, ''rather, indigenous peoples' own internal methods of defining, valuing, and validating their own knowledge/knowledge systems should be respected.'' See NOAA Handbook (Section IV) regarding the unnecessary validation of TEK by Western science.

Response: Accepted. In the Guidance section of the IK Guidance, NOAA states: ''Depending on the situation, it may be inappropriate to suggest that IK should be ''validated''. Rather, Indigenous Peoples' own internal methods of defining, valuing, and validating their own knowledge/knowledge systems should be respected and trusted.''

Comment 36: TEK holders and communities have the right to review documents that include their TEK as well as the right to redact, remove, or reject how their TEK is included. Commenter requests that NOAA add a section in the TEK Guidance explicitly guiding NOAA Fisheries and NOS to let TEK holders and communities review the TEK collected and how it is included in the work and research of NOAA Fisheries and NOS before it is used or distributed.

Response: NOAA appreciates the views expressed in this comment and has added to the Best Practices for Identifying and Considering IK section in the IK Guidance the following addition: ''NOAA should work to share and archive any data collected in cooperation with IK holder(s) and communities. IK holder(s) and communities should review NOAA products that include IK before publication. Any confidential or proprietary data that has been provided for public release solely in the aggregate form must not be shared in disaggregated form—except under any legal requirement (*e.g.,* Freedom of Information Act) and never without prior notification of the provider of that particular IK.'' NOAA also notes that the applicability of the IK Guidance now extends to all of NOAA.

Comment 37: Our only suggestion is to follow the lead of the White House Office of Science and Technology Policy (OSTP) and the White House Council on Environmental Quality (CEQ) which recently released a Memorandum for the Heads of Departments and Agencies on the subject of Indigenous Traditional Ecological Knowledge and Federal Decision Making. Not only in substance, but also including the use of Indigenous Knowledge and/or Indigenous Traditional Ecological Knowledge, instead of the archaic ambiguous term TEK, both of which are a more accurate descriptor of the body of knowledge we are all referring to.

Response: Accepted. As noted above, the NOAA IK Guidance now uses the term ''Indigenous Knowledge'' in lieu of TEK.

Richard W. Spinrad,

Under Secretary of Commerce for Oceans and Atmosphere, NOAA Administrator, National Oceanic and Atmospheric Administration.

[FR Doc. 2023–14415 Filed 7–6–23; 8:45 am]

BILLING CODE 3510–12–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add and service(s) to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities and delete product(s) previously furnished by such agencies.

DATES: Comments must be received on or before: August 06, 2023.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E St. SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, telephone: (703) 785–6404, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the service(s) listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

The following service(s) are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Service(s)

Service Type: Custodial Service
Mandatory for: NSWCDD, Dahlgren, VA and Pumpkin Neck Annex, King George, VA
Designated Source of Supply: ServiceSource, Inc., Oakton, VA
Contracting Activity: DEPT OF THE NAVY, NSWC DAHLGREN

Deletions

The following product(s) and service(s) are proposed for deletion from the Procurement List:

Product(s)

NSN(s)—Product Name(s):
7520–01–620–3317—Hole Punch, Paper, Light Duty, 3-Hole, Adjustable, 11 sheet capacity, Black Base, Metallic Handle
Designated Source of Supply: AbilityFirst, Pasadena, CA
Contracting Activity: GSA/FAS ADMIN SVCS ACQUISITION BR (2, NEW YORK, NY

NSN(s)—Product Name(s):
7520–01–451–9183—Pen, Ballpoint, Retractable, Essential LVX, Blue, Fine Point
7520–01–451–9177—Pen, Ballpoint, Retractable, Essential LVX, Red, Fine Point
Designated Source of Supply: Industries for the Blind and Visually Impaired, Inc., West Allis, WI
Contracting Activity: GSA/FAS ADMIN

SVCS ACQUISITION BR (2, NEW YORK, NY

Service(s)

Service Type: Custodial and Related Services
Mandatory for: GSA PBS Region 5, Federal Building, 105 South Sixth Street, Mt. Vernon, IL
Designated Source of Supply: Jefferson County Comprehensive Services, Inc., Mt. Vernon, IL
Contracting Activity: PUBLIC BUILDINGS SERVICE, PBS R5

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2023–14359 Filed 7–6–23; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Deletions from the Procurement List.

SUMMARY: This action deletes product(s) and service(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: *Date added to and deleted from the Procurement List:* August 06, 2023.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 3555 E St. SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: Michael R. Jurkowski, Telephone: (703) 603–2117, Fax: (703) 785–6404, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Deletions

On 6/2/2023, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from 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 relevant matter presented, the Committee has determined that the product(s) and service(s) listed below are no longer 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 additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may 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) deleted from the Procurement List.

End of Certification

Accordingly, the following product(s) and service(s) are deleted from the Procurement List:

Product(s)

NSN(s)—Product Name(s):
7125–01–667–1400—Cabinet, Storage, Blow-Molded, 66″, Platinum
7125–01–667–1401—Cabinet, Storage, Blow-Molded, 66″, Black
7125–01–667–1402—Cabinet, Storage, Blow-Molded, 46″, Black
7125–01–667–1403—Cabinet, Storage, Blow-Molded, 46″, Platinum
7125–01–667–1404—Cabinet, Storage, Blow-Molded, 72″, Black
7125–01–667–1407—Cabinet, Storage, Blow-Molded, 72″, Platinum
Designated Source of Supply: MidWest Enterprises for the Blind, Inc., Kalamazoo, MI
Contracting Activity: GSA/FAS FURNITURE SYSTEMS MGT DIV, PHILADELPHIA, PA

NSN(s)—Product Name(s):
8465–00–258–2432—Liner, Field Pack, Green, 50″ x 30″
8465–00–935–6857—Liner, Field Pack, Green, 21.50″ x 17.75″
8465–00–935–6858—Liner, Field Pack, Green, 39″ x 27″
Designated Source of Supply: Casco Area Workshop, Inc., Harrisonville, MO
Contracting Activity: DLA TROOP SUPPORT, PHILADELPHIA, PA

NSN(s)—Product Name(s):
1025–01–232–6822—Sponge, Chamber Swabbing
Designated Source of Supply: New Horizons Rehabilitation Services, Inc., Auburn Hills, MI
Contracting Activity: DLA LAND AND MARITIME, COLUMBUS, OH

Service(s)

Service Type: Janitorial Service
Mandatory for: U.S. Navy, NEX Food Court, Norfolk Naval Air Station, 1560 Mall Drive, Norfolk, VA
Designated Source of Supply: Sara's Mentoring Center, Inc., Virginia Beach, VA
Contracting Activity: DEPT OF THE NAVY, Navy Exchange Service Command

Michael R. Jurkowski,

Acting Director, Business Operations.

[FR Doc. 2023–14360 Filed 7–6–23; 8:45 am]

BILLING CODE 6353–01–P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

TIME AND DATE: 9:00 a.m. EDT, Friday, July 14, 2023.

PLACE: Virtual meeting.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement 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: Rob Sidman, 202–418–5317.

Authority: 5 U.S.C. 552b.

Dated: July 5, 2023.

Christopher Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2023–14508 Filed 7–5–23; 4:15 pm]

BILLING CODE 6351–01–P

CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No. CFPB–2023–0039]

Agency Information Collection Activities: Comment Request

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau or CFPB) requests the Office of Management and Budget's (OMB's) approval of a new information collection titled ''Generic Information Collection Plan for Foundational Research About Consumer Credit Markets and Household Financial Decision-Making.''

DATES: Written comments are encouraged and must be received on or before August 7, 2023 to be assured of consideration.

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. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Anthony May, Paperwork Reduction Act Officer, at (202) 435–7278, or email: *CFPB_PRA@cfpb.gov*. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov*. Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Generic Information Collection Plan for Foundational Research About Consumer Credit Markets and Household Financial Decision-Making.

OMB Control Number: 3170–00XX.

Type of Review: New information collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 8,000.

Estimated Total Annual Burden Hours: 32,000.

Abstract: Under the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Bureau is tasked with researching, analyzing, and reporting on topics relating to the Bureau's mission including developments in markets for consumer financial products and services, consumer awareness, and consumer behavior. Under this generic information collection plan, the Bureau collects data through qualitative and quantitative methods, including focus groups, interviews, and controlled trials in field and laboratory settings. The primary purpose of research carried out under this generic clearance is for foundational research of an exploratory nature. This foundational research will be used for developmental and informative purposes to increase the Bureau's understanding of consumer credit markets and household financial decision-making. In addition, research may be related to the Bureau's mission regarding financial education, including evaluating the effectiveness of financial education programs and understanding financial planning behaviors, including savings, spending, and investing behavior. The Bureau envisions that the research covered under this clearance will be basic foundational research about consumer credit markets and household finance.

Request for Comments: The Bureau published a 60-day **Federal Register** notice on November 23, 2022 (87 FR 71586) under Docket Number: CFPB–2022–0078. The Bureau is publishing this notice and soliciting comments on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) The accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be reviewed by OMB as part of its review of this request. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2023–14282 Filed 7–6–23; 8:45 am]

BILLING CODE 4810–AM–P

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 22–1]

Notice of Prehearing Conference

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: Notice of prehearing conference for *In the Matter of Leachco, Inc.;* CPSC Docket No. 22–1.

DATES: Tuesday, July 11, 2023 at 11 a.m. Eastern Time.

ADDRESSES: This event will be held remotely.

FOR FURTHER INFORMATION CONTACT: Alberta E. Mills, Consumer Product Safety Commission, Office of the General Counsel, Office of the Secretary, *cpsc-os@cpsc.gov;* 240–863–8938; 301–504–7479.

SUPPLEMENTARY INFORMATION: The text of the Presiding Officer's June 30, 2023 Order Scheduling Prehearing Conference appears below.

Authority: Consumer Product Safety Act, 15 U.S.C. 2064.

Dated: June 30, 2023.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

Federal Mine Safety and Health Review Commission

Office of the Chief Administrative Law Judge

1331 Pennsylvania Ave. NW, Suite 520N, Washington, DC 20004–1710, Telephone: 202–434–9950, Fax: 202–434–9949

June 30, 2023

In the Matter of

LEACHCO, INC.,

CPSC Docket No. 22–1

Respondent

Order Scheduling Prehearing Conference

Additional prehearing conferences ''may be convened at the discretion of the Presiding Officer.'' 16 CFR 1025.21(c) (2023). The parties have requested a final prehearing conference in preparation for the hearing scheduled for August 7, 2023. A prehearing conference shall be held as follows:

Date: Tuesday, July 11, 2023.

Time: 11 a.m. Eastern Time.

Means: Zoom [link provided to those listed in Distribution].

Commission rules require issuance of a final prehearing order ''after the conclusion of the final prehearing conference.'' 16 CFR 1025.21(e). Parties should be prepared to discuss the following topics:

1. Nature of action and jurisdiction.
2. Stipulations and statements.
3. Complaint Counsel's evidence.
4. Respondent's evidence.
5. Additional actions taken or requested.
6. Limitations and Reservations.
7. Logistical requirements for hearing, including presentation of exhibits, audio/visual requirements, and accommodations for witnesses or parties requiring translation or other services.

Id. Pt. 1025, App. I.[1] This agenda is not exhaustive, and the parties should confer and come prepared with any other topics they wish to discuss.

The CPSC should arrange for a court reporter for the prehearing conference. I direct that notice of this conference be published in the **Federal Register**. 16 CFR 1025.21(b).

[1] This is a general topics list. Parties should refer to Appendix I for the requirements of each.

Michael G. Young
Administrative Law Judge

Distribution

Brett Ruff, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *bruff@cpsc.gov*.

Rosalee Thomas, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *rbthomas@cpsc.gov*.

Caitlin O'Donnell, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *codonnell@cpsc.gov*.

Michael J. Rogal, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *mrogal@cpsc.gov*.

Gregory Reyes, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *greyes@cpsc.gov*.

Frank Perilla, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *FPerilla@cpsc.gov*.

Oliver J. Dunford, Pacific Legal Foundation, 4440 PGA Blvd., Suite 307, Palm Beach Gardens, FL 33410, *ODunford@pacificlegal.org*.

John F. Kerkhoff, Pacific Legal Foundation, 3100 Clarendon Boulevard, Suite 610, Arlington, VA 22201, *JKerkhoff@pacificlegal.org*.

Frank Garrison, Pacific Legal Foundation, 3100 Clarendon Boulevard, Suite 610, Arlington, VA 22201, *FGarrison@pacificlegal.org*.

Jessica L. Thompson, Pacific Legal Foundation, 3100 Clarendon Boulevard, Suite 610, Arlington, VA 22201, *JLThompson@pacificlegal.org*.

Alberta E. Mills, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, *amills@cpsc.gov*.

[FR Doc. 2023–14333 Filed 7–6–23; 8:45 am]

BILLING CODE 6355–01–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Current Population Survey Civic Engagement and Volunteering Supplement

AGENCY: Corporation for National and Community Service.

ACTION: Notice of information collection; request for comment.

SUMMARY: The Corporation for National and Community Service, operating as AmeriCorps, has submitted a public information collection request (ICR) entitled Current Population Survey Civic Engagement and Volunteering Supplement (CEV) for review and approval in accordance with the Paperwork Reduction Act.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by August 7, 2023.

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.

FOR FURTHER INFORMATION CONTACT: Copies of this ICR, with applicable supporting documentation, may be obtained by calling AmeriCorps, Laura Hanson Schlachter, Ph.D., at (202) 948–7407 or by email to *LSchlachter@cns.gov.*

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of CNCS, 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;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose 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

A 60-day Notice requesting public comment was published in the **Federal Register** on Thursday, March 30, 2023 at 88 FR 19094. This comment period ended May 30, 2023. Four public comments were received from this Notice. Commenters' primary concerns were related to the reduction in the number of questions regarding formal volunteering activity in the CEV relative to the previous volunteering supplement. AmeriCorps agrees that reinstating questions about types of volunteer organizations and activities would generate valuable knowledge. Although Census policy does not allow AmeriCorps to add these kinds of lengthy questions to the CEV at this time, we have included them in this clearance package in the event that Census recommendations change and resources allow them to be reinstated in future rounds of data collection.

Title of Collection: Current Population Survey Civic Engagement and Volunteering Supplement.

OMB Control Number: 3045–0139.
Type of Review: Revision of an Existing Collection.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Responses: 30,000.

Total Estimated Number of Annual Burden Hours: 3,335.

Abstract: AmeriCorps is soliciting comments concerning proposed revision of its Current Population Survey Volunteering and Civic Engagement Supplement. Since 2002, AmeriCorps has partnered with the U.S. Census Bureau and the Bureau of Labor Statistics to collect data and produced annual volunteering reports, and is mandated by the Serve America Act of 2009 to produce an annual civic health assessment in partnership with the National Conference on Citizenship. Reports, tables, and data for Volunteering and Civic Life in America (VCLA) are made public on *americorps.gov,* and specialized tables are made available upon request.

The proposed survey will be the only source of nationally representative data on the number of Americans who are active in their communities, through volunteering, social interactions, and civic behaviors. These measures include formal volunteering in an organization; a person's interactions with family, friends and neighbors; participation in community events; informal interactions; communication with one another on issues of public concern; and interactions with public and private institutions.

AmeriCorps seeks to renew the current information collection with revisions that are intended to enhance the survey. The information collection will otherwise be used in the same manner as the existing collection. AmeriCorps also seeks to continue using the current survey until the revised survey is approved by OMB. The

current survey is due to expire on November 30, 2023.

Mary Hyde,

Director, Office of Research and Evaluation.

[FR Doc. 2023–14315 Filed 7–6–23; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF EDUCATION

Applications for Selection as a Performance Partnership Pilot; Performance Partnership Pilots for Disconnected Youth

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (ED or Department) is issuing a notice inviting applications for selection as a performance partnership pilot for fiscal year (FY) 2023 under the Performance Partnership Pilots for Disconnected Youth (P3) authority. This notice relates to the approved information collection under OMB control number 1830–0575.

DATES:

Deadline for Transmittal of Applications: September 5, 2023.

Deadline for Intergovernmental Review: November 6, 2023.

Deadline for Requests for Technical Assistance (optional): August 7, 2023.

FOR FURTHER INFORMATION CONTACT: Braden Goetz, U.S. Department of Education, 400 Maryland Avenue SW, Room 10401, Potomac Center Plaza, Washington, DC 20202. Telephone: 202–245–7405. Email: *DisconnectedYouth@ed.gov*. Or Corinne Sauri, U.S. Department of Education, 400 Maryland Avenue SW, Room 10362, Potomac Center Plaza, Washington, DC 20202. Telephone: 202–245–6412.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Pilot Opportunity Description

Purpose of Program: P3 was first authorized by Congress in FY 2014 by the Consolidated Appropriations Act, 2014 (2014 Act), and the authority has been included by Congress in appropriations acts each year since FY 2014, most recently in the Consolidated Appropriations Act, 2023 (Pub. L. 117–328) (2023 Act). The FY 2023 P3 authority enables pilot sites to blend FY 2023 Federal funds and obtain waivers of program requirements, including statutory, regulatory, and administrative requirements that are barriers to achieving improved outcomes for youth-serving programs included in the authority. Under P3, pilots can test innovative strategies to achieve significant improvements in educational, employment, and other key outcomes for disconnected youth using the flexibility provided by P3.

Background: Reengaging the more than 4.8 million young people in the United States who are neither working nor enrolled in school—and preventing other young people from joining them—is a national concern because their disconnection can have severe, long-term consequences.

Youth who drop out and never earn a high school credential have higher rates of unemployment, lower earnings, poorer health, and higher rates of mortality, and are more likely to be dependent on public assistance than those who earn a high school credential.[1] Interrupted or delayed schooling and employment also can have long-lasting consequences. Youth whose completion of high school is delayed are significantly less likely to enroll in postsecondary education after they do earn their high school credential.[2] Youth whose enrollment in postsecondary education is delayed after high school graduation are considerably more likely to drop out than peers who enter college immediately following high school.[3] They also earn less as young adults, with one study estimating that those who delay entry into postsecondary institutions earn $41,000 less during the first 13 years after high school graduation than young adults who enrolled in college the semester after high school graduation.[4] A prolonged period of unemployment experienced by a young adult can have an enduring negative consequence on his or her earnings that lasts as long as 9 years after he or she finds work.[5]

P3 may be a useful tool in preventing and effectively addressing youth disconnection. It gives ED, the Departments of Labor (DOL), Health and Human Services (HHS), and Justice (DOJ),[6] the Corporation for National and Community Service (CNCS), and the Institute of Museum and Library Services (collectively, the Agencies) authority, provided certain conditions and requirements are met, to waive Federal statutory and regulatory requirements that inhibit access to assistance and effective service delivery for disconnected youth.

P3 authorizes the Agencies to enter into Performance Partnership Agreements (performance agreements) with State, local, or Tribal governments. The performance agreements provide pilots with additional flexibility in the use of certain discretionary funds administered by the Agencies,[7] including competitive and formula grant funds. Pilots must include two or more Federal programs (at least one of which is administered in whole or in part by a State, local, or Tribal government) that target disconnected youth or are designed to prevent youth from disconnecting from school or work, and that provide education, training, employment, and other related social services. Entities that seek to participate in these pilots must commit to achieving significant improvements in outcomes for disconnected youth in exchange for flexibility permitted under P3. The authorizing statute states that improving outcomes for disconnected youth means increasing the rate at which those individuals between the ages of 14 and 24 who are low-income

[1] Belfield, C. and Levin, H.M. Eds. (2007). *The price we pay: Economic and social consequences of inadequate education.* Washington, DC: Brookings Institution Press. Retrieved from: *https://www.brookings.edu/book/the-price-we-pay/.*

[2] Fogg, N.P. and Harrington, P.E. (2015). *From Diplomas to Degrees: A Longitudinal Study of the College Enrollment and Graduation Outcomes of High School Graduates from the School District of Philadelphia.* Philadelphia, PA: Drexel University Center for Labor Markets and Policy. Retrieved from: *https://drexel.edu/~/media/Files/clmp/diplomas_to_degrees_full_report_2015.pdf.*

[3] *Ibid.,* and Scott, M.A., and Kennedy, B.B. (2005). Pitfalls in Pathways: Some Perspectives on Competing Risks Event History Analysis in Education Research. *Journal of Educational and Behavioral Statistics,* Winter, 2005, Vol. 30, No. 4 (Winter, 2005), pp. 413–442. Retrieved from: *https://www.jstor.org/stable/3701297.*

[4] Yuxin Lin, Y. and Ting Liu, V.Y. (2019). *Timing Matters: How Delaying College Enrollment Affects Earnings Trajectories,* CCRC Working Paper No. 105. New York, NY: Community College Research Center. Retrieved from: *https://ccrc.tc.columbia.edu/publications/delaying-college-enrollment-earnings-trajectories.html.*

[5] Mroz, T.A. and Savage, T.H. (2006). The Long-Term Effects of Youth Unemployment. *The Journal of Human Resources,* Spring, 2006, Vol. 41, No. 2 (Spring, 2006), pp. 259–293. Retrieved from: *https://www.jstor.org/stable/40057276.*

[6] DOJ's Office of Justice Programs was first authorized to enter into performance agreements by the Consolidated and Further Continuing Appropriations Act, 2015.

[7] For the purposes of P3, discretionary funds are funds that Congress appropriates on an annual basis, rather than through a standing authorization. They exclude ''entitlement'' (or mandatory) programs, such as Social Security, Medicare, Medicaid, most Foster Care IV–E programs, Vocational Rehabilitation State Grants, and Temporary Assistance to Needy Families. Pell Grant funding, which is supported through a combination of discretionary and mandatory funding, is also excluded for the purposes of P3. Discretionary programs administered by the Agencies support a broad set of public services, including education, workforce development, health and mental health, and other low-income assistance programs.

and are either homeless, in foster care, involved in the juvenile justice system, unemployed, or not enrolled in or at risk of dropping out of an educational institution achieve success in meeting educational, employment, or other key goals (2014 Act, section 526(a)(2)).

This notice invites applications for selection as FY 2023 pilots and offers opportunities for prospective applicants to obtain optional technical assistance from the Agencies prior to applying. The purpose of the pre-application technical assistance is to help prospective applicants identify and propose to address—through waivers, blending of funds, or other flexibilities—Federal barriers to effective and integrated service delivery that will improve the educational and employment outcomes of disconnected youth.

If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest because the statutory authority for FY 2023 directs the Agencies to include such communities among the designated pilots. Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth.

Flexibilities Available Under P3

P3 provides important opportunities to improve access to Federal programs and their effectiveness in addressing the needs of disconnected youth. The Agencies have published on *Youth.gov* a list of the waivers previously granted to pilots under the first three rounds of P3 in which pilots were designated.[8] These waivers were helpful to the pilots that received them, and, in this latest round, the Agencies hope that applicants propose even more ambitious and bold efforts to remove Federal constraints on effective, innovative, and promising service delivery for disconnected youth. We provide several examples below.

These examples are provided for illustrative purposes only, and the allowability of specific proposals will depend on the unique circumstances of individual applicants. Any waivers must be consistent with the statutory safeguards that apply to P3, discussed below, and the Agencies will consider whether the inclusion of a program in a specific pilot is consistent with, or conflicts with, other significant legal or policy considerations. Also, the Agencies will review the blending of competitive grants on a case-by-case basis to consider how the scope, objectives, and target populations of the existing awards align with the proposed pilot. Any changes in terms and conditions of the existing competitive grant awards required for pilot purposes must be justified by the applicant and consistent with the scope and objectives of the grantee's application. In addition, the Agencies can only waive Federal statutory or regulatory requirements and cannot waive State or local requirements. The Agencies encourage applicants to analyze whether implementation of their request also requires State or local statutory or regulatory flexibilities or waivers, as those rules are not under the jurisdiction of the Agencies to waive for P3.

Example A: P3 enables State, local, and Tribal governments to blend dollars from multiple Federal funding streams to provide more comprehensive, holistic services for youth without having to allocate costs among the contributing programs and separately track and report on each source of funding. For example, a State could propose to use P3 to support a comprehensive education, training, and reentry services program for youthful offenders before, during, and after their incarceration. Funding for the project could be contributed from the Governor's reserve of the State's Workforce Innovation and Opportunity Act (WIOA) Title I Youth program grant, the State's Juvenile Justice and Delinquency Prevention Act Title II State grant, and the State educational agency's Elementary and Secondary Education Act of 1965, as amended (ESEA) Title I, Part D grant for Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk. The State also could propose to use P3 to waive the statutory performance indicators and reporting requirements under the three programs, replacing them with one set of indicators tailored to match the objectives of the project that the State reports on annually. Funds available to the State for evaluation under section 116(e)(1) of WIOA could be used to evaluate the program.

Similarly, to expand mental health and well-being supports through comprehensive school-based mental health services, an LEA could blend funding from its ESEA Title IV, Part A subgrant and its FY 2023 continuation award for its School-Based Mental Health Services grant and braid[9] funding from its FY 2023 Project AWARE (Advancing Wellness and Resiliency in Education) grant from the Substance Abuse and Mental Health Services Administration in HHS to have school-based mental health services providers create learn-and-earn opportunities for high school students through which they receive a stipend paid with ESEA Title IV, Part A funds or academic credit for training in an evidence-based curriculum that teaches suicide prevention education and awareness, including associated risk factors, methods that students can use to seek help, and student resources for suicide awareness and prevention. This strategy promotes a supportive and inclusive school climate and also serves to develop the next generation of high-quality, trained school-based mental health services professionals.

Example B: Registered Apprenticeship (RA) and pre-apprenticeship programs that are linked to RA programs can provide disconnected youth with a pathway to educational advancement and economic mobility. There is encouraging evidence that participation in RA programs is associated with significant earnings gains and that the costs to government of supporting RA programs are far exceeded by the benefits because the higher earnings of participants reduce their use of government programs.[10] However, RA programs can be more challenging to finance than other programs and cost more to start up because they span and can draw funding from both postsecondary education and workforce development and require extensive coordination among funders and the employers who

[8] The list of previously granted waivers is available at *https://youth.gov/sites/default/files/P3-Waiver-List-FINAL_2018-12-10.pdf.*

[9] Braiding funds means coordinating two or more funding sources to support the total cost of a service or activity while separately tracking and reporting on each source of funding. Cost-allocation methods are required to ensure that each funding source is charged its fair share. Blended funding combines two or more funding sources for one purpose without continuing to differentiate or track individual sources. See Urban Institute (2022), Local Workforce System Guide. Retrieved from: *https://workforce.urban.org/node/57.html.*

[10] Reed, D. et al. (2012). An Effectiveness Assessment and Cost-Benefit Analysis of Registered Apprenticeship in 10 States. Oakland, CA: Mathematica Policy Research. Retrieved from: *https://www.mathematica.org/publications/an-effectiveness-assessment-and-costbenefit-analysis-of-registered-apprenticeship-in-10-states.* See also Katz, B. et al. (2022). Did Apprentices Achieve Faster Earnings Growth Than Comparable Workers? Findings from the American Apprenticeship Initiative Evaluation. Brief prepared for U.S. Department of Labor, Employment and Training Administration. Rockville, MD: Abt Associates; and Washington, DC: Urban Institute. Retrieved from: *https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/AAI/AAI_Brief-Earnings_Growth_Final_508_9-2022.pdf.*

hire apprentices.[11] P3 can ease some of these challenges by enabling RA program sponsors, intermediaries, and other key players in creating RA and pre-apprenticeship to blend rather than braid funding from multiple Federal programs. For example, a State seeking to ensure there are trained workers who are ready to meet the demands of implementing the Infrastructure Investment and Jobs Act could create pre-apprenticeship and RA programs for disconnected youth by blending funds from Adult Education and Family Literacy Act (AEFLA) State leadership funds available under section 223 of WIOA, statewide youth activities under Title I of WIOA, Youth Title I formula funding, State leadership activities under the Carl D. Perkins Career and Technical Education Act, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V), and the Social Services Block Grant.[12]

Example C: Some Federal programs contain statutory or regulatory requirements that limit the duration of an individual's participation in a program. Due to service interruptions and disruptions caused by the COVID–19 pandemic, participants may not have been able to take full advantage of the opportunities provided by a program over the last year. A P3 applicant could seek flexibility to waive eligibility requirements to extend the duration of an individual's participation in the program as part of a larger strategy to compensate for the time and learning that youth lost due to the COVID–19 pandemic. For example, a State, local, or Tribal governmental unit administering a YouthBuild grant [13] could seek to extend program services to individuals beyond 24 months.

Example D: P3 authority can also be used by applicants to propose changes to projects funded under multiple Federal grants that are each, separately, intended to support programs designed to help disconnected youth achieve greater success in meeting their educational and employment goals. For example, a public college or university might propose to increase the share of the Federal Work Study (FWS) program funds available for Job Location and Development programs and waive the 25 percent cap on the amount of the school's allocation that may be used to pay wages to students employed with private, for-profit organizations so that it could use more than 25 percent of its FWS funds to provide students who are at risk of dropping out with subsidized career internships in the private sector that are aligned with students' educational and career goals. To help students identify their career goals, the college or university could partner with a local American Job Center, which uses funds from the WIOA Title I Adult program, to provide students with intensive career counseling and information relating to local occupations in demand and the earnings and skill requirements of those occupations. Similarly, a community college could request waivers to blend and use a portion of a TRIO Educational Opportunity Center grant and its WIOA Title II AEFLA program subgrant to implement an intensive integrated education and training (IET) program for young adults who lack a high school credential, or a State government could request authority to blend AEFLA funds with funds from a Second Chance Act grant from the Department of Justice to implement an IET program or wraparound academic support services for incarcerated individuals to prepare them for postsecondary education.

Example E: P3 waivers can help programs reach currently unserved disconnected youth. Current ED regulations for the TRIO programs limit participation in these programs to citizens or permanent residents of the United States, or individuals who are in the United States for other than a temporary purpose who provide evidence from the Immigration and Naturalization Service (INS) of their intent to become a permanent resident.[14] Applying in partnership with affiliated local public institutions of higher education that administer TRIO grants, a multi-State consortium of public college or university systems that are considered units of State government could seek a waiver of this requirement so that their affiliated schools could use TRIO funds to serve disconnected youth who are not citizens or permanent residents of the United States, or individuals who are in the United States for other than a temporary purpose who provide evidence from the INS of their intent to become a permanent resident.

Example F: P3 waivers can make childcare more accessible for youth who are parents and pursuing a postsecondary degree or credential but at risk of leaving without a degree or credential or employment due to the lack of affordable, high-quality childcare. A public college or university that receives funds under the Strengthening Institutions program authorized by Title III, Part A of the HEA could obtain a waiver of the regulatory prohibition against using a portion of these funds for childcare services in order to augment the childcare services it provides with its Child Care Access Means Parents in School Program grant.

Example G: An LEA could use the P3 authority to create a comprehensive educational program to provide support to English learners (ELs) to support the successful transition from secondary school to postsecondary education and a career in a high-demand field, focusing on students who continue to be identified as ELs for more than 5 years, students who enroll with prior educational experiences other than formalized learning experiences, or who have special needs. Students who are proficient in both their home language and English are an asset, including in the labor market. For example, funds available under ESEA Title I, Part A and Title III could be used to support dual language programs for ELs to support language acquisition, including providing high-quality tutoring to support academic achievement. The LEA could also use ESEA Title IV, Part A funds to provide targeted support for ELs, including ELs with special needs. The LEA could use Perkins V funds to support career advising and navigation services and cover the costs associated with a career and technical education dual enrollment pathway or an apprenticeship where students can apply multilingual skill sets. The local workforce development board could also contribute funds to provide paid internships during the summer months.

Although P3 provides the Agencies broad waiver authority to increase flexibility and relieve burden in order to improve the effectiveness of Federal funding for disconnected youth, it is important to note that there are some limitations on the waivers. In particular, as stated in the original statutory authority for P3, the P3 waivers—

- May not involve any requirement related to nondiscrimination, wage and labor standards, or the allocation of funds to State and sub-State levels;
- Must be consistent with the statutory purposes of the Federal

[11] Koller, V., van Docto C., et al. (2019). Promising Approaches for Connecting Opportunity Youth to Registered Apprenticeships. Boston, MA: Jobs for the Future. Retrieved from: *https://info.jff.org/promising-approaches-for-opportunity-youth.*

[12] The Social Services Block Grant is authorized by Title XX of the Social Security Act (42 U.S.C. 1397).

[13] The YouthBuild grant program is authorized by section 171 of WIOA (29 U.S.C. 3226).

[14] See 34 CFR 643.3 (Talent Search), 34 CFR 644.3 (Educational Opportunity Centers), 34 CFR 645.3 (Upward Bound), 34 CFR 646.3 (Student Support Services), and 34 CFR 647.3 (Ronald E. McNair Postbaccalaureate Achievement Program).

program for which such discretionary funds were appropriated;

- May not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the pilot;
- Based on the best available information, may not otherwise adversely affect vulnerable populations that are the recipients of such services;
- Must be necessary to achieve the outcomes of the pilot as specified in the performance agreement, and no broader in scope than is necessary to achieve such outcomes; and
- Must result in either (a) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds; or (b) increasing the ability of individuals to obtain access to services that are provided by the discretionary funds.

FY 2023

P3 was reauthorized for FY 2023 for programs administered by all of the six Agencies, and the Agencies may select up to 10 pilots.

An applicant must propose to include FY 2023 funds from at least one of the six Agencies.

If Congress extends the P3 authority in future years, pilots may propose to amend the number of Federal programs supporting pilot activities using future funding appropriated. However, authority for pilots to expand in future years is subject to congressional action as well as agency discretion.

Application Requirements: The application requirements for this opportunity are from the notice of final priorities, requirements, definitions, and selection criteria for this program published on April 28, 2016, in the **Federal Register** (81 FR 25339) (P3 NFP) and are as follows:

(a) *Executive summary.* The applicant must provide an executive summary that briefly describes the proposed pilot, the flexibilities being sought, and the interventions or systems changes that would be implemented by the applicant and its partners to improve outcomes for disconnected youth.

(b) *Flexibility, including waivers:*

Federal requests for flexibility, including waivers. For each program to be included in a pilot, the applicant must complete Table 1, Requested Flexibility. The applicant must identify two or more discretionary Federal programs that will be included in the pilot,[15] at least one of which must be administered (in whole or in part) by a State, local, or Tribal government.[16] In Table 1, the applicant must identify one or more program requirements that would inhibit implementation of the pilot and request that the requirement(s) be waived in whole or in part. Examples of potential waiver requests and other requests for flexibility include, but are not limited to, blending of funds and changes to align eligibility requirements, allowable uses of funds, and performance reporting.

TABLE 1—REQUESTED FLEXIBILITY

Program name	Federal agency	Program requirements to be waived in whole or in part	Statutory or regulatory citation	Name of program grantee	Blending funds? (Yes/No)

Note: Please note in "Name of Program Grantee" if the grantee is a State, local, or Tribal government, or nongovernmental entity.

Program Requirements: The program requirement for this opportunity is from the P3 NFP.

Performance Agreement. Each P3 pilot, along with other non-Federal government entities involved in the partnership, must enter into a performance agreement that will include, at a minimum, the following (as required by section 526(c)(2) of Division H of the 2014 Act):

(a) The length of the agreement;

(b) The Federal programs and federally funded services that are involved in the pilot;

(c) The Federal discretionary funds that are being used in the pilot;

(d) The non-Federal funds that are involved in the pilot, by source (which may include private funds as well as governmental funds) and by amount;

(e) The State, local, or Tribal programs that are involved in the pilot;

(f) The populations to be served by the pilot;

(g) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(h) The cost-effective State, local, or Tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(i) The outcome (or outcomes) that the pilot is designed to achieve;

(j) The appropriate, reliable, and objective outcome measurement methodology that will be used to determine whether the pilot is achieving, and has achieved, specified outcomes;

(k) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the pilot; and

(l) Criteria for determining when a pilot is not achieving the specified outcomes that it is designed to achieve and subsequent steps, including:

(1) The consequences that will result; and

(2) The corrective actions that will be taken in order to increase the likelihood that the pilot will achieve such specified outcomes.

Definitions: The following definitions are from the P3 NFP.

Blended funding is a funding and resource allocation strategy that uses multiple existing funding streams to support a single initiative or strategy. Blended funding merges two or more funding streams, or portions of multiple funding streams, to produce greater efficiency and/or effectiveness. Funds from each individual stream lose their award-specific identity, and the blended funds together become subject to a single set of reporting and other requirements, consistent with the underlying purposes of the programs for which the funds were appropriated.

An *interim indicator* is a marker of achievement that demonstrates progress toward an outcome and is measured at least annually.

Outcomes are the intended results of a program or intervention. They are

[15] Applicants are encouraged to consult the list of examples of programs that are potentially eligible for inclusion in pilots at *https://youth.gov/youth-topics/reconnecting-youth/performance-partnership-pilots/round-4-program-list.*

[16] Local governments that are requesting waivers of requirements in State-administered programs are strongly encouraged to consult with the State agencies that administer the programs in preparing their applications.

what applicants expect their projects to achieve. An outcome can be measured at the participant level (for example, changes in employment retention or earnings of disconnected youth) or at the system level (for example, improved efficiency in program operations or administration).

A *waiver* provides flexibility in the form of relief, in whole or in part, from specific statutory, regulatory, or administrative requirements that have hindered the ability of a State, locality, or Tribe to organize its programs and systems or provide services in ways that best meet the needs of its target populations. Under P3, waivers provide flexibility in exchange for a pilot's commitment to improve programmatic outcomes for disconnected youth consistent with underlying statutory authorities and purposes.

Program Authority: Section 523 of Title III, Division H of the Consolidated Appropriations Act, 2023 (Pub. L. 117–328).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 86, 97, 98, and 99, and such other regulations as the Agencies may apply based on the programs included in a particular pilot. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The P3 NFP.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Performance Pilot Designation Information

Type of Award: Flexibility.

Estimated Available Funds: None.

Estimated Number of Designations: 10 pilots.

Project Period: FY 2023 pilots may operate for as long as FY 2023 appropriated funds remain available to pilots to obligate to support project activities, but not past September 30, 2027.

III. Eligibility Information

1. *Eligible Applicants:* The lead applicant must be a State, local, or Tribal government entity, represented by a chief executive, such as a governor, mayor, or other elected leader, or the head of a State, local, or Tribal agency.

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

IV. Application and Submission Information

1. *Application Submission Instructions:* Applicants must submit completed applications to *DisconnectedYouth@ed.gov* unless electronic submission is not possible. Where electronic submission is not possible (*e.g.,* you do not have access to the internet), you must provide a written statement that you intend to submit a paper application. Send this written statement no later than 2 weeks before the application deadline date (14 calendar days or, if the 14th calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday). If you mail your written statement to the Department, it must be postmarked no later than 2 weeks before the application deadline date. Please send this statement to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. If you submit a paper application, you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, LBJ Basement Level 1, 400 Maryland Avenue SW, Washington, DC 20202–4260. You must show proof of mailing consisting of one of the following: (1) A legibly dated U.S. Postal Service postmark. (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service. (3) A dated shipping label, invoice, or receipt from a commercial carrier. (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education. If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing: (1) A private metered postmark. (2) A mail receipt that is not dated by the U.S. Postal Service.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

We will not consider applications postmarked after the application deadline date.

2. *Submission of Proprietary Information:* Given the types of projects that may be proposed in applications for the P3 opportunity, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define ''business information'' and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, including performance agreements, and may make all applications available, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate appendix section of your application, please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

4. *Recommended Page Limit:* The application narrative is where you, the applicant, provide the information specified in the application requirements and address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 5 pages and (2) use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double-space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions.
- Use a font that is either 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

5. *Requests for Technical Assistance:* For interested eligible entities, the Agencies are offering technical assistance over the next several months that will help prospective applicants to identify Federal impediments to effective and integrated service delivery for disconnected youth and flexibilities that can be removed under P3 and to develop an application submission for a P3 pilot. The Agencies want to engage with as many eligible entities as

possible and will accept technical assistance requests on a rolling basis until August 7, 2023. If interest in technical assistance exceeds the Agencies' capacity to provide it, the Agencies will give first priority to assisting eligible entities that intend to serve communities that have experienced civil unrest, because the statutory authority for FY 2023 directs the Agencies to include such communities among the designated pilots.[17] Second priority will be given to requests for technical assistance from applicants that propose to serve the highest numbers of disconnected youth. To request technical assistance, please email *DisconnectedYouth@ed.gov* with the subject line ''Request for Technical Assistance,'' and include the prospective applicant's name, a contact person's name and email address, and the names of the Federal programs that the prospective applicant is interested in including in a P3 pilot. Applicants that do not request technical assistance may still apply for designation as a pilot; applicants that do request technical assistance are not bound to apply or bound by the information provided in their initial request for technical assistance.

6. *Other Submission Requirements:* Applications under this opportunity must be submitted electronically unless electronic submission is not possible.

Please note the following:

- The Department is not publishing an application package for this program. To submit an application, provide all of the information specified in the application requirements. Additionally, complete and submit Standard Form 424B, Assurances for Non-Construction Programs (available at *https://youth.gov/youth-topics/reconnecting-youth/performance-partnership-pilots*) with your application.
- The Department must receive your application by 11:59 p.m. Eastern Standard Time on September 5, 2023. We will notify you if we are rejecting your application because it was received after the application deadline date.
- We may request that you provide us original signatures on forms at a later date.

V. Application Review Information

1. *Review and Selection Process:* The Department will screen applications that are submitted in accordance with the requirements in this notice and will determine which applications are eligible to be read based on whether they have met the eligibility and application requirements.

The Secretary of Education (Secretary) will also consider compliance with assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance (such as, for ED programs, 34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

2. *Review of Requests for Flexibility, Including Blending of Funds and Other Waivers:* Representatives of the Agencies that administer programs under which flexibility in Federal requirements is sought will evaluate whether the flexibility, including blending of funds and other waivers, requested by applicants meets the statutory requirements for P3 and is otherwise appropriate. For example, if an applicant is seeking flexibility under programs administered by HHS and DOL, its requests for flexibility will be reviewed by HHS and DOL officials. Applicants may be asked to participate in telephone calls at this point in the process in order to clarify requests for flexibility and other aspects of their proposals.

3. *Selecting Finalists:* Agency officials may recommend projects for selection by the Secretary of Education. In consultation with the other Agencies, the Secretary will select up to 10 finalists after considering the recommendations of the Agencies that administer the programs for which the applicants are seeking flexibility, and other information, including an applicant's performance and use of funds and compliance history under a previous award under any agency program. In selecting pilots, the Secretary will first give priority to applicants that will serve communities that have experienced civil unrest, to address the statutory requirement that designated pilots include communities that have experienced civil unrest, and will then select those applications that will serve the highest numbers of disconnected youth.

For each finalist, ED and any other Agencies implicated in the pilot will negotiate the performance agreement. If a performance agreement cannot be finalized for an applicant, an alternative applicant may be selected as a finalist instead. The recommended projects will be considered finalists until performance agreements are signed by all parties, and pilot designation will be awarded only after finalization and approval of each finalist's performance agreement.

VI. Designation Administration Information

1. *Designation Notices:* If your application is successful, we notify your U.S. Representative(s) and U.S. Senators and send you a letter notification of your selection as a pilot. We may notify you informally, also.

If your application is not evaluated or not selected as a pilot, we will notify you.

2. *Performance Measures:* The performance agreement for each pilot will include outcome measures, interim indicators, and targets.

VII. Other Information

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at *www.govinfo.gov*. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at *www.federalregister.gov*. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Amy Loyd,

Assistant Secretary for Career, Technical, and Adult Education.

[FR Doc. 2023–14288 Filed 7–6–23; 8:45 am]

BILLING CODE 4000–01–P

[17] Section 523(a), Title III, Division H, Consolidated Appropriations Act, 2023, Public Law 117–328.

DEPARTMENT OF EDUCATION

[Docket No.: ED–2023–SCC–0124]

Agency Information Collection Activities; Comment Request; Evaluation of the Toolkit To Support Evidence-Based Algebra Instruction in Middle and High School-Recruitment Activities

AGENCY: Institute of Education Sciences (IES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a new information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before September 5, 2023.

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–2023–SCC–0124. 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, the Department 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 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 Manager of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave. SW, LBJ, Room 6W203, Washington, DC 20202–8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Amy Johnson, 303–844–4490.

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. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department 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: Evaluation of the Toolkit to Support Evidence-Based Algebra Instruction in Middle and High School—Recruitment Activities.

OMB Control Number: 1850–NEW.

Type of Review: A new ICR.

Respondents/Affected Public: Individuals and households

Total Estimated Number of Annual Responses: 30.

Total Estimated Number of Annual Burden Hours: 30.

Abstract: The current authorization for the Regional Educational Laboratories (REL) program is under the Education Sciences Reform Act of 2002, part D, section 174, (20 U.S.C. 9564), administered by the Department of Education, Institute of Education Sciences (IES), National Center for Education Evaluation and Regional Assistance (NCEE). The central mission and primary function of the RELs is to support applied research and provide technical assistance to state and local education agencies within their region (ESRA, Part D, section 174[f]). The REL program's goal is to partner with educators and policymakers to conduct work that is change-oriented and supports meaningful local, regional, or State decisions about education policies, programs, and practices to improve outcomes for students.

IES requests clearance for activities to support the recruitment of school districts to participate in an efficacy study of a Toolkit to Support Evidence-Based Algebra Instruction in Middle and High School as part of the REL Central contract. A second OMB package, which will be submitted later this year, will request clearance for data collection instruments and the collection of district administrative data.

Even prior to the COVID–19 pandemic, Algebra I proved challenging for many students because of the extensive abstract thinking it requires (Katz, 2007; Susa et al., 2014). To help students succeed in Algebra I, REL Central is developing a toolkit of professional learning supports to help Algebra I teachers learn about, make sense of, plan for, and implement three evidence-based Algebra I teaching practices that were identified in the related What Work Clearinghouse (WWC) Practice Guide, ''Teaching Strategies for Improving Algebra Knowledge in Middle and High School Students.'' The toolkit contains the following three parts: (1) Initial Diagnostic and On-going Monitoring Instruments, (2) Professional Development Resources, and (3) Steps for Institutionalizing Supports for Evidence-Based Practice.

This study will assess whether implementing the toolkit improves teacher and student outcomes and will describe the implementation of the toolkit in study schools that use it. Using a school-level randomized controlled trial during the 2024–2025 school year, the study will estimate the impact of the toolkit on teachers' self-efficacy and their understanding and use of the promising practices, as well as on students' algebraic content knowledge, self-efficacy, and mathematical mindsets. To provide context for the impact estimates and inform future use of the toolkit, the study will also describe the implementation of the toolkit. The study plans to include 20 schools from three districts. To disseminate these findings, REL Central will produce a report for school leaders and teachers who are potential users of the toolkit.

Dated: June 30, 2023.

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. 2023–14310 Filed 7–6–23; 8:45 am]

BILLING CODE 4000–01–P

ELECTION ASSISTANCE COMMISSION

Technical Guidelines Development Committee (TGDC); Notice of Vacancy

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice of vacancy.

SUMMARY: Pursuant to the U.S. Code and the Charter of the EAC Technical Guidelines Development Committee (TGDC), the EAC is posting this notice of vacancy. Any vacancy in the TGDC shall be filled in the manner in which the original appointment was made. The vacancy shall be filled jointly by the EAC and the Director of the National Institute of Standards and Technology (NIST).

ADDRESSES: Pursuant to the TGDC Charter, the EAC will post the notice of vacancy on the EAC website: *https://www.eac.gov.*

SUPPLEMENTARY INFORMATION:

TGDC Appointment Process

The Technical Guidelines Development Committee (TGDC) is a non-discretionary Federal Advisory Committee established by the Help America Vote Act of 2002 (HAVA), Public Law 107–252, 116 Stat. 1666 (2002). The TGDC assists the EAC in developing the Voluntary Voting System Guidelines (VVSG). The chairperson of the TGDC is the director of the National Institute of Standards and Technology (NIST). The TGDC is composed of 14 other members appointed jointly by EAC and the director of NIST.

HAVA mandates that the 14 other members appointed jointly by the EAC and NIST must include a representative of the Institute of Electrical and Electronics Engineers. The TGDC Charter requires that notice of vacancies on the Committee for those individuals jointly appointed by EAC and NIST will be published in the **Federal Register** as well as on the Commission's website. Pursuant to HAVA and the TGDC Charter, the EAC is publishing this notice of vacancy on the TGDC for a representative of the Institute of Electrical and Electronics Engineers. This vacancy shall be filled through a joint appointment by the EAC and NIST.

Authority: 52 U.S.C. 20961.

Camden Kelliher,

Senior Associate Counsel, U.S. Election Assistance Commission.

[FR Doc. 2023–14326 Filed 7–6–23; 8:45 am]

BILLING CODE 4810–71–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: Office of the Under Secretary for Infrastructure, U.S. Department of Energy (DOE).

ACTION: Notice of request for comments.

SUMMARY: DOE invites public comment on a proposed extension of a collection of information that DOE is submitting to the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995.

DATES: Comments regarding this proposed information collection must be received before 5 p.m. ET on August 7, 2023. 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, please advise the DOE Desk Officer at OMB of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 395–4718.

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 information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Questions may be addressed to Julius Goldberg-Lewis, 1000 Independence Ave. SW, Washington, DC 20585, (240) 364–4382, or by email at *julius.goldberg-lewis@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

Comments are invited on: (a) Whether the extension of the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

This information collection request contains:

(1) *OMB No.:* 1910–5197;

(2) *Information Collection Request Title:* Output and Outcome Metrics for Financial Assistance and Rebates;

(3) *Type of Request:* Extension of an ICR;

(4) *Purpose:* Given the historic level of investment represented by Infrastructure Investment and Jobs Act programs, it is incumbent on DOE to transparently track, report, and communicate the outcomes of DOE's financial assistance and rebate programs. Executive Order 14052 directs federal agencies to prioritize ''investing public dollars efficiently and equitably, working to avoid waste, and focusing on measurable outcomes for the American people.'' This guidance specifies the uniform collection, measurement, and reporting methodologies necessary for a set of key metrics that DOE can use to communicate the outcomes and outputs of funds awarded, ensuring consistency, transparency, and accountability to support Administration and program objectives. This Information Collection addresses a set of key cross-cutting metrics that will track across DOE programs to assess and communicate DOE's progress toward meeting key agency priorities, including creating quality jobs, supporting domestic manufacturing, increasing equity and justice, reducing greenhouse gas (GHG) emissions, and providing pathways to private sector uptake. The metrics will inform transparent and consistent reporting of the key metrics across DOE awards and will include project-level location data covering outcomes and outputs for specific communities, allowing DOE to better understand who is affected by DOE funded programs and how. This approach will enable DOE to report metrics at the agency, office, portfolio, and program levels and will provide data that can help evaluate the efficiency and equity of the programs, educate the design and implementation of future programs, and identify and address potential waste. DOE proposes to collect information through applications and supporting documents information necessary to determine that whether rebate applicants meet the specified statutory criteria to receive payments under the equipment rebate programs;

(5) *Annual Estimated Number of Respondents:* 59,625;

(6) *Annual Estimated Number of Total Responses:* 88,125;

(7) *Annual Estimated Number of Burden Hours:* 98,250;

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* $0.

Statutory Authority: Federal Grant and Cooperative Agreement Act, 31 U.S.C. 6301–6308; Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. 104–13).

Signing Authority

This document of the Department of Energy was signed on June 30, 2023, by David Crane, Under Secretary for Infrastructure, pursuant to delegated authority from the Secretary of Energy. 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 July 3, 2023.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2023–14366 Filed 7–6–23; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG23–219–000.
Applicants: Oak Ridge Solar, LLC.
Description: Oak Ridge Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 6/29/23.
Accession Number: 20230629–5168.
Comment Date: 5 p.m. ET 7/20/23.

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

Docket Numbers: ER23–629–002.
Applicants: Public Service Company of Colorado.
Description: Compliance filing: 2023–6–30 Att N—Compliance Filing, LGIP changes to be effective 6/3/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5042.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–1721–001.
Applicants: Duke Energy Florida, LLC.
Description: Compliance filing: Compliance Filing—Revisions to Rate Schedule No. 86 to be effective 5/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5152.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–1760–001.
Applicants: Guernsey Power Station LLC.
Description: Tariff Amendment: Response to Deficiency Letter to be effective 6/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5140.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2305–000.
Applicants: New York State Electric & Gas Corporation.
Description: § 205(d) Rate Filing: NYSEG–NYPA Attachment C—O&M Annual Update to be effective 9/1/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5137.
Comment Date: 5 p.m. ET 7/20/23.
Docket Numbers: ER23–2306–000.
Applicants: Stanton Energy Reliability Center, LLC.
Description: § 205(d) Rate Filing: Shared Facilities & Generator Interconnection Co-Tenancy Agrmts. w/ Waivers to be effective 6/5/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5148.
Comment Date: 5 p.m. ET 7/20/23.
Docket Numbers: ER23–2307–000.
Applicants: Northern States Power Company, a Wisconsin corporation.
Description: § 205(d) Rate Filing: 2023–6–29 DPC Structure Sharing Agmt 167–NSPW to be effective 6/30/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5152.
Comment Date: 5 p.m. ET 7/20/23.
Docket Numbers: ER23–2308–000.
Applicants: Stanton Battery Energy Storage, LLC.
Description: § 205(d) Rate Filing: Shared Facilities & Generator Interconnection Co-Tenancy Agrmts. w/ Waivers to be effective 6/5/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5153.
Comment Date: 5 p.m. ET 7/20/23.
Docket Numbers: ER23–2309–000.
Applicants: DCR Transmission, L.L.C.
Description: Baseline eTariff Filing: DCR Transmission Request for TO and TRBAA Acceptance to be effective 3/8/2024.
Filed Date: 6/30/23.
Accession Number: 20230630–5000.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2310–000.
Applicants: New York State Electric & Gas Corporation.
Description: § 205(d) Rate Filing: Rate Schedule FERC No. 87 Supplement to be effective 9/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5034.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2311–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2023–06–30_Attachment MM & Schedule 26A Revisions RE Cost Recovery for MVPs to be effective 8/30/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5067.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2312–000.
Applicants: Deseret Generation & Transmission Co-operative, Inc.
Description: § 205(d) Rate Filing: 2023 RIA Annual Update to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5079.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2313–000.
Applicants: NorthWestern Corporation.
Description: § 205(d) Rate Filing: RS 188—Revised Colstrip 1 & 2 Transmission Agreement to be effective 9/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5080.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2314–000.
Applicants: Consolidated Edison Company of New York, Inc.
Description: § 205(d) Rate Filing: PASNY CE Hub and Order 2222 to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5115.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2315–000.
Applicants: Upper Missouri G. & T. Electric Cooperative, Inc.
Description: § 205(d) Rate Filing: Submission of Revised Wholesale Power Contracts (Nos. 3 and 4) (6.30.23) to be effective 9/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5120.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2316–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Ministerial Clean-Up, Tariff, Schedule 9 to be effective 2/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5125.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2317–000.
Applicants: Doc Brown LLC.
Description: § 205(d) Rate Filing: Normal filing 2023 category status change to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5129.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2318–000.
Applicants: Vermont Transco LLC.
Description: § 205(d) Rate Filing: Annual Exhibit A Information Filing for the 1991 Transmission Agreement to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5132.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2319–000.
Applicants: New England Power Pool Participants Committee.
Description: § 205(d) Rate Filing: Jul 2023 Membership Filing to be effective 6/1/2023.

Filed Date: 6/30/23.
Accession Number: 20230630–5133.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2320–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: § 205(d) Rate Filing: Initial Filing of Rate Schedule FERC No. 357 to be effective 8/29/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5137.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2321–000.
Applicants: Dunns Bridge Energy Storage, LLC.
Description: Baseline eTariff Filing: Dunns Bridge Energy Storage, LLC Application for Market-Based Rate Authority to be effective 8/30/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5150.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2322–000.
Applicants: Alabama Power Company.
Description: Compliance filing: Amendment to Southern's Tariff Vol. No. 4 to remove TAL and JEA BAA Mitigation to be effective 12/31/9998.
Filed Date: 6/30/23.
Accession Number: 20230630–5163.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2323–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2900R21 KMEA NITSA NOA to be effective 9/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5181.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2324–000.
Applicants: Cavalry Energy Center, LLC.
Description: Baseline eTariff Filing: Cavalry Energy Center, LLC Application for Market-Based Rate Authority to be effective 8/30/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5195.
Comment Date: 5 p.m. ET 7/21/23.
Docket Numbers: ER23–2325–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Original ISA, Service Agreement No. 6975; Queue No. AE2–020, AE2–021, AE2–022 to be effective 5/31/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5223.
Comment Date: 5 p.m. ET 7/21/23.

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

Docket Numbers: ES23–53–000.
Applicants: NorthWestern Corporation.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of NorthWestern Corporation.
Filed Date: 6/29/23.
Accession Number: 20230629–5167.
Comment Date: 5 p.m. ET 7/20/23.

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.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14348 Filed 7–6–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP22–493–000]

Tennessee Gas Pipeline Company, LLC; Notice of Availability of the Final Environmental Impact Statement for the Proposed Cumberland Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a final Environmental Impact Statement (EIS) for the Cumberland Project (Project), proposed by Tennessee Gas Pipeline Company, LLC (Tennessee) in the above-referenced docket. Tennessee requests a Certificate of Public Convenience and Necessity to construct, operate, and maintain certain natural gas transmission pipeline and facilities in Dickson, Houston, and Stewart Counties, Tennessee. The Project purpose is to provide up to 245,040 dekatherms per day of new firm transportation service to the Tennessee Valley Authority's (TVA) Cumberland Natural Gas Combined Cycle Power Plant. Prior to filing its application, Tennessee participated in the Commission's Pre-filing Process for this Project under Docket No. PF22–2–000.

The final EIS assesses the potential environmental effects of the construction and operation of the Project in accordance with the requirements of the National Environmental Policy Act (NEPA) and responds to comments that were received on the Commission's February 3, 2023 draft EIS. The FERC staff concludes that approval of the proposed Project would result in some adverse environmental impacts; however, with the exception of climate change impacts, these impacts would be reduced to less-than-significant levels because of avoidance, minimization, and mitigation measures proposed by Tennessee and those recommended by staff in the EIS. Climate change impacts are not characterized in the EIS as significant or insignificant.

The U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency participated as cooperating agencies in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by a proposal and participate in the NEPA analysis. Although both agencies provided input to the conclusions and recommendations presented in the EIS, each agency may present its own conclusions and recommendations in any applicable Records of Decision or other documentation for the Project.

The EIS addresses the potential environmental effects of the construction and operation of the following Project facilities, all in the state of Tennessee:

- *Cumberland Pipeline:* Construction of approximately 32 miles of new 30-inch-diameter natural gas pipeline, which would connect at Tennessee's existing Line 100–3 and Line 100–4. The Cumberland Pipeline would be located in Dickson, Houston, and Stewart Counties.
- *Pressure Regulation Station:* Construction of two new bi-directional

back pressure regulation facilities on Line 100–3 and Line 100–4, at milepost 0.0 of the proposed new Cumberland Pipeline in Dickson County.

• *Cumberland Meter Station:* Construction of a new meter station at the terminus of the Cumberland Pipeline, located within TVA's property in Stewart County.

• *Launcher and Receiver:* Construction of in-line inspection traps, for in-line inspection tools at each end of the Cumberland Pipeline.

• *Mainline Valves:* Construction of three new mainline valves. One would be installed at an intermediate location along the Cumberland Pipeline, and the remaining two would be on Tennessee's Line 100–3 and Line 100–4 within the new Pressure Regulation Station.

The final EIS is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding.

The Commission mailed a copy of the *Notice of Availability* for the final EIS to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the Project area. The final EIS is only available in electronic format. It may be viewed and downloaded from the FERC website (*https://ferc.gov/*), on the natural gas environmental documents page (*https://www.ferc.gov/industries-data/natural-gas/environmental-overview/environmental-documents-2023*). In addition, the EIS may be accessed using the eLibrary link on the FERC website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*) select ''General Search'' and enter the docket number in the ''Docket Number'' field, excluding the last three digits (*i.e.,* CP22–493). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in the specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14422 Filed 7–6–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1121–140]

Pacific Gas and Electric Company; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

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

a. *Type of Application:* Request for license amendment.

b. *Project No.:* 1121–140.

c. *Date Filed:* June 8, 2023.

d. *Applicant:* Pacific Gas and Electric Company.

e. *Name of Project:* Battle Creek Project.

f. *Location:* The project is located on Battle Creek, and the North and South Forks of Battle Creek, in Shasta and Tehama counties, California, and occupies Federal lands administered by the U.S. Forest Service.

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

h. *Applicant Contact:* Ms. Shelby McArthur, Pacific Gas and Electric Company, Mail Code: N11D P.O. Box 770000, San Francisco, CA 94177, (530) 215–7825.

i. *FERC Contact:* Mr. John Aedo, (415) 369–3335, *john.aedo@ferc.gov.*

j. *Deadline for filing comments, motions to intervene, and protests:* July 31, 2023.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/doc-sfiling/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include docket number P–1121–140. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant requests a long-term variance of the ramping rate requirements below North Battle Creek Dam between the months of November and March when there is no minimum flow requirement in place. During this time, the applicant would perform a required annual test of low-level outlet functionality by opening the outlet and releasing approximately 40 cubic feet per second and then closing the outlet, all within the span of about 10 minutes. The applicant's proposal would exceed the 0.1 feet per hour ramping rate depth requirement on a reoccurring annual basis during the outlet tests. The applicant is requesting the variance of the ramping rate requirement until such

a time the project is surrendered. Due to the continuing nature of the applicant's request without a definitive end date, the Commission is considering the request as an application to amend the ramping rate requirement set forth in Article 33(d) of the project license.

l. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

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

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

o. *Filing and Service of Responsive Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''MOTION TO INTERVENE'', or ''PROTEST'' as applicable; (2) set forth in the heading the name of the applicant and the project number(s) of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person intervening or protesting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

p. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14345 Filed 7–6–23; 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 & Oil Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: PR23–58–000.
Applicants: ONEOK Field Services Company, L.L.C.
Description: § 284.123(g) Rate Filing: OFS Cost of Service Rate Filing to be effective 6/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5002.
Comment Date: 5 p.m. ET 7/21/23.
Protest Date: 5 p.m. ET 8/29/23.

Docket Numbers: RP23–854–000.
Applicants: Maritimes & Northeast Pipeline, L.L.C.
Description: § 4(d) Rate Filing: Negotiated Rates—Northern to Direct Energy 2902 eff 7–1–23 to be effective 7/1/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5074.
Comment Date: 5 p.m. ET 7/11/23.

Docket Numbers: RP23–855–000.
Applicants: Transwestern Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Negotiated Rate Filing—SoCal to be effective 7/1/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5079.
Comment Date: 5 p.m. ET 7/11/23.

Docket Numbers: RP23–856–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: § 4(d) Rate Filing: Negotiated Rate Agreement Update (Conoco July 2023) to be effective 7/1/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5080.
Comment Date: 5 p.m. ET 7/11/23.

Docket Numbers: RP23–857–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates—Various Releases eff 7–1–23 to be effective 7/1/2023.
Filed Date: 6/29/23.
Accession Number: 20230629–5112.
Comment Date: 5 p.m. ET 7/11/23.

Docket Numbers: RP23–858–000.
Applicants: Equitrans, L.P.
Description: § 4(d) Rate Filing: Equitrans Clean-Up Filing—June 2023 to be effective 8/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5003.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–859–000.
Applicants: Cove Point LNG, LP.
Description: Compliance filing: Cove Point—2023 Penalty Revenue Distribution to be effective N/A.
Filed Date: 6/30/23.
Accession Number: 20230630–5007.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–860–000.
Applicants: Eastern Gas Transmission and Storage, Inc.
Description: Compliance filing: EGTS—2023 Overrun and Penalty Revenue Distribution to be effective N/A.
Filed Date: 6/30/23.
Accession Number: 20230630–5009.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–861–000.
Applicants: Columbia Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated Rate Amendment—Macquarie 279977–2 to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5024.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–862–000.
Applicants: Texas Eastern Transmission, LP.
Description: § 4(d) Rate Filing: TETLP EPC AUG 2023 FILING to be effective 8/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5037.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–863–000.
Applicants: Tennessee Gas Pipeline Company, L.L.C.
Description: § 4(d) Rate Filing: TGP Powerserve to be effective 8/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5049.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–864–000.
Applicants: Alliance Pipeline L.P.
Description: § 4(d) Rate Filing: Negotiated Rates—Various July 1 2023 Releases to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5052.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–865–000.
Applicants: ETC Tiger Pipeline, LLC.
Description: § 4(d) Rate Filing: Amended NRA #2—BP Energy Co to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5055.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–866–000.
Applicants: Northern Natural Gas Company.
Description: § 4(d) Rate Filing: 20230630 Negotiated Rate to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5065.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–867–000.
Applicants: Northern Border Pipeline Company.
Description: § 4(d) Rate Filing: Negotiated Rate Agreement—BP Energy 283150 to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5068.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–868–000.
Applicants: MIGC LLC.
Description: Request for Waiver of Requirements of Annual Fuel Retention Percentage Tracker of MIGC LLC.
Filed Date: 6/30/23.
Accession Number: 20230630–5071.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–869–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates—Cherokee AGL—Replacement Shippers—Jul 2023 to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5072.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–870–000.
Applicants: El Paso Natural Gas Company, L.L.C.
Description: § 4(d) Rate Filing: SOC Linepack Level Update to be effective 8/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5073.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–871–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Amendment to Neg Rate Agmts (FPL 41618, 41619 eff 7–1–23) to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5095.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–872–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Remove Agmts re Permanent Capacity Release (Panda 624) to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5096.
Comment Date: 5 p.m. ET 7/12/23.

Docket Numbers: RP23–873–000.
Applicants: Gulf South Pipeline Company, LLC.
Description: § 4(d) Rate Filing: Cap Rel Neg Rate Agmt (Osaka 46429 to Texla 56401) to be effective 7/1/2023.
Filed Date: 6/30/23.
Accession Number: 20230630–5098.
Comment Date: 5 p.m. ET 7/12/23.

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: RP22–1001–000.
Applicants: Eastern Gas Transmission and Storage, Inc.
Description: Report Filing: EGTS—Operational Gas Sales Report—2023 to be effective N/A.
Filed Date: 6/30/23.
Accession Number: 20230630–5014.
Comment Date: 5 p.m. ET 7/12/23.

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. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202)502–6595 or *OPP@ferc.gov.*

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14346 Filed 7–6–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD23–7–000]

PJM Capacity Market Forum; Notice of Request for Comments

On June 15, 2023, the Federal Energy Regulatory Commission (Commission) held a forum in the above captioned proceeding to discuss the PJM Interconnection, L.L.C. (PJM) capacity market. Any party wishing to submit comments regarding the topics discussed at the forum may do so on or before August 14, 2023.

Comments may be filed electronically via the internet.[1] Instructions are available on the Commission's website *https://www.ferc.gov/docs-filing/efiling.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll free at 1–866–208–3676, or for TTY, (202) 502–8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, submissions sent via the U.S. Postal Service must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 888 First Street NE, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Federal Energy Regulatory Commission, Office of the Secretary, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, environmental justice communities, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as

[1] *See* 18 CFR 385.2001(a)(1)(iii) (2022).

interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

For more information about this Notice, please contact:

Katherine Scott (Technical Information), Office of Energy Market Regulation, (202) 502–6495, *katherine.scott@ferc.gov*

Ryan Bruno (Legal Information), Office of the General Counsel, (202) 502–8533, *ryan.bruno@ferc.gov*

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14421 Filed 7–6–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD21–15–000]

Joint Federal-State Task Force on Electric Transmission; Notice of Meeting and Agenda

As first announced in the Commission's April 19, 2023 Notice in the above-captioned docket,[1] the next public meeting of the Joint Federal-State Task Force on Electric Transmission (Task Force) will be held on July 16, 2023, at the JW Marriott in Austin, Texas, from approximately 2:30 p.m. to 5:00 p.m. Central time. Commissioners may attend and participate in this meeting. Attached to this Notice is an agenda for the meeting.

While this Task Force meeting is not for the purpose of discussing any specific matters before the Commission, some discussions at the meeting may involve issues raised in proceedings that are currently pending before the Commission. These proceedings include, but are not limited to:

Interregional HVDC Merchant Transmission—Docket No. AD22–13–000

Invenergy Transmission LLC v. *Midcontinent Independent System Operator, Inc.*—Docket No. EL22–83–000

The meeting will be open to the public for listening and observing and on the record. There is no fee for attendance and registration is not required. This conference will be transcribed. Transcripts will be available for a fee from Ace Reporting, 202–347–3700.

[1] *Joint Fed.-State Task Force on Elec. Transmission,* Notice, Docket No. AD21–15–000 (issued Apr. 19, 2023).

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to *accessibility@ferc.gov* or call toll free 1–866–208–3372 (voice) or 202–208–8659 (TTY), or send a fax to 202–208–2106 with the required accommodations.

More information about the Task Force, including frequently asked questions, is available here: *https://www.ferc.gov/TFSOET.* For more information about this meeting, please contact: Anne Marie Hirschberger, 202–502–8387, *annemarie.hirschberger@ferc.gov;* or Jennifer Murphy, 202–898–1350, *jmurphy@naruc.org.* For information related to logistics, please contact Benjamin Williams, 202–502–8506, *benjamin.williams@ferc.gov;* or Rob Thormeyer, 202–502–8694, *robert.thormeyer@ferc.gov.*

For more information about this Notice, please contact: Anne Marie Hirschberger, Office of the General Counsel, (202) 502–8387, *annemarie.hirschberger@ferc.gov.*

Dated: June 30, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023–14347 Filed 7–6–23; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Southwestern Power Administration

Integrated System Power Rates—Rate Order No. SWPA–80

AGENCY: Southwestern Power Administration, DOE.

ACTION: Notice of rate order.

SUMMARY: The Administrator, Southwestern Power Administration (Southwestern), has approved and placed into effect on an interim basis Rate Order No. SWPA–80 (Rate Order), which provides the following Integrated System Wholesale Rates for Hydro Peaking Power (P–13B) Rate Schedule: *Rate Schedule P–13B, Wholesale Rates for Hydro Peaking Power* (Rate Schedule P–13B).

DATES: Approval of Rate Schedule P–13B on an interim basis is effective July 15, 2023.

FOR FURTHER INFORMATION CONTACT: Ms. Fritha Ohlson, Senior Vice President, Chief Operating Officer, Office of Corporate Operations, (918) 595–6684 or *fritha.ohlson@swpa.gov.*

SUPPLEMENTARY INFORMATION: Rate Order No. SWPA–80 is approved and placed into effect on an interim basis for the period July 15, 2023, through September 30, 2023, for the following rate schedule:

Rate Schedule P–13B, Wholesale Rates for Hydro Peaking Power, which supersedes the existing Rate Schedule P–13A, Wholesale Rates for Hydro Peaking Power.

Southwestern's Administrator determined that a change to the Peaking Energy Schedule Submission Time was needed to provide Southwestern with more flexibility and greater certainty when making replacement power purchases, and better align Southwestern with regional organized energy market considerations. Rate Schedule P–13B replaces the existing Rate Schedule P–13A and will expire on September 30, 2023. Rate Schedule P–13B updates the Peaking Energy Schedule Submission time from 2:30 p.m. Central Prevailing Time (CPT) to 8:30 a.m. CPT and allows the Southwestern's Administrator to change the Peaking Energy Schedule Submission Time no more than once per year to a time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT. Additionally, in response to comments received, Rate Schedule P–13B includes a new Section 4.2.3 that, for a transition period of approximately two months, provides for customers to reduce their Peaking Energy schedules submitted for the next day after the 8:30 a.m. Peaking Energy Schedule Submission Time, provided that such adjustments: (1) do not increase the amount of Peaking Energy scheduled for any one hour; (2) are limited to a 25 percent reduction in Peaking Energy scheduled for any one hour; and (3) are coordinated with Southwestern's Scheduling and Operations staff no later than 2:00 p.m. on the day prior to schedule implementation. Additional responses to comments received on the proposed Rate Schedule P–13B published in the **Federal Register** on April 5, 2023 (Proposed Rate Schedule P–13B), are contained in the Rate Order.

United States of America

Department of Energy

Administrator, Southwestern Power Administration

In the matter of: Southwestern Power Administration, Integrated System Hydro Peaking Power Rate Schedule, Rate Order No. SWPA–80

Order Confirming, Approving and Placing Revised Power Rate Schedule in Effect on an Interim Basis (June 30, 2023)

Pursuant to Sections 301(b) and 302(a) of the Department of Energy

Organization Act, Public Law 42 U.S.C. 7151(b) and 7152(a), the functions of the Secretary of the Interior and the Federal Power Commission under Section 5 of the Flood Control Act of 1944, 16 U.S.C. 825s, relating to the Southwestern Power Administration (Southwestern), were transferred to, and vested in the Secretary of Energy. By Delegation Order No. S1–DEL–RATES–2016, effective November 19, 2016, the Secretary of Energy delegated: (1) the authority to develop power and transmission rates to Southwestern's Administrator; (2) the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary of Energy; and (3) the authority to confirm, approve, and place into effect on a final basis, or to remand or disapprove such rates, to the Federal Energy Regulatory Commission (FERC). By Delegation Order No. S1–DEL–S3–2023, effective April 10, 2023, the Secretary of Energy also delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Under Secretary for Infrastructure. By Redelegation Order No. S3–DEL–SWPA1–2023, effective April 10, 2023, the Under Secretary for Infrastructure redelegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Southwestern Administrator.

Pursuant to that delegated authority, the Southwestern Administrator has issued this interim rate order.

Background

Originally established by Order 1865, Secretary of the Interior, dated August 31, 1943 and effective September 1, 1943 (8 FR 12142 (Sept. 3, 1943)), Southwestern is authorized by Congress to market the hydroelectric power and energy from Federal dams controlled by the U.S. Army Corps of Engineers (Corps), pursuant to Section 302(a)(1) of the Department of Energy Organization Act (42 U.S.C. 7152(a)(1)), Section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and Public Law 95–456 (16 U.S.C. 825s–3). Guidelines for preparation of power repayment studies are included in Department of Energy (DOE) Order No. RA 6120.2 (Sept. 20, 1979), entitled *Power Marketing Administration Financial Reporting.* Procedures for public participation in power and transmission rate adjustments of the Power Marketing Administrations are found at title 10, part 903, subpart A of the Code of Federal Regulations (10 CFR part 903). Procedures for the confirmation and approval of rates for the Federal Power Marketing Administrations are found at title 18, part 300, subpart L of the Code of Federal Regulations (18 CFR part 300).

Southwestern markets power from 24 multi-purpose reservoir projects with hydroelectric power facilities constructed and operated by the Corps. These projects are located in Arkansas, Missouri, Oklahoma, and Texas. Southwestern's marketing area includes these states plus Kansas and Louisiana. The costs associated with 22 of these 24 hydropower projects are repaid with revenues received under the Integrated System rates. These rates also cover the costs of Southwestern's transmission facilities that consist of 1,381 miles of high-voltage transmission lines, 27 substations, and 46 microwave and VHF radio sites. Additionally, Southwestern markets power from two hydropower projects in southeastern Texas, Sam Rayburn Dam and Robert D. Willis. These projects are isolated hydraulically, electrically, and financially from the Integrated System, and are repaid via separate rate schedules and therefore are not addressed in this Order.

On September 30, 2013, in Rate Order No. SWPA–66, the Deputy Secretary of Energy placed into effect Southwestern's Integrated System rate schedules (P–13, NFTS–13, and EE–13) on an interim basis for the period October 1, 2013 to September 30, 2017. The Federal Energy Regulatory Commission (FERC) confirmed and approved Southwestern's interim Integrated System rates on a final basis on January 9, 2014 for a period ending September 30, 2017.

Southwestern re-designated Integrated System rate schedule ''NFTS–13'' as ''NFTS–13A'' with no revenue adjustment. In Rate Order No. SWPA–71, the Deputy Secretary of Energy placed into effect Southwestern's rate schedule NFTS–13A on an interim basis beginning January 1, 2017. FERC confirmed and approved NFTS–13A on a final basis on March 9, 2017.

On September 13, 2017, in Rate Order No. SWPA–72, the Deputy Secretary of Energy extended all of Southwestern's Integrated System rate schedules (P–13, NTFS–13A, and EE–13) for two years, for the period of October 1, 2017 through September 30, 2019.

Southwestern re-designated Integrated System rate schedule ''P–13'' as ''P–13A'' with no revenue adjustment. In Rate Order No. SWPA–73, the Assistant Secretary for Electricity placed into effect Southwestern's rate schedule P–13A on an interim basis beginning July 15, 2019. FERC confirmed and approved P–13A on a final basis on August 29, 2019.

On September 22, 2019, in Rate Order No. SWPA–74, the Assistant Secretary for Electricity extended all of Southwestern's Integrated System rate schedules (P–13A, NFTS–13A, EE–13) for two years, for the period of October 1, 2019 through September 30, 2021.

On August 30, 2021, in Rate Order No. SWPA–77, the Administrator, Southwestern, extended all of Southwestern's Integrated System rate schedules (P–13A, NFTS–13A, EE–13) for two years, for the period of October 1, 2021 through September 30, 2023.

Southwestern must at times make replacement capacity and energy purchases to fulfill its contractual obligations associated with the delivery of Hydro Peaking Power as required through the majority of Power Sales Contracts that utilize Southwestern's Integrated System rate schedules. Historically, a significant portion of needed replacement power purchases were made through pre-arranged Purchase Power Agreements (PPAs), many of which were capacity and energy ''call options'' that allowed Southwestern to schedule the energy as needed after the historic Peaking Energy Schedule Submission Time of 2:00 p.m. Central Prevailing Time (CPT). In 2019, Southwestern implemented a rate schedule change to move the Peaking Energy Schedule Submission Time to 2:30 p.m. CPT. To facilitate the 30-minute shift in the Peaking Energy Schedule Submission Time, Southwestern negotiated with its bilateral trading partners at the time to shift the call option strike time later by 30 minutes as well. Over the last several years, even prior to 2019, the role of FERC-approved reliability transmission organizations (RTOs) in Southwestern's marketing region has increased to the point where the majority of Southwestern's traditional bi-lateral trading partners are members of or participants in RTO energy markets. The regional organized day-ahead energy markets close by 9:30 a.m. CPT, which means that Southwestern's call option trading partners lose the opportunity to bid their resources into the day-ahead markets if they allow Southwestern to wait until the afternoon to determine whether to call on the capacity and energy. Additionally, the planning reserve margins for the RTOs surrounding Southwestern have either been increased or are in the process of being increased which has led to entities keeping their resources within their own portfolios to ensure their own resource adequacy. These two complications have led to increased pricing and decreased flexibility in the bilateral PPA offers available to

Southwestern as well as a decrease in the availability of offers for firm, deliverable capacity and energy in recent months. As a strategy for addressing this issue, Southwestern has recently become a Market Participant of the Midcontinent Independent System Operator (MISO), which enables Southwestern to purchase physical and financial energy from the MISO Day-Ahead and Real-Time energy markets. Southwestern is also exploring becoming a Market Participant in the Southwest Power Pool (SPP). Both the MISO and SPP day-ahead energy markets close bidding at 9:30 a.m. CPT every day. In order to best utilize regional organized day-ahead energy markets as a cost-competitive and risk-management option for replacement energy purchases, Southwestern must have increased certainty about its Peaking Energy obligations before 9:30 a.m. the day before the Peaking Energy will be delivered. Further, Southwestern expects that earlier day-ahead certainty of Peaking Energy schedules will provide Southwestern with additional options when seeking new PPAs, as Southwestern could accept a strike time prior to the closing times of regional organized day-ahead energy markets and mitigate the lost opportunity concerns of trading partners. Ultimately, Southwestern's effective participation in regional organized day-ahead energy markets as well as the ability to attract more cost-competitive PPAs will best ensure Southwestern can procure sufficient energy to meet its contractual obligations at the lowest costs while limiting the purchase of unneeded energy. Reduced risk and greater surety in the delivery of Federal Power and Energy, as well as any cost savings realized by Southwestern, will be to the benefit of all Integrated System customers for which Southwestern has the contractual obligation to provide replacement power.

Therefore, Southwestern's Administrator determined that Section 4.2, Peaking Energy Schedule Submission Time, should be modified to establish the Peaking Energy Schedule Submission Time as on or before 8:30 a.m. Central Prevailing Time (CPT) of the day preceding the day for delivery of Peaking Energy. Additionally, Section 4.2.2, Procedure for Adjusting the Peaking Energy Schedule Submission Time, which allows the Southwestern Administrator to adjust the Peaking Energy Schedule Submission Time no more than once annually should be updated to allow for a submission time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT. These updates are expected to provide Southwestern with more flexibility and greater certainty when making replacement power purchases, and better align Southwestern with regional organized energy market considerations. After considering comments received, Southwestern's Administrator determined that a new Section 4.2.3 should be added to provide for an approximate two-month transition period during which customers will be allowed to reduce their Peaking Energy schedules submitted for the next day after the 8:30 a.m. Peaking Energy Schedule Submission Time, provided that such adjustments: (1) do not increase the amount of Peaking Energy scheduled for any one hour; (2) are limited to a 25 percent reduction in Peaking Energy scheduled for any one hour; and (3) are coordinated with Southwestern's Scheduling and Operations staff no later than 2:00 p.m. on the day prior to schedule implementation. The changes to Rate Schedule P–13A, which will be delineated as Rate Schedule P–13B, is a change to a rate schedule in accordance with 18 CFR part 300.

Public Notice and Comment

Notice of a proposed rate schedule change was published in the **Federal Register** April 5, 2023 (88 FR 20163). The notice advised parties of the Proposed Rate Schedule P–13B and an associated public consultation and comment period to provide for an open and transparent process. Comments were accepted through May 5, 2023. Southwestern received five responses containing comments on the Proposed Rate Schedule P–13B. In finalizing the Rate Schedule P–13B, Southwestern reviewed and considered all comments received during the public consultation and comment period. The following is a summary of comments received and Southwestern's response to those comments.

Comment 1: Three commenters acknowledged the regional capacity challenges that Southwestern and other entities are facing: Arkansas Electric Cooperative Corporation (AECC) ''understands the capacity situation that exists''; City Water and Light Plant of the City of Jonesboro, Arkansas (Jonesboro) ''empathizes with the lack of capacity that [Southwestern] and other utilities in our region are facing''; and the Southwestern Power Resources Association (SPRA), which represents the interests of consumer-owned electric systems that are customers of Southwestern, ''recognize[s] the difficult position that [Southwestern] and all utilities in our region are facing with the lack of capacity.''

Response 1: As stated above, regional capacity challenges are a driving factor for Southwestern's decision. Rate Schedule P–13B allows Southwestern to better align itself with the closing times of regional organized day-ahead energy markets, and therefore be better positioned to utilize those markets and/or enter into PPAs that provide consideration of those markets to ensure Southwestern is able to meet its mission of marketing Federal hydropower at the lowest possible costs.

Comment 2: Four commenters noted that their Federal hydropower allocation is a valuable portion of their energy portfolios: AECC ''appreciate[s] the great value that [Southwestern] has provided in the past few years''; Associated Electric Cooperative, Inc. (AECI) ''views its longstanding partnership with [Southwestern] as integral to AECI's mission to provide the lowest cost and reliable wholesale power to its membership''; Jonesboro's ''Federal Hydropower Allocation is a critical resource in [its] wholesale power portfolio''; and SPRA stated that ''Federal hydropower is a valued piece of the portfolio for the members of SPRA.''

Response 2: Southwestern works hard to maintain and improve the value of Federal hydropower in its region while providing wholesale power to its preference customers at the lowest possible costs.

Comment 3: Three commenters expressed appreciation for their partnerships with Southwestern: AECC ''appreciates [Southwestern] working with customers''; Jonesboro and Southwestern ''have a long history or partnering to support the overall benefit of all [Southwestern's] customers'' and ''are very thankful for this partnership''; and SPRA has ''long enjoyed working with [Southwestern] to address concerns that could threaten the value or reliability of federal hydropower.''

Response 3: Southwestern also appreciates and works hard to foster the collaborative relationship it has with its customers.

Comment 4: ARKMO, a group consisting of five municipally-owned utilities, located in Northeast Arkansas and Southeast Missouri, all of which are Southwestern customers, stated that ''as small municipal utilities the ARKMO group members are impacted significantly through their [Southwestern] rates. Because of this, the ARKMO group is in support of moving the peaking schedule submission time to 8:30 a.m.''

Response 4: Southwestern appreciates ARKMO's acknowledgement of the beneficial aspects of this rate schedule change on its Integrated System customers for which Southwestern has the contractual obligation to provide replacement power. As noted, the purpose of this change is to facilitate Southwestern's effective participation in regional organized day-ahead energy markets and increase Southwestern's ability to attract more cost-competitive PPAs.

Comment 5: ARKMO stated that the proposed change will allow Southwestern ''to better manage their resources. The ARKMO group is in support of [Southwestern] making strategic decisions to help maintain lower rates for their customers.''

Response 5: As noted above, this change allows Southwestern to better align itself with the closing times of regional organized day-ahead energy markets. Southwestern's effective participation in regional organized day-ahead energy markets as well as the ability to attract more cost-competitive PPAs will best ensure Southwestern can procure sufficient energy to meet its contractual obligations at the lowest costs while limiting the purchase of unneeded energy. Reduced risk and greater surety in the delivery of Federal Power and Energy, as well as any cost savings realized by Southwestern, will be to the benefit of all Integrated System customers for which Southwestern has the contractual obligation to provide replacement power, and will ensure Southwestern meets its mission of marketing Federal hydropower at the lowest possible costs.

Comment 6: Three commenters indicated a desire for Southwestern to revisit the need for the Peaking Energy Schedule Submission Time change in the future to look for a more mutually agreeable solution to Southwestern's capacity and energy concerns: AECC hopes the conditions which have caused the capacity situation that exists ''change soon to allow for a return to the scheduling timeline that exists today''; Jonesboro ''respectfully encourage[s] [Southwestern] to continue its partnership with the customers and evaluate solutions that (1) provide for the lowest cost power purchase adder and (2) provide for the overall maximum benefit for [Southwestern] customers''; and SPRA is '' looking forward to a robust conversation during SPRA's upcoming September meeting to analyze the data that was gathered during this time, and continuing to work with [Southwestern] to produce solutions which ensure the most value for all federal hydropower customers.''

Response 6: Southwestern will evaluate the impact of the Peaking Energy Schedule Submission Time after implementation and will continue to informally and periodically discuss the change as well as other possible solutions with its customers. The ability to optimize energy purchases via regional organized day-ahead energy markets will help alleviate its capacity and energy shortage issues. Southwestern will continue to monitor its progress and engage its customers to ensure the most effective use of the Federal hydropower system consistent with sound business principles.

Comment 7: Two commenters, Jonesboro and SPRA, stated that Southwestern should use a ''temporary solution that allows for the total reduction of a peaking schedule made to [Southwestern] by 8:30 a.m. by no more than 25 percent of the total of each individual hour submitted. Any proposed reductions must be coordinated with [Southwestern] Operations and Merchant Staff and completed by no later than 2:00 p.m. the day prior to energy flow.''

Response 7: As a result of informal discussion with customers and in response to comments received, to mitigate some of the immediate impact of this change Southwestern has included a new Section 4.2.3 in Rate Schedule P–13B that, for a transition period of approximately two months, allows customers to reduce their Peaking Energy schedules submitted for the next day after the 8:30 a.m. Peaking Energy Schedule Submission Time, provided that such adjustments: (1) do not increase the amount of Peaking Energy scheduled for any one hour; (2) are limited to a 25 percent reduction in Peaking Energy scheduled for any one hour; and (3) are coordinated with Southwestern's Scheduling and Operations staff no later than 2:00 p.m. on the day prior to schedule implementation.

Comment 8: Two commenters noted that the Proposed Rate Schedule P–13B will limit customers' ability to optimize their Federal hydropower resource in day-ahead markets: AECC ''estimates a loss in energy value of 15–20 percent'' and ''a trim on the capacity of 82%'' which ''would have been a loss in value for 2022 of 23%'', and AECI stated that ''limiting [Southwestern] customers' flexibility to choose when to call on peaking power in this way will drive unnecessary cost increases to AECI's end-use members.''

Response 8: Southwestern has determined that purchased power from regional organized energy markets is one of the more cost-effective and viable replacement power options available. Having more certainty about Southwestern's obligations to customers prior to the closing times of regional organized day-ahead energy markets will ensure that when a resource shortage occurs, Southwestern can procure sufficient energy to meet its obligations at the lowest costs while limiting the purchase of unneeded energy. Any cost savings realized by Southwestern will be to the benefit of all Integrated System customers for which Southwestern has the contractual obligation to provide replacement power.

Comment 9: AECC stated it ''would appreciate [Southwestern's] further consideration of allowing for increased flexibility, such as allowing a customer to agree to trim capacity, keeping energy the same, in return for allowing for the customer to have the ability to offer the energy into the market.''

Response 9: Although this proposal would lower Southwestern's capacity obligation, there would still be concerns regarding Southwestern's next-day energy obligation and Southwestern's limited ability to optimize regional organized day-ahead energy market purchases. Southwestern has determined that a Peaking Energy Schedule Submission Time that is prior to the closing times of regional organized day-ahead energy markets is in the best interest of Southwestern customers overall. Southwestern intends to move forward with Rate Schedule P–13B, which allows the Administrator to change the Peaking Energy Schedule Submission Time no more than once per year to a time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT. Additionally, Rate Schedule P–13B includes a new Section 4.2.3 that, for a transition period of approximately two months, allows customers limited ability to reduce their Peaking Energy schedules submitted for the next day after the 8:30 a.m. Peaking Energy Schedule Submission Time.

Comment 10: AECC provided a ''proposed revision to [Southwestern] Rate Schedule P–13A'' which updates Section 4.2.2 to state the ''Peaking Energy Schedule Submission Time of 2:00 p.m. CPT, as noted in Section 4.2 of this Rate Schedule, may be adjusted by the Administrator, Southwestern, to a time no earlier than 8:30 a.m. CPT and no later than 2:00 p.m. CPT.''

Response 10: Southwestern has determined that a Peaking Energy Schedule Submission Time that is prior to the closing times of regional organized day-ahead energy markets is in the best interest of Southwestern and its Integrated System customers for

which Southwestern has the contractual obligation to provide replacement power. Southwestern intends to move forward with Rate Schedule P–13B, which allows the Administrator to change the Peaking Energy Schedule Submission Time no more than once per year to a time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT. Additionally, in response to comments received, Southwestern included a new Section 4.2.3 in Rate Schedule P–13B that, for a transition period of approximately two months, allows customers limited ability reduce their Peaking Energy schedules submitted for the next day after the 8:30 a.m. Peaking Energy Schedule Submission Time.

Comment 11: AECI stated that the ''unilateral change to [Southwestern's] Peaking Power Rate Schedule does not constitute a minor rate adjustment as it fails to adequately consider the significant negative economic impact that removal of the 2:30 p.m. peaking energy submission time will have on integrated system customers.''

Response 11: ''Minor rate adjustment'' is a defined term under 10 CFR part 903.2. Under 10 CFR part 903.2, determinations as to whether a rate adjustment qualifies as ''minor'' are based upon the revenue change to Southwestern's Integrated System as a whole and not the subjective impacts on an individual customer or set of customers. This comment afforded Southwestern an opportunity to reexamine its initial classification of the proposed change as a ''minor rate adjustment.'' The terms ''rate,'' ''rate adjustment,'' and ''minor rate adjustment'' are all defined in 10 CFR 903.2. A pre-requisite to any change being qualified as a ''minor rate adjustment'' is that it involves a ''rate'' and that it constitutes a ''rate adjustment.'' Upon further review, Southwestern has determined that this action does not meet the definition of a ''rate adjustment,'' and thus should not be classified as a ''minor rate adjustment.'' Under 10 CFR 903.2 a ''rate adjustment'' is defined as ''a change in an existing rate or rates, or the establishment of a rate or rates for a new service.'' The definition goes on to expressly state a rate adjustment ''. . . does not include a change in rate schedule provisions or in contract terms . . .'' Instead, the action should be classified simply as a change in the terms or provisions of the ''Rate Schedule'' that does not change the existing ''rates'' (the monetary charges or formula for computing such charges) to Southwestern's customers as provided for in Rate Schedule P–13A.

Comment 12: AECI stated Southwestern's ''assertion that switching to an earlier peaking power submission deadline will increase its ability to provide shortfall capacity presupposes that power will be available during those needed hours. Thus, [Southwestern's] plan would on-balance create at least as much uncertainty as it attempts to resolve and would expose [Southwestern] customers to greater price risk in the organized markets.''

Response 12: Southwestern has been and is exposed to price risk through past and present PPAs that have a variable energy price based on a gas index or energy market nodal pricing. Additionally, such PPAs come with a capacity premium. The ability to optimize Southwestern's participation in regional organized day-ahead energy markets through an earlier Peaking Energy Schedule Submission Time while maintaining optionality with PPAs, as needed, will allow Southwestern to better manage risk than if Southwestern were to rely solely on the recent PPA offers it has received.

Comment 13: AECI stated Southwestern ''provides no data showing there are significant and recurring capacity shortfalls.''

Response 13: Southwestern has experienced recurring capacity shortfalls the last several years due to both scheduled and unscheduled maintenance outages. Long-term unit outages (defined as an outage anticipated to last longer than three months) are reported weekly to customers, including AECI, via a Monday Morning Report, and short-term outages were reported on that same report until October 2021. Additionally, Southwestern has provided outage information via regular reports to its customer organization, the Southwestern Power Resources Association (SPRA). Southwestern will make information supporting the assertion that it has experienced significant and recurring capacity shortfalls available on request.

Comment 14: AECI stated that ''no supporting data and hence no substantial evidence underlies either assertion'' that '' 'the number of PPAs available to Southwestern has decreased and the pricing of available PPAs has increased' ''.

Response 14: In August 2022, Southwestern issued a request for proposals (RFP) for firm schedulable/dispatchable capacity and associated energy. No proposals were received. Southwestern issued an RFP for firm energy deliverable to Southwestern's transmission system in January and February 2023. Three proposals were received but only one of them met Southwestern's requested requirements but with energy pricing significantly higher than historical rates. In April 2023, Southwestern received additional proposals, none of which were for firm deliverable capacity. All proposals contained elements that were significantly higher in cost than historical responses. Even if more PPAs were available to Southwestern, participation in regional organized energy markets offers an additional tool for Southwestern to manage risk.

Comment 15: AECI stated that Southwestern's ''scheduling rationale appears to ironically rely on creating 'better options when seeking new PPAs' when the absence of previous PPAs is driving the change.''

Response 15: The current need for Rate Schedule P–13B is to allow Southwestern to better optimize its participation in regional organized day-ahead energy markets while competitively priced, firm, deliverable capacity and energy options are limited. Southwestern plans to utilize both regional organized energy markets as well as PPAs, when competitive, to manage risk and meet its contractual obligations.

Comment 16: AECI stated that ''amending the day-ahead peaking scheduling requirement on all days of the year for the entire capacity of the integrated system, to guard against a relatively rare convergence of high customer needs, insufficient hydropower resources, and insufficient market liquidity is unnecessary and inconsistent with [Southwestern's] mission under Section 5 of the Flood Control Act of 1944 to encourage the most widespread use at the lowest possible rates of Federal hydropower consistent with sound business principles.''

Response 16: As Southwestern moves towards increased participation in regional organized energy markets, it is anticipated that Southwestern will benefit from the earlier Peaking Energy Schedule Submission Time through having increased knowledge regarding Peaking Energy obligations prior to market close on a regular basis. This will help Southwestern prevent against either making purchases in excess of its energy needs, thereby unnecessarily increasing costs, or making purchases less than its energy needs, at which point the energy market liquidity is significantly reduced when procuring the remainder of needed energy. Furthermore, no matter the rarity of the situation at hand, Southwestern contends the certainty of energy delivery in accordance with our

contractual obligations is paramount to its mission in accordance with Section 5 of the Flood Control Act of 1944.

Comment 17: AECI provided a ''proposed revision to [Southwestern] Rate Schedule P–13A'' Section 4.2.2 which would: (1) require that ''Concurrent with the Peaking Energy Schedule Submission Time, customers designated by Administrator, Southwestern, are required to submit to Southwestern a preliminary Peaking Energy Schedule for the second following day'' in addition to the day-ahead peaking energy schedule by the then in-effect Peaking Energy Schedule Submission Time; (2) allow for the ''Peaking Energy Schedule Submission Time of 2:00 p.m. CPT'' to be ''adjusted by the Administrator, Southwestern, to a time no earlier than 8:30 a.m. CPT and no later than 2:00 p.m. CPT''; (3) require that the Administrator ''make a determination daily on the need to adjust the Peaking Energy Schedule Submission Time, limited to the extent conditions required, based on preliminary Peaking Energy Schedules, regional energy market conditions, and/or operational considerations'' and (4) require that the Administrator ''notify customers of the determination to adjust the Peaking Energy Schedule Submission Time via electronic communication no later than 7:30 a.m. of the day the Peaking Energy Schedule Submissions are due.''

Response 17: The suggested changes have been considered and Southwestern has chosen not to implement any of the changes for the following reasons: (1) the preliminary two-day-ahead schedule is allowed to change without any restrictions prior to being submitted as a final day-ahead schedule and therefore cannot be reliably used by Southwestern in making operational decisions; (2) the analysis of a preliminary schedule and daily determination of the Peaking Energy Schedule Submission Time creates a significant additional workload and administrative burden for Southwestern's staff with no corresponding benefit for customers overall; (3) submission of a two-day-ahead preliminary schedule is likely to create a burden for a majority of Southwestern's customers, which currently submit Peaking Energy schedules prior to 8:30 a.m. CPT rather than waiting until closer to the 2:30 p.m. CPT Peaking Energy Schedule Submission Time as permitted by the current Rate Schedule P–13A (although the comment allows for Southwestern's Administrator to select specific customers which are required to submit a two-day-ahead schedule, Southwestern applies rate schedule provisions equally to all customers); (4) frequent changes to the Peaking Energy Schedule Submission Time could easily cause confusion among Southwestern's customers; (5) Southwestern desires to develop rate schedules which are as consistent as possible for its customers, and frequent changes to the Peaking Energy Schedule Submission Time would increase volatility of daily operations; and (6) as noted previously, Southwestern has determined that a Peaking Energy Schedule Submission Time that is coordinated with the closing times of regional organized day-ahead energy markets is in the best interest of Southwestern and its Integrated System customers for which Southwestern has the contractual obligation to provide replacement power. Southwestern intends to move forward with Rate Schedule P–13B, which allows the Administrator to change the Peaking Energy Schedule Submission Time no more than once per year to a time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT.

Availability of Information

Information regarding Rate Schedule P–13B, including public comments received, is available for public review in the offices of Southwestern Power Administration, One West Third Street, Suite 1500, Tulsa, Oklahoma 74103. Southwestern in-effect rate schedules are available on the Southwestern website at *www.energy.gov/swpa.*

Administration's Certification

Rate Schedule P–13B will repay all costs of the Integrated System including amortization of the power investment consistent with the provisions of Department of Energy Order No. RA 6120.2. In accordance with Delegation Order No. 00–037.00B, effective November 19, 2016, and Section 5 of the Flood Control Act of 1944, the Administrator has determined that Rate Schedule P–13B is consistent with applicable law and the lowest possible rates consistent with sound business principles.

Environment

Southwestern previously determined that the rate change actions, placed into effect on October 1, 2013, fit within the following class of categorically excluded actions as listed in Appendix B to Subpart D of 10 CFR part 1021, DOE's Implementing Procedures and Guidelines of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321–4347): B4.4 (Electric power marketing rate changes). Categorically excluded actions do not require preparation of either an environmental impact statement or an environmental assessment. On June 13, 2023, Southwestern determined that categorical exclusion B4.4 applies to the current action as well.

Order

In view of the foregoing, and pursuant to delegated authority from the Secretary of Energy, I hereby confirm, approve, and place into effect on an interim basis, effective July 15, 2023, the Southwestern Integrated System Rate Schedule P–13B which shall remain in effect on an interim basis through September 30, 2023, or the FERC confirms and approves the rates on a final basis.

Signing Authority

This document of the Department of Energy was signed on June 30, 2023, by Mike Wech, Administrator for Southwestern Power Administration, 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 DOE. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on July 3, 2023.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

United States Department of Energy

Southwestern Power Administration

Rate Schedule P–13B [1] **

Wholesale Rates for Hydro Peaking Power

Effective

During the period October 1, 2013, through September 30, 2023,** in accordance with Federal Energy Regulatory Commission (FERC) order issued in Docket No. EF14–1–000 (Jan. 9, 2014), extension approved by the Deputy Secretary in Docket No. EF14–1–002 (Sept. 13, 2017), modification approved by FERC in Docket No. EF14–1–003 (Aug. 29, 2019), extension approved by Assistant Secretary for Electricity in Rate Order No. 74 (Sept. 22, 2019), and extension approved by the Administrator in Rate Order No. 77 (August 30, 2021).

[1] Supersedes Rate Schedule P–13A.

** Extended through September 30, 2023 by approval of Rate Order No. SWPA–77 by the Administrator, Southwestern Power Administration.

Available

In the marketing area of Southwestern Power Administration (Southwestern), described generally as the States of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

Applicable

To wholesale Customers which have contractual rights from Southwestern to purchase Hydro Peaking Power and associated energy (Peaking Energy and Supplemental Peaking Energy).

Character and Conditions of Service

Three-phase, alternating current, delivered at approximately 60 Hertz, at the nominal voltage(s), at the point(s) of delivery, and in such quantities as are specified by contract.

1. Definitions of Terms

1.1. Ancillary Services

The services necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the System of Southwestern in accordance with good utility practice, which include the following:

1.1.1. Scheduling, System Control, and Dispatch Service

Is provided by Southwestern as Balancing Authority Area operator and is in regard to interchange and load-match scheduling and related system control and dispatch functions.

1.1.2. Reactive Supply and Voltage Control From Generation Sources Service

Is provided at transmission facilities in the System of Southwestern to produce or absorb reactive power and to maintain transmission voltages within specific limits.

1.1.3. Regulation and Frequency Response Service

Is the continuous balancing of generation and interchange resources accomplished by raising or lowering the output of on-line generation as necessary to follow the moment-by-moment changes in load and to maintain frequency within a Balancing Authority Area.

1.1.4. Spinning Operating Reserve Service

Maintains generating units on-line, but loaded at less than maximum output, which may be used to service load immediately when disturbance conditions are experienced due to a sudden loss of generation or load.

1.1.5. Supplemental Operating Reserve Service

Provides an additional amount of operating reserve sufficient to reduce Area Control Error to zero within 10 minutes following loss of generating capacity which would result from the most severe single contingency.

1.1.6. Energy Imbalance Service

Corrects for differences over a period of time between schedules and actual hourly deliveries of energy to a load. Energy delivered or received within the authorized bandwidth for this service is accounted for as an inadvertent flow and is returned to the providing party by the receiving party in accordance with standard utility practice or a contractual arrangement between the parties.

1.2. Customer

The entity which is utilizing and/or purchasing Federal Power and Federal Energy and services from Southwestern pursuant to this Rate Schedule.

1.3. Demand Period

The period of time used to determine maximum integrated rates of delivery for the purpose of power accounting which is the 60-minute period that begins with the change of hour.

1.4. Federal Power and Energy

The power and energy provided from the System of Southwestern.

1.5. Hydro Peaking Power

The Federal Power that Southwestern sells and makes available to the Customers through their respective Power Sales Contracts in accordance with this Rate Schedule.

1.6. Peaking Billing Demand

The quantity equal to the Peaking Contract Demand for any month unless otherwise provided by the Customer's Power Sales Contract.

1.7. Peaking Contract Demand

The maximum rate in kilowatts at which Southwestern is obligated to deliver Federal Energy associated with Hydro Peaking Power as set forth in the Customer's Power Sales Contract.

1.8. Peaking Energy

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

1.9. Peaking Energy Schedule Submission Time

The time by which Southwestern requires the Customer to submit Peaking Energy schedules to Southwestern as provided for in this Rate Schedule and in accordance with the terms and conditions of the Customer's Power Sales Contract.

1.10. Power Sales Contract

The Customer's contract with Southwestern for the sale of Federal Power and Federal Energy.

1.11. Supplemental Peaking Energy

The Federal Energy associated with Hydro Peaking Power that Southwestern sells and makes available to the Customer if determined by Southwestern to be available and that is in addition to the quantity of Peaking Energy purchased by the Customer in accordance with the terms and conditions of the Customer's Power Sales Contract.

1.12. System of Southwestern

The transmission and related facilities owned by Southwestern, and/or the generation, transmission, and related facilities owned by others, the capacity of which, by contract, is available to and utilized by Southwestern to satisfy its contractual obligations to the Customer.

1.13. Uncontrollable Force

Any force which is not within the control of the party affected, including, but not limited to failure of water supply, failure of facilities, flood, earthquake, storm, lightning, fire, epidemic, riot, civil disturbance, labor disturbance, sabotage, war, act of war, terrorist acts, or restraint by court of general jurisdiction, which by exercise of due diligence and foresight such party could not reasonably have been expected to avoid.

2. Wholesale Rates, Terms, and Conditions for Hydro Peaking Power, Peaking Energy, Supplemental Peaking Energy, and Associated Services

Unless otherwise specified, this Section 2 is applicable to all sales under the Customer's Power Sales Contract.

2.1. Hydro Peaking Power Rates, Terms, and Conditions

2.1.1. Monthly Capacity Charge for Hydro Peaking Power

$4.50 per kilowatt of Peaking Billing Demand.

2.1.2. Services Associated With Capacity Charge for Hydro Peaking Power

The capacity charge for Hydro Peaking Power includes such transmission services as are necessary to integrate Southwestern's resources in order to reliably deliver Hydro Peaking Power and associated energy to the Customer. This capacity charge also includes two Ancillary Services charges: Scheduling, System Control, and Dispatch Service; and Reactive Supply and Voltage Control from Generation Sources Service.

2.1.3. Secondary Transmission Service Under Capacity Associated With Hydro Peaking Power

Customers may utilize the transmission capacity associated with Peaking Contract Demand for the transmission of non-Federal energy, on a non-firm, as-available basis, at no additional charge for such transmission service or associated Ancillary Services, under the following terms and conditions:

2.1.3.1. The sum of the capacity, for any hour, which is used for Peaking Energy, Supplemental Peaking Energy, and Secondary Transmission Service, may not exceed the Peaking Contract Demand;

2.1.3.2. The non-Federal energy transmitted under such secondary service is delivered to the Customer's point of delivery for Hydro Peaking Power;

2.1.3.3. The Customer commits to provide Real Power Losses associated with such deliveries of non-Federal energy; and

2.1.3.4. Sufficient transfer capability exists between the point of receipt into the System of Southwestern of such non-Federal energy and the Customer's point of delivery for Hydro Peaking Power for the time period that such secondary transmission service is requested.

2.1.4. Adjustment for Reduction in Service

If, during any month, the Peaking Contract Demand associated with a Power Sales Contract in which Southwestern has the obligation to provide 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand is reduced by

Southwestern for a period or periods of not less than two consecutive hours by reason of an outage caused by either an Uncontrollable Force or by the installation, maintenance, replacement or malfunction of generation, transmission and/or related facilities on the System of Southwestern, or insufficient pool levels, the Customer's capacity charges for such month will be reduced for each such reduction in service by an amount computed under the formula:

$R = (C \times K \times H) \div S$

with the factors defined as follows:

R = The dollar amount of reduction in the monthly total capacity charges for a particular reduction of not less than two consecutive hours during any month, except that the total amount of any such reduction shall not exceed the product of the Customer's capacity charges associated with Hydro Peaking Power times the Peaking Billing Demand.

C = The Customer's capacity charges associated with Hydro Peaking Power for the Peaking Billing Demand for such month.

K = The reduction in kilowatts in Peaking Billing Demand for a particular event.

H = The number of hours duration of such particular reduction.

S = The number of hours that Peaking Energy is scheduled during such month, but not less than 60 hours times the Peaking Contract Demand.

Such reduction in charges shall fulfill Southwestern's obligation to deliver Hydro Peaking Power and Peaking Energy.

2.2. Peaking Energy and Supplemental Peaking Energy Rates, Terms, and Conditions

2.2.1. Peaking Energy Charge

$0.0094 per kilowatthour of Peaking Energy delivered plus the Purchased Power Adder as defined in Section 2.2.3 of this Rate Schedule.

2.2.2. Supplemental Energy Charge

$0.0094 per kilowatthour of Supplemental Peaking Energy delivered.

2.2.3. Purchased Power Adder

A purchased power adder of $0.0059 per kilowatthour of Peaking Energy delivered, as adjusted by the Administrator, Southwestern, in accordance with the procedure within this Rate Schedule.

2.2.3.1. Applicability of Purchased Power Adder

The Purchased Power Adder shall apply to sales of Peaking Energy. The Purchased Power Adder shall not apply to sales of Supplemental Peaking Energy or sales to any Customer which, by contract, has assumed the obligation to supply energy to fulfill the minimum of 1,200 kilowatthours of Peaking Energy per kilowatt of Peaking Contract Demand during a contract year (hereinafter ''Contract Support Arrangements'').

2.2.3.2. Procedure for Determining Net Purchased Power Adder Adjustment

Not more than twice annually, the Purchased Power Adder of $0.0059 (5.9 mills) per kilowatthour of Peaking Energy, as noted in this Rate Schedule, may be adjusted by the Administrator, Southwestern, by an amount up to a total of ±$0.0059 (5.9 mills) per kilowatthour per year, as calculated by the following formula:

$ADJ = (PURCH - EST + DIF) \div SALES$

with the factors defined as follows:

ADJ = The dollar per kilowatthour amount of the total adjustment, plus or minus, to be applied to the net Purchased Power Adder, rounded to the nearest $0.0001 per kilowatthour, provided that the total ADJ to be applied in any year shall not vary from the then-effective ADJ by more than $0.0059 per kilowatthour;

PURCH = The actual total dollar cost of Southwestern's System Direct Purchases as accounted for in the financial records of the Southwestern Federal Power System for the period;

EST = The estimated total dollar cost ($13,273,800 per year) of Southwestern's System Direct Purchases used as the basis for the Purchased Power Adder of $0.0059 per kilowatthour of Peaking Energy;

DIF = The accumulated remainder of the difference in the actual and estimated total dollar cost of Southwestern's System Direct Purchases since the effective date of the currently approved Purchased Power Adder set forth in this Rate Schedule, which remainder is not projected for recovery through the ADJ in any previous periods;

SALES = The annual Total Peaking Energy sales projected to be delivered (2,241,300,000 KWh per year) from the System of Southwestern, which total was used as the basis for the $0.0059 per kilowatthour Purchased Power Adder.

2.3. Transformation Service Rates, Terms, and Conditions

2.3.1. Monthly Capacity Charge for Transformation Service

$0.46 per kilowatt will be assessed for capacity used to deliver energy at any point of delivery at which Southwestern provides transformation service for deliveries at voltages of 69 kilovolts or less from higher voltage facilities.

2.3.2. Applicability of Capacity Charge for Transformation Service

Unless otherwise specified by contract, for any particular month, a charge for transformation service will be assessed on the greater of (1) that month's highest metered demand, or (2) the highest metered demand recorded during the previous 11 months, at any point of delivery. For the purpose of this Rate Schedule, the highest metered demand will be based on all deliveries, of both Federal and non-Federal energy, from the System of Southwestern, at such point during such month.

2.4. Ancillary Services Rates, Terms, and Conditions

2.4.1. Capacity Charges for Ancillary Services

2.4.1.1. Regulation and Frequency Response Service

Monthly rate of $0.07 per kilowatt of Peaking Billing Demand plus the Regulation Purchased Adder as defined in Section 2.4.5 of this Rate Schedule.

2.4.1.2. Spinning Operating Reserve Service

Monthly rate of $0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of $0.00066 per kilowatt for non-Federal generation inside Southwestern's Balancing Authority Area.

2.4.1.3. Supplemental Operating Reserve Service

Monthly rate of $0.0146 per kilowatt of Peaking Billing Demand.

Daily rate of $0.00066 per kilowatt for non-Federal generation inside Southwestern's Balancing Authority Area.

2.4.1.4. Energy Imbalance Service

$0.0 per kilowatt for all reservation periods.

2.4.2. Availability of Ancillary Services

Regulation and Frequency Response Service and Energy Imbalance Service are available only for deliveries of power and energy to load within Southwestern's Balancing Authority Area. Spinning Operating Reserve Service and Supplemental Operating Reserve Service are available only for deliveries of non-Federal power and energy generated by resources located within Southwestern's Balancing Authority Area and for deliveries of all Hydro Peaking Power and associated energy from and within Southwestern's Balancing Authority Area. Where available, such Ancillary Services must be taken from Southwestern; unless, arrangements are made in accordance with Section 2.4.4 of this Rate Schedule.

2.4.3. Applicability of Charges for Ancillary Services

For any month, the charges for Ancillary Services for deliveries of Hydro Peaking Power shall be based on the Peaking Billing Demand.

The daily charge for Spinning Operating Reserve Service and Supplemental Operating Reserve Service for non-Federal generation inside Southwestern's Balancing Authority Area shall be applied to the greater of Southwestern's previous day's estimate of the peak, or the actual peak, in kilowatts, of the internal non-Federal generation.

2.4.4. Provision of Ancillary Services by Others

Customers for which Ancillary Services are made available as specified above, must inform Southwestern by written notice of the Ancillary Services which they do *not* intend to take and purchase from Southwestern, and of their election to provide all or part of such Ancillary Services from their own resources or from a third party.

Subject to Southwestern's approval of the ability of such resources or third parties to meet Southwestern's technical and operational requirements for provision of such Ancillary Services, the Customer may change the Ancillary Services which it takes from Southwestern and/or from other sources at the beginning of any month upon the greater of 60 days notice or upon completion of any necessary equipment modifications necessary to accommodate such change; *Provided,* That, if the Customer chooses not

to take Regulation and Frequency Response Service, which includes the associated Regulation Purchased Adder, the Customer must pursue these services from a different host Balancing Authority; thereby moving all metered loads and resources from Southwestern's Balancing Authority Area to the Balancing Authority Area of the new host Balancing Authority. Until such time as that meter reconfiguration is accomplished, the Customer will be charged for the Regulation and Frequency Response Service and applicable Adder then in effect. The Customer must notify Southwestern by July 1 of this choice, to be effective the subsequent calendar year.

2.4.5. Regulation Purchased Adder

Southwestern has determined the amount of energy used from storage to provide Regulation and Frequency Response Service in order to meet Southwestern's Balancing Authority Area requirements. The replacement value of such energy used shall be recovered through the Regulation Purchased Adder. The Regulation Purchased Adder during the time period of January 1 through December 31 of the current calendar year is based on the average annual use of energy from storage [1] for Regulation and Frequency Response Service and Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies.

The Regulation Purchased Adder will be phased in over a period of four (4) years as follows:

Year	Regulation purchased adder for the incremental replacement value of energy used from storage
2014	¼ of the average annual use of energy from storage × 2014 Purchased Power price.
2015	½ of the average annual use of energy from storage × 2015 Purchased Power price.
2016	¾ of the average annual use of energy from storage × 2016 Purchased Power price.
2017 and thereafter	The total average annual use of energy from storage × the applicable Purchased Power price.

2.4.5.1. Applicability of Regulation Purchased Adder

The replacement value of the estimated annual use of energy from storage for Regulation and Frequency Response Service shall be recovered by Customers located within Southwestern's Balancing Authority Area on a non-coincident peak ratio share basis, divided into twelve equal monthly payments, in accordance with the formula in Section 2.4.5.2.

If the Regulation Purchased Adder is determined and applied under Southwestern's Rate Schedule NFTS–13, then it shall not be applied here.

2.4.5.2. Procedure for Determining Regulation Purchased Adder

Unless otherwise specified by contract, the Regulation Purchased Adder for an individual Customer shall be based on the following formula rate, calculated to include the replacement value of the estimated annual use of energy from storage by Southwestern for Regulation and Frequency Response Service.

RPA = The Regulation Purchased Adder for an individual Customer per month, which is as follows:

$$[(L_{Customer} \div L_{Total}) \times RP_{Total}] \div 12$$

with the factors defined as follows:

$L_{Customer}$ = The sum in MW of the following three factors:

(1) The Customer's highest metered load plus generation used to serve the Customer's load that is accounted for through a reduction in the Customer's metered load (referred to as 'generation behind the meter') during the previous calendar year, and

(2) The Customer's highest rate of Scheduled Exports [2] during the previous calendar year, and

(3) The Customer's highest rate of Scheduled Imports [2] during the previous calendar year.

L_{Total} = The sum of all $L_{Customer}$ factors for all Customers that were inside Southwestern's Balancing Authority Area at the beginning of the previous calendar year in MW.

RP_{Total} = The ''net'' cost in dollars and cents based on Southwestern's estimated purchased power price for the corresponding year from the most currently approved Power Repayment Studies multiplied by the average annual use of energy from storage, as provided for in the table in Section 2.4.5, to support Southwestern's ability to regulate within its Balancing Authority Area. The ''net'' cost in dollars and cents shall be adjusted by subtracting the product of the quantity of such average annual use of energy from storage in MWh and Southwestern's highest rate in dollars per MWh for Supplemental Peaking Energy during the previous calendar year.

For Customers that have aggregated their load, resources, and scheduling into a single node by contract within Southwestern's Balancing Authority Area, the individual Customer's respective Regulation Purchased Adder shall be that Customer's ratio share of the Regulation Purchased Adder established for the node. Such ratio share shall be determined for the Customer on a non-coincident basis and shall be calculated for the Customer from their highest metered load plus generation behind the meter.

2.4.6. Energy Imbalance Service Limitations

Energy Imbalance Service primarily applies to deliveries of power and energy which are required to satisfy a Customer's load. As Hydro Peaking Power and associated energy are limited by contract, the Energy Imbalance Service bandwidth specified for Non-Federal Transmission Service does not apply to deliveries of Hydro Peaking Power, and therefore Energy Imbalance Service is not charged on such deliveries. Customers who consume a capacity of Hydro Peaking Power greater than their Peaking Contract Demand may be subject to a Capacity Overrun Penalty.

3. Hydro Peaking Power Penalties, Terms, and Conditions

3.1. Capacity Overrun Penalty

3.1.1. Penalty Charge for Capacity Overrun

For each hour during which Hydro Peaking Power was provided at a rate greater than that to which the Customer is entitled, the Customer will be charged a Capacity Overrun Penalty at the following rates:

Months associated with charge	Rate per kilowatt
March, April, May, October, November, December	$0.15
January, February, June, July, August, September	0.30

3.1.2. Applicability of Capacity Overrun Penalty

Customers which have loads within Southwestern's Balancing Authority Area are obligated by contract to provide resources, over and above the Hydro Peaking Power and associated energy purchased from Southwestern, sufficient to meet their loads. A Capacity Overrun Penalty shall be applied only when the formulas provided in Customers' respective Power Sales Contracts indicate an overrun on Hydro Peaking Power, *and* investigation determines that all resources, both firm and non-firm, which were available at the time of the apparent overrun were insufficient to meet the Customer's load.

3.2. Energy Overrun Penalty

3.2.1. Penalty Charge for Energy Overrun

$0.1034 per kilowatthour for each kilowatthour of overrun.

3.2.2. Applicability of Energy Overrun Penalty

By contract, the Customer is subject to limitations on the maximum amounts of Peaking Energy which may be scheduled under the Customer's Power Sales Contract. When the Customer schedules an amount in

[1] The average annual use of energy from storage for Regulation and Frequency Response Service is based on Southwestern studies.

[2] Scheduled Exports and Scheduled Imports are transactions, such as sales and purchases respectively, which are in addition to a Customer's metered load that contribute to Southwestern's Balancing Authority Area need for regulation.

excess of such maximum amounts, such Customer is subject to the Energy Overrun Penalty.

3.3. Power Factor Penalty

3.3.1. Requirements Related to Power Factor

Any Customer served from facilities owned by or available by contract to Southwestern will be required to maintain a power factor of not less than 95 percent and will be subject to the following provisions.

3.3.2. Determination of Power Factor

The power factor will be determined for all Demand Periods and shall be calculated under the formula:

$$PF = (kWh) \div \sqrt{(kWh^2 + rkVAh^2)}$$

with the factors defined as follows:

PF = The power factor for any Demand Period of the month.

kWh = The total quantity of energy which is delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4.

rkVAh = The total quantity of reactive kilovolt-ampere-hours (kVARs) delivered during such Demand Period to the point of delivery or interconnection in accordance with Section 3.3.4. {tc\l ''2.2 Reservation Priority For Existing Firm Service Customers''}

3.3.3. Penalty Charge for Power Factor

The Customer shall be assessed a penalty for all Demand Periods of a month where the power factor is less than 95 percent lagging. For any Demand Period during a particular month such penalty shall be in accordance with the following formula:

$C = D \times (0.95 - LPF) \times \$0.10$

with the factors defined as follows:

C = The charge in dollars to be assessed for any particular Demand Period of such month that the determination of power factor ''PF'' is calculated to be less than 95 percent lagging.

D = The Customer's demand in kilowatts at the point of delivery for such Demand Period in which a low power factor was calculated.

LPF = The lagging power factor, if any, determined by the formula ''PF'' for such Demand Period.

If C is negative, then C = zero (0).

3.3.4. Applicability of Power Factor Penalty

The Power Factor Penalty is applicable to radial interconnections with the System of Southwestern. The total Power Factor Penalty for any month shall be the sum of all charges ''C'' for all Demand Periods of such month. No penalty is assessed for leading power factor. Southwestern, in its sole judgment and at its sole option, may determine whether power factor calculations should be applied to (i) a single physical point of delivery, (ii) a combination of physical points of delivery where a Customer has a single, electrically integrated load, (iii) or interconnections. The general criteria for such decision shall be that, given the configuration of the Customer's and Southwestern's systems, Southwestern will determine, in its sole judgment and at its sole option, whether the power factor calculation more accurately assesses the detrimental impact on Southwestern's system when the above formula is calculated for a single physical point of delivery, a combination of physical points of delivery, or for an interconnection as specified by an Interconnection Agreement.

Southwestern, at its sole option, may reduce or waive Power Factor Penalties when, in Southwestern's sole judgment, low power factor conditions were not detrimental to the System of Southwestern due to particular loading and voltage conditions at the time the power factor dropped below 95 percent lagging.

4. Hydro Peaking Power Miscellaneous Rates, Terms, and Conditions {tc\12 ''2 Initial Allocation and Renewal Procedures''}

4.1. Real Power Losses {tc\13 ''2.1 Initial Allocation and Renewal Procedures''}

Customers are required to self-provide all Real Power Losses for non-Federal energy transmitted by Southwestern on behalf of such Customers under the provisions detailed below.

Real Power Losses are computed as four (4) percent of the total amount of non-Federal energy transmitted by Southwestern. The Customer's monthly Real Power Losses are computed each month on a megawatthour basis as follows:

$ML = 0.04 \times NFE$

with the factors defined as follows:

ML = The total monthly loss energy, rounded to the nearest megawatthour, to be scheduled by a Customer for receipt by Southwestern for Real Power Losses associated with non-Federal energy transmitted on behalf of such Customer; and

NFE = The amount of non-Federal energy that was transmitted by Southwestern on behalf of a Customer during a particular month.

The Customer must schedule or cause to be scheduled to Southwestern, Real Power Losses for which it is responsible subject to the following conditions:

4.1.1. The Customer shall schedule and deliver Real Power Losses back to Southwestern during the second month after they were incurred by Southwestern in the transmission of the Customer's non-Federal power and energy over the System of Southwestern unless such Customer has accounted for Real Power Losses as part of a metering arrangement with Southwestern.

4.1.2. On or before the twentieth day of each month, Southwestern shall determine the amount of non-Federal loss energy it provided on behalf of the Customer during the previous month and provide a written schedule to the Customer setting forth hour-by-hour the quantities of non-Federal energy to be delivered to Southwestern as losses during the next month.

4.1.3. Real Power Losses not delivered to Southwestern by the Customer, according to the schedule provided, during the month in which such losses are due shall be billed by Southwestern to the Customer to adjust the end-of-month loss energy balance to zero (0) megawatthours and the Customer shall be obliged to purchase such energy at the following rates:

Months associated with charge	Rate per kilowatthour
March, April, May, October, November, December	$0.15
January, February, June, July, August, September ...	0.30

4.1.4. Real Power Losses delivered to Southwestern by the Customer in excess of the losses due during the month shall be purchased by Southwestern from the Customer at a rate per megawatthour equal to Southwestern's rate per megawatthour for Supplemental Peaking Energy, as set forth in Southwestern's then-effective Rate Schedule for Hydro Peaking Power to adjust such hourly end-of-month loss energy balance to zero (0) megawatthours.

4.2. Peaking Energy Schedule Submission Time

Southwestern's Peaking Energy Schedule Submission Time is on or before 8:30 a.m. Central Prevailing Time (CPT), as adjusted by the Administrator, Southwestern, in accordance with Section 4.2.2 in this Rate Schedule, of the day preceding the day for the delivery of Peaking Energy. The Peaking Energy Schedule Submission Time supersedes the Peaking Energy schedule submission time provided in the Customer's Power Sales Contract, pursuant to Section 4.2.1 of this Rate Schedule. Reductions to Peaking Energy schedules may be made in accordance with Section 4.2.3 of this Rate Schedule.

4.2.1. Applicability of Peaking Energy Schedule Submission Time

The Peaking Energy Schedule Submission Time shall apply to the scheduling of Peaking Energy. The Peaking Energy Schedule Submission Time shall not apply to the scheduling of Supplemental Peaking Energy or to Contract Support Arrangements.

4.2.2. Procedure for Adjusting the Peaking Energy Schedule Submission Time

Not more than once annually, the Peaking Energy Schedule Submission Time of 8:30 a.m. CPT, as noted in Section 4.2 of this Rate Schedule, may be adjusted by the Administrator, Southwestern, to a time no earlier than 8:00 a.m. CPT and no later than 9:00 a.m. CPT.

4.2.2.1. Determination of Need To Adjust the Peaking Energy Schedule Submission Time

The Administrator, Southwestern, will make a determination on the need to adjust the Peaking Energy Schedule Submission Time based on Southwestern's studies involving financial analysis, regional energy market conditions, and/or operational considerations.

4.2.2.2. Notification of Peaking Energy Schedule Submission Time Adjustment

The Administrator, Southwestern, will notify customers of the determination to adjust the Peaking Energy Schedule Submission Time in writing no later than 30 calendar days prior to the effective date of

the Peaking Energy Schedule Submission Time adjustment.

4.2.3. Reductions to Peaking Energy Schedules After the Peaking Energy Schedule Submission Time

Customers may reduce Peaking Energy Schedules submitted for July 15, 2023, through September 15, 2023, after the Peaking Energy Schedule Submission Time in accordance with this Section 4.2.3. Such changes must be coordinated with Southwestern Scheduling and Operations staff no later than 2:00 p.m. CPT the day prior to schedule implementation.

4.2.3.1. Customers must submit a Peaking Energy Schedule by the Peaking Energy Schedule Submission Time.

4.2.3.2. For hours the Customer has scheduled a non-zero energy amount, the Customer may reduce the amount of Peaking Energy scheduled for that same hour by no more than 25 percent. Customers may not increase the Peaking Energy scheduled for any hour.

4.2.3.3. For determining the 25 percent Peaking Energy hourly reduction limit, fractional megawatt reductions will round to the nearest whole megawatt. Values ending in 0.01 to 0.49 will round down and values ending in 0.50 to 0.99 will round up.

4.2.3.4. Customers choosing to reduce the Peaking Energy Schedule must adjust the applicable transaction tag to reflect the desired reductions no later than 2:00 CPT the day prior to schedule implementation.

[FR Doc. 2023–14401 Filed 7–6–23; 8:45 am]

BILLING CODE P

ENVIRONMENTAL PROTECTION AGENCY

[FRL OP–OFA–076]

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 June 26, 2023 10 a.m. EST

Through June 30, 2023 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. 20230082, Final, BLM, CO, Proposed Eastern Colorado Resource Management Plan and Environmental Impact Statement, Review Period Ends: 08/07/2023, Contact: Doug Vilsack, BLM CO State Director 303–239–3700.

EIS No. 20230083, Final, FERC, TN, Cumberland Project, Review Period Ends: 08/07/2023, Contact: Office of External Affairs 866–208–3372.

Dated: June 30, 2023.

Cindy S. Barger,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 2023–14291 Filed 7–6–23; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–1028; FR ID 151822]

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 can further reduce the information collection burden for small business concerns with fewer than 25 employees.

DATES: Written comments and recommendations for the proposed information collection should be submitted on or before August 7, 2023.

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 Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@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 Cathy Williams at (202) 418–2918. 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: 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.

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 No.: 3060–1028.

Title: International Signaling Point Code (ISPC).

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 11 respondents; 20 responses.

Estimated Time per Response: 0.5 hours–3 hours.

Frequency of Response: On occasion reporting requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 1, 4(i)–(j), 201–205, 211, 214, 219–220, 303(r), 309 and 403 of the Communications Act of 1934, as amended, 47 U.S.C 151, 154(i)–(j), 201–205, 211, 214, 219–220, 303(r), and 403.

Total Annual Burden: 15 hours.

Annual Cost Burden: $13,300.

Needs and Uses: The Federal Communications Commission (Commission) is requesting that the Office of Management and Budget (OMB) to approve a revision to OMB Control No. 3060–1028—International Signaling Point Code. The Commission is developing revised and new electronic forms for this collection as part of the Commission's modernization of its online, web-based electronic filing system—the International Bureau filing system (IBFS). This information collection seeks approval for the new and revised forms to request an International Signaling Point Code (ISPC), and reflects changes in the costs and burdens associated with these applications.

An ISPC is a unique, seven-digit code used to identify the signaling network of each international carrier. The ISPC has a unique format that is used at the international level for signaling message routing and identification of signaling points in Signaling System 7 networks. ISPC applications are filed through IBFS. After receipt of the ISPC application, the Commission assigns the ISPC code to each applicant (international carrier) free of charge on a first-come, first-served basis. The collection of this information is required to assign a unique identification code to each international carrier and to facilitate communication among international carriers by their use of the ISPC code on the shared signaling network. The Commission informs the International Telecommunication Union (ITU) of its assignment of ISPCs to international carriers on an ongoing basis.

In 1987, the Commission assumed the responsibility as the Administrator for the U.S. of issuing ISPCs to international carriers based on an exchange of letters between AT&T, the Commission, and the International Telecommunications Union-Telecommunications Standardization (ITU–T). The ITU allocates a specific amount of ISPCs to member countries for assignment to carriers. ITU–T Recommendation Q.708 includes a list of criteria for assignment of signaling point codes.

The ITU, headquartered in Geneva, Switzerland, is an international organization within the United Nations System where governments and the private sector coordinate global telecom networks and services. The ITU–T, which is one of three sectors of the ITU, has a continuing role in preparing the technical specifications for telecommunications systems, networks and services, including their operation, performance and maintenance. In addition, the ITU–T oversees the tariff principles and accounting methods used to provide international services.

Pursuant to the ITU guidance contained in ITU–T Recommendation Q.708, the Commission must obtain certain information from an applicant requesting a new ISPC assignment. This information is used by the Commission to assess whether the applicant's use of the ISPC will be in compliance with ITU guidelines. The minimum information required is the name of the applicant and the name of the signaling point (typically the city where the ISPC will be located). ITU–T Recommendation Q.708 states that administrators can request additional information from applicants, which may include applicant contact information; location(s) where the ISPC(s) will be implemented; description of the nature of the use of the ISPC(s) in the network; a statement regarding the signaling point manufacturer/type; and identification of at least one planned Message Transfer Part (MTP) signaling relation. Applicants must also make several certifications/acknowledgments regarding their obligations and rights associated with an ISPC assignment. Operators that have been assigned an ISPC must also notify the Commission when any parameters of their code assignment(s) have changed (*i.e.,* modifications), such as a change in the location where the ISPC has been implemented. In the event that an assigned ISPC has undergone a transfer of control as a result of a merger, acquisition, divestiture, or formation of a joint venture, the ISPC operator must notify the Commission of the transfer and the identity of the new holder of the ISPC (along with relevant contact information).

IBFS Modernization of ISPC Electronic Forms. The Commission seeks OMB approval of revisions to its ISPC application form and the addition of new forms that will be electronically filed through IBFS. The new online forms will ensure the Commission collects the information required by the Commission's rules. The use of such online forms will reduce costs and administrative burdens on applicants, resulting in greater efficiencies, and improve transparency to the public. Once the Commission receives approval for the new forms from OMB, as required by section 1.10006 of the Commission's rules, we will announce the availability of mandated e-forms and their effective dates.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2023–14406 Filed 7–6–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Termination of Receiverships

The Federal Deposit Insurance Corporation (FDIC or Receiver), as Receiver for each of the following insured depository institutions, was charged with the duty of winding up the affairs of the former institutions and liquidating all related assets. The Receiver has fulfilled its obligations and made all dividend distributions required by law.

NOTICE OF TERMINATION OF RECEIVERSHIPS

Fund	Receivership name	City	State	Termination date
10036	Firstbank Financial Services	Mcdonough	GA	07/01/2023
10234	The Bank of Bonifay	Bonifay	FL	07/01/2023
10251	First National Bank	Savannah	GA	07/01/2023
10257	Ideal Federal Savings Bank	Baltimore	MD	07/01/2023
10296	Wakulla Bank	Crawfordville	FL	07/01/2023
10306	First Arizona Savings, Fsb	Scottsdale	AZ	07/01/2023
10425	SCB Bank	Shelbyville	IN	07/01/2023

NOTICE OF TERMINATION OF RECEIVERSHIPS—Continued

Fund	Receivership name	City	State	Termination date
10433	Fort Lee Federal Savings Bank	Fort Lee	NJ	07/01/2023

The Receiver has further irrevocably authorized and appointed FDIC-Corporate as its attorney-in-fact to execute and file any and all documents that may be required to be executed by the Receiver which FDIC-Corporate, in its sole discretion, deems necessary, including but not limited to releases, discharges, satisfactions, endorsements, assignments, and deeds. Effective on the termination dates listed above, the Receiverships have been terminated, the Receiver has been discharged, and the Receiverships have ceased to exist as legal entities.

(Authority: 12 U.S.C. 1819)

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on July 3, 2023.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2023–14417 Filed 7–6–23; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL MARITIME COMMISSION

[Docket No. 23–05]

Rahal International, Inc., Complainant v. Hapag-Lloyd AG, Hapag-Lloyd (America) LLC, Hapag-Lloyd USA, LLC, Respondents; Notice of Filing of Complaint and Assignment

Served: June 30, 2023.

Notice is given that a complaint has been filed with the Federal Maritime Commission (hereinafter ''Commission'') by Rahal International, Inc. (hereinafter ''Complainant'') against Hapag-Lloyd AG, Hapag-Lloyd (America), LLC, and Hapag-Lloyd USA, LLC (hereinafter collectively referred to as ''Respondents''). Complainant states that it is an independent importer and broker and corporation duly organized under the laws of Delaware with a principal place of business in Illinois. Complainant identifies Hapag-Lloyd AG as a global ocean common carrier based in Germany with a principal place of business in Germany. Complainant identifies Hapag-Lloyd (America), LLC as a United States limited liability company and agent and subsidiary of Hapag-Lloyd AG with its principal office located in Georgia. Complainant identifies Hapag-Lloyd USA, LLC as a United States limited liability company, ocean common carrier/common carrier, and agent and subsidiary of Hapag-Lloyd AG with its principal office located in New Jersey.

Complainant alleges that Respondents violated the Shipping Act of 1984, as amended, 46 U.S.C. 40101 to 46108, specifically including that Respondents violated 46 U.S.C. 41102(c), 41104(a)(2)(A), 41104(a)(14), 41104(a)(15), 41104(d) and part 545 of title 46, Code of Federal Regulations regarding a failure to establish, observe, and enforce just and reasonable regulations and practices relating to or connected with receiving, handling, storing or delivering Complainant's property, the assessment of excessive charges, inconsistent and/or noncompliant charges, and noncompliant demurrage or detention charges. The Complainant alleges these violations arose from Respondents failure to provide adequate facilities for the return of empty containers while continuing to accept business and charge excessive ocean freight fees with knowledge of the lack of facilities and without providing alternatives, as well as, resulting logistical paralysis that precluded Complainant from its retrieval of loaded containers.

An answer to the complaint is due to be filed with the Commission within twenty-five (25) days after the date of service.

The full text of the complaint can be found in the Commission's Electronic Reading Room at *https://www2.fmc.gov/readingroom/proceeding/23-05/.* This proceeding has been assigned to the Office of Administrative Law Judges. The initial decision of the presiding judge in this proceeding shall be issued by July 1, 2024, and the final decision of the Commission shall be issued by January 15, 2025.

William Cody,

Secretary.

[FR Doc. 2023–14293 Filed 7–6–23; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL MARITIME COMMISSION

Performance Review Board

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given of the names of the members of the Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Courtney Killion, Director, Office of Human Resources, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573.

SUPPLEMENTARY INFORMATION: Section 4314(c)(1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The board shall review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

The members of the Performance Review Board are:

1. Rebecca F. Dye, Commissioner
2. Mary T. Hoang, Chief of Staff
3. Kristen A. Monaco, Director, Bureau of Trade Analysis
4. Lucille L. Marvin, Managing Director
5. Phillip C. Hughey, General Counsel
6. John G. Crews, Director, Bureau of Enforcement, Investigations & Compliance

William Cody,

Secretary.

[FR Doc. 2023–14416 Filed 7–6–23; 8:45 am]

BILLING CODE 6730–02–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 August 7, 2023.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414. Comments can also be sent electronically to *Comments.applications@chi.frb.org:*

1. *FBBT Holdings, Inc., San Francisco, California*; to become a bank holding company by acquiring State Bank of Nauvoo, Nauvoo, Illinois.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Deputy Associate Secretary of the Board.

[FR Doc. 2023–14376 Filed 7–6–23; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–23–1198; Docket No. CDC–2023–0056]

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 and/or continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled Use of the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGQ) During Investigations of Foodborne Disease Clusters and Outbreaks. This data collection is used to collect standardized data during investigations of outbreaks of cyclosporiasis, thereby increasing the likelihood that outbreaks will be recognized, and sources will be identified.

DATES: CDC must receive written comments on or before September 5, 2023.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2023–0056 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

Use of the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGQ) During Investigations of Foodborne Disease Clusters and Outbreaks (OMB Control No. 0920–1198 Exp. 9/30/2023)—Extension—Global Health Center (GHC), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The Centers for Disease Control and Prevention is requesting a three-year Paperwork Reduction Act (PRA) clearance for the Extension of Use of the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGQ) During Investigations of Foodborne Disease Clusters and Outbreaks (OMB Control No. 0920–1198, Expiration Date 09/30/2023).

An estimated one in six Americans per year becomes ill with a foodborne disease. Foodborne outbreaks of cyclosporiasis—caused by the parasite *Cyclospora cayetanensis,* have been reported in the United States since the mid-1990s and have been linked to various types of fresh produce. During the 15-year period (2000–2014), 31 U.S. foodborne outbreaks of cyclosporiasis were reported; the total case count was 1,562. It is likely that more cases (and outbreaks) occurred than were reported. Because of insufficient data, many of the reported cases could not be directly linked to an outbreak or to a particular food vehicle. In recent years, from 2018 onward, the number of cases reported annually to CDC has increased substantially to over 1,000 cases; notably, in 2018 and again in 2019 over 2,000 cases were reported.

Collecting the requisite data for the initial hypothesis-generating phase of investigations of multistate foodborne disease outbreaks is associated with

multiple challenges, including the need to have high-quality hypothesis-generating questionnaire(s) that can be used effectively in multijurisdictional investigations. Such a questionnaire was developed in the past for use in the context of foodborne outbreaks caused by bacterial pathogens; that questionnaire is referred to as the Standardized National Hypothesis Generating Questionnaire (SNHGQ). However, not all of the data elements in the SNHGQ are relevant to the parasite *Cyclospora* (*e.g.,* questions about consumption of meat and dairy products); on the other hand, additional data elements (besides those in the SNHGQ) are needed to capture information pertinent to *Cyclospora* and to fresh produce vehicles of infection. Therefore, the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGQ) has been developed, by using core data elements from the SNHGQ and incorporating modifications pertinent to *Cyclospora.*

The core data elements from the SNHGQ were developed by a series of working groups comprised of local, state, and Federal public health partners. Subject matter experts at CDC developed the CNHGQ by modifying the SNHGQ to include and focus on data elements pertinent to Cyclospora/cyclosporiasis. Input also was solicited from state public health partners. Because relatively few data elements in the SNHGQ needed to be modified, a full vetting process was determined not to be necessary. The CNHGQ has been designed for administration over the telephone by public health officials, to collect data elements from case-patients or their proxies. The data that are collected will be pooled and analyzed at CDC, to generate hypotheses about potential vehicles/sources of infection.

CDC requests OMB approval to collect information via the CNHGQ from persons who have developed symptomatic cases of *Cyclospora* infection during periods in which increased numbers of such cases are reported (typically, during spring and summer months). In part because molecular typing methods are not yet available for *C. cayetanensis,* it is important to interview all case-patients identified during periods of increased reporting, to help determine if their cases could be part of an outbreak(s). The CNHGQ is not expected to entail substantial burden for respondents. The estimated total annualized burden associated with administering the CNHGQ is 1,875 hours. There will be no costs 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)
Ill individuals identified with cyclosporiasis	Cyclosporiasis National Hypothesis Generating Questionnaire.	2,500	1	45/60	1,875
Total	.....	.....	.....	.....	1,875

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2023–14414 Filed 7–6–23; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[60Day–23–23GL; Docket No. CDC–2023–0055]

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 and/or continuing information collection, as required by the Paperwork Reduction Act of 1995. This notice invites comment on a proposed information collection project titled National Wastewater Surveillance System for COVID–19 and other infectious disease targets of public health concern. The proposed information collection project aims to collect pathogen and public health target concentration in wastewater, wastewater target variant sequencing data, sewershed spatial files, and associated sewershed-level case data from participating jurisdictions in the United States to inform infectious disease prevention and control efforts.

DATES: CDC must receive written comments on or before September 5, 2023.

ADDRESSES: You may submit comments, identified by Docket No. CDC–2023–0055 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

National Wastewater Surveillance System for SARS–CoV–2 and other infectious disease targets of public health concern—New—National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

This information collection request is built upon a project currently approved under the COVID–19 Public Health Emergency (PHE) PRA Waiver. This expanded information collection request is for three years. The COVID–19 pandemic has demonstrated the need for timely, actionable surveillance data to inform disease prevention and control activities. The genetic material of SARS–CoV–2, the virus that causes COVID–19, has been detected in the feces of infected individuals, regardless of their symptom status. Therefore, sampling and testing wastewater provides a means to assess SARS–CoV–2 infection trends in the community independent of clinical testing or other healthcare indicators. This public health surveillance approach can be used for other infectious diseases or targets, such as mpox, influenza, and antimicrobial resistance. Recommendations for wastewater data collection for specific infectious diseases will be based on public health need and input from the NWSS Advisory Council comprised of subject matter experts from across CDC.

The Waterborne Disease Prevention Branch (WDPB) in the Division of Foodborne, Waterborne, and Environmental Diseases works to prevent domestic and global water, sanitation, and hygiene related disease. In support of the Centers for Disease Control and Prevention (CDC) COVID–19 response, WDPB established the National Wastewater Surveillance System (NWSS). NWSS serves as a public health tool to provide wastewater surveillance of SARS–CoV–2 infections. In 2022, NWSS was expanded to include environmental surveillance of mpox infections. NWSS was designed to permit the addition or exchange of targets for wastewater infectious disease testing. This built-in flexibility will allow jurisdictions to adapt wastewater testing to changing public health needs, enable rapid responses to outbreaks or emergencies, and support broad capacity to detect future disease threats. Wastewater data have provided impactful information to local public health authorities, whether to confirm trends observed in testing or hospitalization rates, or to assert the need for increased testing or healthcare resources. NWSS has supported jurisdictions throughout the United States to implement wastewater surveillance, and will continue to support state, tribal, local, and territorial (STLT) partners to collect wastewater data. Together with CDC-funded national-level wastewater testing, jurisdictions across the U.S. have submitted data to NWSS that represents approximately 138 million individuals, or 41% of the U.S. population. Data are input to the Data Collation and Integration for Public Health Event Response (DCIPHER) platform for participants to view and analyze in near real time.

Wastewater surveillance provides aggregated, anonymized data at the community level to indicate trends in infections. These data can be especially impactful in underserved populations where clinical testing is limited or health care seeking is reduced. Wastewater data collection could inform locations that require greater resource allocation early in outbreaks and provide health departments with additional surveillance data to assess community-level infection trends. Wastewater data collection will be coordinated by health department jurisdictions through close collaboration with wastewater utilities, testing laboratories, and by CDC through national-level testing contracts that cover up to 500 wastewater utility sites. There are three data components comprising this collection request. For data collection Component 1, wastewater utilities or partners will collect single time point, time-weighted composite, or flow-weighted composite samples from wastewater influent lines or at other points in the collection stream at regular intervals, such as once a week. The wastewater samples will be shipped, along with their associated sampling metadata, to testing laboratories where pathogen- or target-specific RNA or DNA will be quantified for up to 30 targets (*e.g.,* SARS–CoV–2, mpox, influenza, antibiotic resistance, etc.). For some wastewater samples, target sequencing will be conducted to help public health officials monitor infectious disease variant trends (*e.g.,* SARS–CoV–2). The testing laboratory will deliver wastewater sample collection and laboratory testing data to the jurisdiction health department, or directly to the CDC from national-level testing, to compile, review, and submit to CDC through the NWSS DCIPHER platform.

For data collection Component 2, jurisdiction health departments will work with participating utilities to obtain spatial files of the utility service areas, also called a sewershed. These sewershed spatial files will be uploaded by jurisdiction health departments into the NWSS DCIPHER platform.

For data collection Component 3, health department jurisdictions may choose to develop a line list of reported cases of specific infections (*e.g.,* COVID–19, mpox, influenza, antibiotic resistant infections, etc.) associated with the participating wastewater utility service areas. The health department jurisdiction will submit to CDC the line list of deidentified cases into the NWSS DCIPHER platform.

The proposed data collection will occur over three years. Based on previous pilot data collection and additional estimates from 2022–2023 U.S. case numbers in the CDC National Notifiable Disease Surveillance System (NNDSS), it is estimated that 166,400 wastewater samples and 2,198,736 sewershed-level case data files will be collected and reported to NWSS each year, while 1,100 sewershed spatial files will only need to be submitted once during the three-year period. In total, the estimated annual burden for all data collection components for this request is 571,013 hours.

ESTIMATED ANNUALIZED BURDEN HOURS

Type of respondents	Form name	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total annual burden hours
State, tribal, local, territorial health departments.	Component 1 Forms: NWSS Data Dictionary v5.0.0; CDC Seq Manifest Data Dictionary; BioSample_WW Template v1.9; SRA Template v5.7 NWSS; NCBI DCIPHER Crosswalk_Data Dictionary; NWSS_DCIPHER Wastewater Data CSV Upload Template; Component 1–2–3 NWSS DCIPHER CSV Bulk Upload Tool.	55	2,080	139/60	265,026
Private laboratory	Component 1 Forms: Component; NWSS Data Dictionary v5.0.0; CDC Seq Manifest Data Dictionary; BioSample WW Template v1.9; SRA WW Template v5.7; NCBI DCIPHER Crosswalk Data Dictionary; NWSS DCIPHER Wastewater Data CSV Upload Template v3; Component 1–2–3 NWSS DCIPHER CSV Bulk Upload Tool.	1	52,000	139/60	120,467
State, tribal, local, territorial health departments.	Component 2 Forms: Sewershed Spatial Files (No Form); Component 1–2–3 NWSS DCIPHER CSV Bulk Upload Tool.	55	20	5/60	92
Wastewater utilities	Component 2 Forms: Sewershed Spatial Files (No Form); Component 1–2–3 NWSS DCIPHER CSV Bulk Upload Tool.	1,100	1	2	2,200
State, tribal, local, territorial health departments.	Component 3 Forms: NWSS COVID Case Data Dictionary; NWSS DCIPHER Case Data CSV Upload Template; NWSS DCIPHER Sewershed Name Crosswalk CSV Upload Template; Component_1–2–3 NWSS DCIPHER CSV Bulk Upload Tool.	55	39,977	5/60	183,228
Total					571,013

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2023–14413 Filed 7–6–23; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day–23–1204]

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 ''Behavioral Risk Factor Surveillance System (BRFSS) Asthma Call-back Survey (ACBS)'' 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 March 6, 2023 to obtain comments from the public and affected agencies. CDC did not receive comments related to the previous notice 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 ''*http://www.reginfo.gov/public/doPRAMain*''. 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

Behavioral Risk Factor Surveillance System (BRFSS) Asthma Call-back Survey (ACBS) (OMB Control No. 0920–1204, Expiration Date 11/30/2023)—Revision—National Center for Environmental Health (NCEH), Centers for Disease Control and Prevention (CDC).

Background and Brief Description

The CDC's National Center for Environmental Health (NCEH) is requesting OMB approval for three years to revise and continue the ''Behavioral Risk Factor Surveillance System (BRFSS) Asthma Call-back Survey (ACBS)'' (OMB Control No. 0920–1204, Expiration Date 11/30/2023). The ACBS is funded by the NCEH National Asthma Control Program (NACP) in the Asthma and Community Health Branch (ACHB) and is administered on behalf of NCEH by the CDC's National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP) BRFSS Program. BRFSS coordinators in the health departments in U.S. states, territories, and the District of Columbia (collectively referred to as ''states'' and ''jurisdictions'') are responsible for administering both the BRFSS and the ACBS.

The BRFSS (OMB Control No. 0920–1061, expiration date 12/31/2024) is a nationwide system of customized, cross-sectional telephone health surveys. The BRFSS information collection is conducted in a continuous, three-part telephone interview process: screening, participation in a common BRFSS core survey, and participation in optional question modules that states use to customize survey content. The ACBS is a follow-up survey conducted in households that include an individual who has been diagnosed with asthma. The ACBS is conducted within two days after the BRFSS survey. The purpose of ACBS is to gather state-level asthma data and to make them available to track the burden of the disease, to monitor adherence to asthma guidelines, and to direct and evaluate interventions undertaken by asthma control programs located in state health departments. Beyond asthma prevalence estimates, for most states, the ACBS provides the only source of adult and child asthma data at the state and local level.

Data collection for ACBS involves screening, obtaining permission, consenting, and telephone interviewing on a subset of the BRFSS respondents from participating states. The ACBS eligible respondents are BRFSS adults, 18 years and older, who report ever being diagnosed with asthma. In addition, some states include children, below 18 years of age, who are randomly selected subjects in the BRFSS household. Parents or guardians serve as ACBS proxy respondents for their children ever diagnosed with asthma. If both the BRFSS adult respondent and the selected child in the household have asthma, then only one or the other is eligible for the ACBS.

State BRFSS Coordinators submit de-identified data files to CDC on a monthly or quarterly basis for cleaning and weighting. The CDC BRFSS ACBS operation team returns clean, weighted data files to the state of origin for its use. The ACBS adds considerable state-level depth to the existing body of asthma data. It addresses critical questions surrounding the health and experiences of persons with asthma. Health data include symptoms, environmental factors, and medication use among persons with asthma. Data on their experiences include activity limitation, health system use, and self-management education. These asthma data are needed to direct and evaluate interventions undertaken by asthma control programs located in state health departments. Federal agencies and other entities also rely on this critical information for planning and evaluating efforts to reduce the burden of this disease. The CDC makes annual ACBS datasets available for public use and provides guidance on statistically appropriate uses of the data.

In response to the contours of 2020 Terms of Clearance, the annual joint response rates from BRFSS and ACBS were reported with the ACBS annual dataset. To communicate the caveats of state-to-state comparisons, the ACBS nonresponse bias and impact on prevalence estimation are being analyzed and reported as appendix tables of the annual data quality report released with the public use dataset for adult and child participants (*https://www.cdc.gov/brfss/acbs/2020/pdf/sdq_report_acbs_20-508.pdf*). The first table reports unweighted and weighted demographic distribution percentages for each participating state based on BRFSS-eligible asthma respondents, non-respondents to the ACBS, and ACBS final completes. The second table reports estimated current asthma percentage among individuals who have ever been diagnosed with asthma. These two tables will help communicate the potential impact of nonresponse bias on the ACBS published dataset.

To provide clear communication about the caveats of state-to-state comparisons, the NACP revised the tables of prevalence estimates for asthma risk factors based on ACBS and reduced the number of risk factors prevalence tables from 20 to 13. The NACP also deleted the tables (active asthma related risk factors) that didn't provide enough information for state-to-state comparisons. A footnote with a hyperlink to the nonresponse report has been incorporated into the footnote for annual ACBS risk factors prevalence tables which can be viewed at: *https://www.cdc.gov/brfss/acbs/2019_tables_LLCP.html.*

In addition, and also in response to the 2020 Terms of Clearance, the NACP undertook efforts to streamline the ACBS, reduce unnecessary burden, and ensure that the question wording is aligned with more recent studies. The questionnaires were re-evaluated by ACBS questionnaire working groups and the ACBS recipients. Beginning in 2024, the NACP proposes a to delete 6 questions from the adult's questionnaire and 17 questions from child's questionnaire. The adult's questionnaire will include nine new questions and the child's questionnaire will include 10 new questions. The estimated time burden for the interview will remain unchanged from that of the 2021 questionnaire (10 minutes per response). There are no proposed changes to the number of responses per respondent.

The total BRFSS sample size decreased from 476,217 in 2016 to 393,474 in 2020, and as a result of decreasing BRFSS sample size, the number of individuals eligible for the ACBS decreased from 46,100 to 41,444 during that period. The NACP proposes the following changes to the burden estimation from 2021 (based on 2016 ACBS response data) to 2024 (based on 2020 response data):

The total estimated number of responses is 57,852, which is a decrease of 10,074 from the previously approved 68,846. The total estimated annualized time burden is 6,073 hours, which is a decrease of 542 hours from the previously approved 6,615 hours. Participation in the ACBS is voluntary and there are no costs 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)
BRFSS Adults	ACBS Landline Screener—Adult	8,170	1	1/60
	ACBS Cell Phone Screener—Adult	20,780	1	1/60
BRFSS Parents or Guardians of Children	ACBS Landline Screener—Child	834	1	2/60
	ACBS Cell Phone Screener—Child	4,109	1	2/60
ACBS Adults	ACBS Adult Consent and Survey	20,155	1	10/60
ACBS Parents or Guardians of Children	ACBS Child Consent and Survey	3,764	1	10/60
State BRFSS Coordinators	ACBS Adult Data Submission Layout	40	12	155/60
	ACBS Child Data Submission Layout	40	12	25/60

Jeffrey M. Zirger,

Lead, Information Collection Review Office, Office of Public Health Ethics and Regulations, Office of Science, Centers for Disease Control and Prevention.

[FR Doc. 2023–14412 Filed 7–6–23; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10488, CMS–10708 and CMS–10846]

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 *August 7, 2023.*

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:* Revision of currently approved collection; *Title of Information Collection:* Consumer Experience Survey Data Collection; *Use:* Section 1311(c)(4) of the Affordable Care Act requires the Department of Health and Human Services (HHS) to develop an enrollee satisfaction survey system that assesses consumer experience with qualified health plans (QHPs) offered through an Exchange. It also requires public display of enrollee satisfaction information by the Exchange to allow individuals to easily compare enrollee satisfaction levels between comparable plans. HHS established the QHP Enrollee Experience Survey (QHP Enrollee Survey) to assess consumer experience with the QHPs offered through the Marketplaces. The survey includes topics to assess consumer experience with the health care system such as communication skills of providers and ease of access to health care services.

CMS developed the survey using the Consumer Assessment of Health Providers and Systems (CAHPS®) principles (*https://www.ahrq.gov/cahps/about-cahps/principles/index.html*) and established an application and approval process for survey vendors who want to participate in collecting QHP enrollee experience data. The QHP Enrollee Survey, which is based on the CAHPS® Health Plan Survey, will be used to (1) help consumers choose among competing health plans, (2) provide actionable information that the QHPs can use to improve performance, (3) provide information that regulatory and accreditation organizations can use to regulate and accredit plans, and (4) provide a longitudinal database for consumer research. CMS completed two rounds of developmental testing including 2014 psychometric testing and 2015 beta testing of the QHP Enrollee Survey.

The psychometric testing helped determine psychometric properties and

provided an initial measure of performance for Marketplaces and QHPs to use for quality improvement. Based on psychometric test results, CMS further refined the questionnaire and sampling design to conduct the 2015 beta test of the QHP Enrollee Survey. CMS previously obtained clearance for the 2016–2023 administrations of the QHP Enrollee Survey. At this time, CMS is requesting to renew approval for the information collection related to the QHP Enrollee Experience Survey in 2024–2026. These activities are necessary to ensure that CMS fulfills legislative mandates established by section 1311(c)(4) of the Affordable Care Act to develop an ''enrollee satisfaction survey system'' and provide such information on Marketplace websites. CMS is also seeking approval to remove the flu vaccine question and revise the race and ethnicity questions to align with the 2011 HHS Data Collection Standard for the QHP Enrollee Survey 2024 administration. *Form Number:* CMS–10488 (OMB control number: 0938–1221); *Frequency:* Annually; *Affected Public Sector:* (Individuals and households), private sector (business or other for-profits and not-for-profit institutions); *Number of Respondents:* 97,505; *Total Annual Responses:* 97,505; *Total Annual Hours: 16,290.* (For policy questions regarding this collection contact Nidhi Singh Shah at 301–492–5110.)

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Proposed Repetitive, Scheduled Non-Emergent Ambulance Transport (RSNAT) Prior Authorization Process and Requirements for a Potential National Model; *Use:* Section 515(b) of MACRA (Pub. L. 114–10) added paragraph (16) to section 1834(l) of the Act, which requires that, beginning January 1, 2017, the Secretary expand the RSNAT Prior Authorization Model nationally to all states if model expansion meets certain statutory requirements for Innovation Center programs. These requirements are described in paragraphs (1) through (3) of section 1115A(c) of the Act: the Secretary determines that such expansion is expected to—reduce spending under applicable title without reducing the quality of care; or—(A) improve the quality of patient care without increasing spending; and (1) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that such expansion would reduce (or would not result in any increase in) net program spending under applicable titles; and (2) the Secretary determines that such expansion would not deny or limit the coverage or provision of benefits under the applicable title for applicable individuals.

Pursuant to the authority in section 515(b) of MACRA (Pub. L. 114–10), CMS is seeking to renew the necessary approval under the existing OMB approval for the collection of information to continue operating the RSNAT Prior Authorization Model. *Form Number:* CMS–10708 (OMB control number: 0938–1380); *Frequency:* Occasionally; *Affected Public:* Private sector (business or other for-profits, not-for-profit institutions); *Number of Respondents:* 1,580; *Number of Responses:* 83,374; *Total Annual Hours:* 46,427. (For questions regarding this collection contact Angela Gaston at 410–786–7409.)

3. *Type of Information Collection Request:* New collection (Request for a new OMB control number); *Title of Information Collection:* Medicare Part D Manufacturer Discount Program Agreement; *Use:* Congress enacted the Inflation Reduction Act of 2022, Public Law 117–169 (IRA). Section 11201 of the IRA eliminates the coverage gap phase of the Part D benefit. It also sunsets the coverage gap discount program (CGDP) after December 31, 2024, and amends the Social Security Act (the Act) to add section 1860D–14C, requiring the Secretary to establish a new Medicare Part D manufacturer discount program (MDP) beginning January 1, 2025. Under the MDP, participating manufacturers are required to provide discounts on their ''applicable drugs'' (brand drugs, biologics, and biosimilars) both in the initial coverage phase and in the catastrophic coverage phase of the Part D benefit.

Information in this collection is needed to set up agreements between manufacturers and CMS. Under section 1860D–14C(a) of the Act, such agreements are required for manufacturers in order to participate in the MDP and, under section 1860D43(a) of the Act, for their applicable drugs to be covered under Part D beginning in 2025. The information collected from manufacturers in the Health Plan Management System (HPMS) (Appendix A) is needed to create and execute MDP agreements and to determine which manufacturers qualify as a specified manufacturer or specified small manufacturer for phased-in discounts under section 1860D–14C(g)(4) of the Act. Banking information collected by the TPA from manufacturers and plan sponsors (Appendix B) is needed to prepare invoices and process financial transactions (deposits and payments) through the ACH. *Form Number:* CMS–10846 (OMB control number: 0938-New); *Frequency:* Once; *Affected Public:* Private Sector: Business or other for-profit and not-for-profit institutions; *Number of Respondents:* 659; *Total Annual Responses:* 659; *Total Annual Hours:* 4,613. (For policy questions regarding this collection contact Beckie Peyton at 410–786–1572.)

Dated: June 30, 2023.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2023–14306 Filed 7–6–23; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Information Comparison With Insurance Data

AGENCY: Office of Child Support Services, Administration for Children and Families, Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Office of Child Support Services (OCSS), Administration for Children and Families (ACF), is requesting the Federal Office of Management and Budget (OMB) to extend approval of the Information Comparison with Insurance Data, with minor changes, for an additional three years. The current OMB approval (OMB No.: 0970–0342) expires January 31, 2024.

DATES: *Comments due within 60 days of publication.* In compliance with the requirements of the Paperwork Reduction Act of 1995, ACF is soliciting public comment on the specific aspects of the information collection described above.

ADDRESSES: You can obtain copies of the proposed collection of information and submit comments by emailing *infocollection@acf.hhs.gov.* All requests should be identified by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: The Deficit Reduction Act of 2005 amended section 452 of the Social Security Act to authorize the Health and Human Services Secretary, through the Federal Parent Locator Service, to conduct comparisons of information concerning individuals owing past-due child support with

information maintained by insurers (or their agents) concerning insurance claims, settlements, awards, and payments. On a daily basis, OCSS sends the results of the insurance data match in an ''Insurance Match Response Record'' to child support agencies that use the insurance data matches to collect past-due support from the insurance proceeds. OCSS incorporated a separate burden calculation for respondents opting to electronically report quarterly.

Respondents: Insurers or their agents, including the U.S. Department of Labor and State agencies administering workers' compensation programs, and the Insurance Services Office.

ANNUAL BURDEN ESTIMATES

Collection instrument	Total number of respondents	Total number of responses per respondent	Average burden hours per response	Total annual burden hours
Insurance Match File: Quarterly Reporting Electronically	1	4	0.083	0.33
Insurance Match File: Monthly Reporting Electronically	26	12	0.083	25.90
Insurance Match File: Weekly Reporting Electronically	19	52	0.083	82.00
Insurance Match File: Daily Reporting Electronically	1	251	0.083	20.83
Match File: Daily Reporting Manually	118	251	0.1	2,961.80

Estimated Total Annual Burden Hours: 3,090.86.

Comments: The Department specifically requests comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Authority: 42 U.S.C. 652(a)(9), 42 U.S.C. 653(a)(1) and 42 U.S.C. 652(m).

Mary B. Jones,

ACF/OPRE Certifying Officer.

[FR Doc. 2023–14339 Filed 7–6–23; 8:45 am]

BILLING CODE 4184–41–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Announcing the Intent To Award a Sole-Source Supplement for the Christopher and Dana Reeve Foundation

ACTION: Notice of intent to award a sole source supplement to the Christopher and Dana Reeve Foundation.

SUMMARY: The Administration for Community Living (ACL) is announcing the award of a sole-source supplement for the National Paralysis Resource Center (PRC) as a result of the 2023 Congressional budget appropriations. The National Paralysis Resource Center is operated by the Christopher and Dana Reeve Foundation and offers important programmatic opportunities for persons with disabilities and older adults. The NPRC provides comprehensive information for people living with spinal cord injury, paralysis, and mobility-related disabilities and their families. Resources include information and referral by phone and email in multiple languages; a peer and family support mentoring program; a military and veterans' program; multicultural outreach services; multiple quality of life grants; and a national website. The administrative supplement for FY 2023 will be in the amount of $1,300,000, bringing the total award for FY 2023 to $10,000,000.

SUPPLEMENTARY INFORMATION:

Program Name: National Paralysis Resource Center.

Recipient: Christopher and Dana Reeve Foundation.

Period of Performance: The supplement award will be issued for the second year of a five-year project period, July 1, 2023, through June 30, 2024.

Award Amount: $1,300,000.

Award Type: Cooperative Agreement.

Statutory Authority: This program is authorized under section 317 of the Public Health Service Act (42 U.S.C. 247(b–4)); Consolidated and Further Continuing Appropriations Act, 2016, Public Law 114–113 (Dec. 18, 2015).

CFDA Number: 93.325 Discretionary Projects.

The purpose of the supplemental funding is to support the expansion the National Paralysis Resource Center to improve the health and quality of life of individuals living with paralysis and their families by raising awareness of and facilitating access to a broad range of services relevant to individuals with paralysis. With the additional funding, the NPRC will work to expand the National Resource and Information Center; increase the health and quality of life of Americans with disabilities living with paralysis; increase support and resources to people with paralysis, their families and caregivers; expand collaboration with federal agencies and other national organizations that have a vested interested in the paralysis community; and strengthen performance measures.

Dated: June 30, 2023.

Alison Barkoff,

Acting Administrator and Assistant Secretary for Aging.

[FR Doc. 2023–14335 Filed 7–6–23; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities; Submission for OMB Review; Public Comment Request; SHIP–SMP Survey of One-on-One Assistance, (OMB Control Number 0985–0057)

AGENCY: Administration for Community Living, HHS.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing that the proposed collection of information listed above has been submitted to the Office of Management and Budget (OMB) for review and clearance as required under the Paperwork Reduction Act of 1995. This 30-day notice collects comments on the information collection requirements related to the Proposed Revision and

solicits comments on the information collection requirements related to the ''SHIP–SMP Survey of One-on-One Assistance''.

DATES: Comments on the collection of information must be submitted electronically by 11:59 p.m. (EST) or postmarked by August 7, 2023.

ADDRESSES: Submit written comments and recommendations for the proposed information collection within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find the information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. By mail to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW, Rm. 10235, Washington, DC 20503, Attn: OMB Desk Officer for ACL.

FOR FURTHER INFORMATION CONTACT: Shefy Simon, Administration for Community Living, Washington, DC 20201, 202–795–7572, *shefy.simon@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act, ACL has submitted the following proposed information collection to OMB for review and clearance.

The SHIP–SMP Survey of One-on-One Assistance is a survey of individuals who meet with team members from the State Health Insurance Assistance Program (SHIP) or the Senior Medicare Patrol (SMP). These services help Medicare beneficiaries understand their Medicare benefits and options. These services also increase the ability of beneficiaries to identify and report fraud, waste, and abuse within health care programs generally, and Medicare/Medicaid specifically. The State Health Insurance Assistance Program (SHIP) was created under the Omnibus Budget Reconciliation Act of 1990. This section of the law authorized the Department of Health and Human Services (HHS) to make grants to states to establish and maintain health insurance advisory service programs for Medicare beneficiaries. Grant funds were made available to support information, counseling, and assistance activities related to Medicare, Medicaid, and other health insurance options. SHIP grantees provide free, in-depth, unbiased, one-on-one health insurance counseling and assistance to Medicare beneficiaries, their families, and caregivers.

The Senior Medicare Patrol (SMP) program was authorized in 1997 under titles II and IV of the Older Americans Act, the Omnibus Consolidated Appropriation Act of 1997 and the Health Insurance Portability and Accountability Act of 1996. The SMP mission is to empower and assist Medicare beneficiaries, their families, and caregivers, to prevent, detect, and report suspected healthcare fraud, errors, and abuse through outreach, counseling, and education. SMP grantees support ACL's goals of promoting increased choice and greater independence among older adults and individuals with disabilities. SMP activities also serve to enhance the financial, emotional, physical, and mental well-being of older adults, thereby increasing their capacity to maintain security in retirement and make better financial and healthcare choices. SMP team members provide one-on-one assistance, and when needed, serve as consumer advocates to resolve billing disputes/issues.

The SHIP–SMP Survey of One-on-One Assistance will gauge individuals' satisfaction with the services provided by SHIP and SMP team members. This survey is an extension of a currently approved information collection the ''National Beneficiary Survey of State Health Insurance Assistance Program (SHIP)'', which received clearance on July 31, 2020, with ICR Reference Number 201702–0985–002 and OMB Control Number 0985–0057. That survey was conducted over a three-year period beginning on October 1, 2020 and will conclude on June 30, 2023. To date, this survey has generated over 2500 responses, all of which were submitted voluntarily.

ACL conducted an evaluation of the Medicare Improvements for Patients and Providers Act (MIPPA) in 2022–23 that invoked the need to include collecting demographic data, including sexual orientation and gender identity (SOGI) information, in all the work ACL's Office of Healthcare Information and Counseling touches and not just MIPPA grant work. The renewal of the SHIP–SMP Survey of One-on-One Assistance is the first opportunity to do so. Including sexual orientation and gender identity questions in this information collection will provide data on topics such as the accessibility and utilization of services and programs funded by ACL by lesbian, gay, bisexual, and transgender populations and the health disparities that impact this community. Understanding these disparities can and should lead to improved service delivery for ACL's programs and populations served. Adding sexual orientation and gender identity items to SHIP–SMP Survey of One-on-One Assistance is part of ACL's strategy to address ''Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity and Sexual Orientation.'' Issued in January 2021, Executive Order 13988 called upon agencies to identify existing and new policies to promote equal treatment under the law and ensure that all persons can access healthcare and other essential services without being subjected to sex discrimination. To support alignment with Executive Order 13988, as well as Executive Orders 13985 and 14075, three items will be added to SHIP–SMP Survey of One-on-One Assistance to collect sexual orientation and gender identity.

The first item will ask the individual if they think of themselves as gay/lesbian, straight, bisexual, or something else. This item has been fielded on the NHIS since 2013, where it has been closely monitored for comprehension and sensitivity.

The second and third items are part of a two-step series to collect gender identity, which requires two items to accurately collect. Respondents are first asked to report their sex assigned at birth on their original birth certificate (male, female, don't know, prefer not to answer). Next, respondents are asked to report their current gender identity (male, female, transgender, I use a different term, prefer not to answer) This two-step series aligns with recommendations from the National Academies of Sciences, Engineering, and Medicine's (NASEM's) recent report, ''Measuring Sex, Gender Identity, and Sexual Orientation.'' These items have also been cognitively tested for inclusion in the Medicare Current Beneficiaries Survey under the MCBS Generic Clearance and performed well.

Estimated Program Burden: ACL estimates the burden associated with this collection of information as follows:

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
Survey, Stratified Random Sample	800	1	6/60	80
Total	800	1	6/60	80

Dated: June 30, 2023.

Alison Barkoff,

Acting Administrator and Assistant Secretary for Aging.

[FR Doc. 2023–14336 Filed 7–6–23; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; HRSA Telehealth Outcome Measures—OMB No. 0915–0311—Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the 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 August 7, 2023.

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 HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call (301) 443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: HRSA Telehealth Outcome Measures—OMB No. 0915–0311—Extension.

Abstract: In order to help carry out its mission, HRSA created a set of performance measures that grantees can use to evaluate the effectiveness of their services programs and monitor their progress through the use of performance reporting data.

A 60-day notice published in the **Federal Register** on February 27, 2023, vol. 88, No. 38; pp. 12385–86. There were no public comments.

Need and Proposed Use of the Information: As required by the Government Performance and Results Act of 1993, all Federal agencies must develop strategic plans describing their overall goal and objectives. HRSA worked with its grantees to develop performance measures to be used to evaluate and monitor the progress of the grantees. Grantee goals are to: improve access to needed services; reduce rural practitioner isolation; improve health system productivity and efficiency; and improve patient outcomes. In each of these categories, specific indicators were designed to be reported through a performance monitoring website. In 2020, measures were added to the Telehealth Network Grant Program to capture awardee-level and aggregate data that illustrate the impact and scope of Federal funding along with assessing these efforts. The measures speak to HRSA's progress toward meeting the goals, specifically telehealth services delivered through Emergency Departments.

Likely Respondents: Telehealth Network Grantees.

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
Performance Improvement Measurement System	29	1	29	7	203
Total	29	.....	29	.....	203

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2023–14316 Filed 7–6–23; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Rural Maternity and Obstetrics Management Strategies Program, OMB No. 0915–xxxx—NEW.

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA 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 August 7, 2023.

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 HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call 301–443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Rural Maternity and Obstetrics Management Strategies Program OMB No. 0915–xxxx—NEW.

Abstract: HRSA administers the Rural Maternity and Obstetrics Management Strategies (RMOMS) Program, which is authorized by sections 501(a)(2) and 711(b)(5) of the Social Security Act (42 U.S.C. 701(a)(2) and 912(b)(5), respectively), and sections 330A(e) and 330A–2 of the Public Health Service Act (42 U.S.C. 254c(e) and 254c–1b, respectively). These authorities allow HRSA to, among other things, award grants to promote rural health care services outreach by improving and expanding the delivery of health care services to include new and enhanced services in rural areas, through community engagement and evidence-based or innovative, evidence-informed models; as well as establish or continue collaborative improvement and innovation networks to improve access to, and delivery of, maternity and obstetrics care in rural areas.

The RMOMS program grants support networks that improve access to, and continuity of, maternal and obstetrics care in rural communities. The goals of the RMOMS program are to: (1) improve maternal and neonatal outcomes within a rural region; (2) develop a sustainable network approach to increase the delivery and access of preconception, prenatal, pregnancy, labor and delivery, and postpartum services; (3) develop a safe delivery environment with the support and access to specialty care for perinatal patients and infants; and (4) develop sustainable financing models for the provision of maternal and obstetrics care in rural hospitals and communities.

HRSA seeks OMB approval to collect information about RMOMS program grants using performance measures in HRSA's Electronic Handbooks via the Performance Improvement and Measurement System.

A 60-day notice published in the **Federal Register** on April 7, 2023, vol. 88, No. 67; pp. 20893–20894. There were no public comments.

Need and Proposed Use of the Information: For this program, performance measures were drafted to provide data to the program and enable HRSA to provide aggregate program data required by Congress under the Government Performance and Results Act of 1993. These measures cover the principal topic areas of interest to the Federal Office of Rural Health Policy, including: (1) consortium/network; (2) sustainability; (3) population demographics; (4) project specific domains. The annual collection of this information helps further inform and substantiate the focus and objectives of the RMOMS program.

Likely Respondents: The respondents will be recipients of the Rural Maternity and Obstetrics Management Strategies Program awards.

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
Rural Maternity and Obstetrics Management Strategies Program Performance Improvement and Measurement System	10	1	10	9	90
Total	10		10		90

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2023–14325 Filed 7–6–23; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Nurse Corps Supplemental Funding Evaluation OMB No. 0915–xxxx—New

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA 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 August 7, 2023.

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, Samantha Miller, the Acting HRSA Information Collection Clearance Officer, at *paperwork@hrsa.gov* or call 301–443–3983.

SUPPLEMENTARY INFORMATION:

Information Collection Request Title: Nurse Corps Supplemental Funding Evaluation OMB No. 0915–xxxx—New

Abstract: The objective of Nurse Corps Loan Repayment Program (LRP) and Scholarship Program (SP) is to increase the nursing workforce in underserved areas. The Nurse Corps LRP reimburses educational loans for nurses who serve a minimum 2-year commitment in a critical shortage facility or work as nurse faculty in accredited schools of nursing. The Nurse Corps SP similarly pays for educational expenses of nursing students who agree to a minimum 2-year service commitment in critical shortage facilities upon graduation.

HRSA last conducted a comprehensive evaluation of the Nurse Corps Programs in 2006. This notice describes plans for conducting an updated program evaluation to understand more recent program successes and challenges, including how the COVID–19 pandemic effected the programs. Additionally, HRSA seeks to understand the impact of additional funding for the Nurse Corps Programs from the American Rescue Plan Act of 2021. The evaluation will seek information from participants and alumni of the Nurse Corps Programs from 2017 through 2023 and will assess program outcomes from before, during, and after the COVID–19 pandemic, as well as the impact of the American Rescue Plan funds. This mixed-methods evaluation will have three major components: (1) analysis of existing information, (2) a national survey of Nurse Corps participants and alumni, and (3) in-depth interviews (IDIs) with participants and alumni.

The national survey of Nurse Corps participants will target the following groups of respondents: LRP clinical nurse participants and alumni, LRP nurse faculty participants and alumni, SP participants (both in school and completing service obligation) and alumni. The survey will be designed and delivered via web and telephone, with reminders and a web address and a personal identification number for the survey sent by both U.S. mail and email. The survey will be conducted on a census of participants from 2017 through 2023, an estimated 7,302 participants. The survey will be tested with a small number of program participants to ensure that respondents are interpreting items as intended. An interview will be completed with each respondent during which the interviewer will ask for more in-depth explanations about the participants' understanding and response to the survey questions. Each question will be tested on no more than nine Nurse Corps participants.

As part of a comprehensive questionnaire design process, questions will be limited and refined to collect information not available through other sources. Data collected will not be duplicative of that collected by HRSA for program monitoring. The questions will cover satisfaction with the program and service obligation site, intention to remain at the site, actual location of current practice (for alumni), training on preparedness for disasters and disease outbreaks in schools of nursing and on site, types of services provided on site, panel size and visit load, and the impact of the COVID–19 pandemic on service delivery. The survey will display only questions relevant to the respondent's program and timeframe. Participation in the survey is voluntary, and participants will complete the survey one time.

The IDIs will be conducted with 54 participants and alumni representing the range of respondent groups: 18 IDIs will be conducted with LRP participants and alumni, 18 IDIs will be conducted with LRP nurse faculty participants and alumni, and 21 IDIs will be conducted with SP participants (both in school and completing their service obligation) and alumni. One-on-one IDIs with Nurse Corps participants and alumni will enrich the evaluation by eliciting data on the Nurse Corps experience that are more nuanced than what is feasible to collect through the survey alone. The 45-minute virtual IDIs will be conducted after the survey with a sample of current program participants and alumni. Recruitment approaches for the IDIs will include a survey question asking respondents if they would be willing to participate in an IDI as well as direct recruiting from the census of program participants and alumni via email. The IDIs will ask specifically about the process of and motivation for applying to the program, details about the Nurse Corps site experience, site-level resiliency strategies and whether they were successful, and experience working through the COVID–19 pandemic at Nurse Corps sites.

A 60-day notice published in the **Federal Register** on April 14, 2023, vol. 88, No. 72; pp. 23091–92. There were no public comments.

Need and Proposed Use of the Information: The information collected through the surveys and IDIs will fill gaps in the existing information available from other sources. Specific topics for data collection that are critical for evaluating the Nurse Corps Programs are discussed below.

(1) *Impact of the Programs on longer-term decisions to remain in the nursing workforce at a Nurse Corps site or in another underserved area.* Understanding the long-range decisions of participants is critical to understanding the success of the Nurse Corps Programs, as its goal is to affect longer-term change in the nursing workforce distribution.

(2) *Experience and satisfaction with program participation, from the application phase through the service obligation phase.* Participants and alumni are the only source of information about their experience and satisfaction with the program, which are important evaluation outcomes that will

be used to inform future programming efforts.

(3) *Details of service provision and experience with COVID–19.* The COVID–19 pandemic impacted the Nurse Corps Programs and the nursing workforce in different ways. On one hand, enhanced funding for the programs resulting from the pandemic led to increases in the annual number of participants. On the other, the pandemic fundamentally reshaped the work environment for nurses, leading to increased stress, risk of illness, and changes in how care is delivered. The survey will focus on the experiences of those serving before, during, and after the pandemic to understand how the pandemic shaped participants' decisions to remain in the nursing workforce and in critical shortage facilities.

Likely Respondents: Nurse Corps LRP clinical participants and alumni (from 2017 through 2023), LRP nurse faculty participants and alumni (from 2017 through 2023), SP participants and alumni (from 2017 through 2023).

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
In-depth Interviews (IDIs)					
LRP Clinical Nurses	18	1	18	0.75	13.50
LRP Nurse Faculty	18	1	18	0.75	13.50
SP Students	21	1	21	0.75	15.75
Total	57		57		42.75
Web-based Surveys with Telephone Nonresponse Follow-up					
Nurse Corps Loan Repayment Program—Clinical Nurse Participants and Alumni	5,082	1	5,082	0.42	2,134.44
Nurse Corps Loan Repayment Program—Nurse Faculty Participants and Alumni	804	1	804	0.42	337.68
Nurse Corps Scholarship Program—Participants and Alumni	1,416	1	1,416	0.42	594.72
Total	7,302		7,302		3,066.84

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2023–14320 Filed 7–6–23; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–0278–30D]

Agency Information Collection Request. 30-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before August 7, 2023.

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.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, *Sherrette.Funn@hhs.gov* or (202) 264–0041, or *PRA@HHS.GOV.* When submitting comments or requesting information, please include the document identifier 0990–0278–30D and project title for reference.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Federalwide Assurance (FWA) Form.

Type of Collection: Extension.

Abstract: The Office of the Assistant Secretary for Health, Office for Human Research Protections (OHRP), is requesting a three-year extension of the OMB No. 0990–0278, Federalwide Assurance (FWA) Form, with no changes in the collected information. The purpose of the FWA form is to provide a simplified procedure for institutions engaged in research conducted or supported by the Department of Health and Human Services (HHS) to satisfy the assurance requirements of (1) Section 491(a) of the Public Health Service Act (the PHS Act) (42 U.S.C. 289); and (2) HHS regulations for the protection of human subjects at 45 CFR 46.103.

Type of Respondent: Institutions engaged in HHS-conducted or –supported research involving human subjects.

ESTIMATED ANNUALIZED BURDEN TABLE

Type of respondent	Number of respondents	Number responses per respondent	Average burden per response (in hours)	Total burden hours
Institutions engaged in HHS-conducted or –supported research involving human subjects	14,000	2	30/60	14,000
Total				14,000

Sherrette A. Funn,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2023–14322 Filed 7–6–23; 8:45 am]

BILLING CODE 4150–36–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Findings of Research Misconduct

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: Findings of research misconduct have been made against William M. Armstead, Ph.D. (Respondent), who was a Research Associate Professor of Anesthesiology and Critical Care, Department of Anesthesiology and Critical Care, Perelman School of Medicine, University of Pennsylvania (UPENN). Respondent engaged in research misconduct in research supported by U.S. Public Health Service (PHS) funds, specifically National Institute of Neurological Diseases and Stroke (NINDS), National Institutes of Health (NIH), grants R01 NS090998–01A1, R21 NS095321, and T32 NS043126 and National Institute of Child Health and Human Development (NICHD), NIH, grant R01 HD057355. The research was included in grant applications for PHS funds, specifically R35 NS116805–01, R01 NS121149–01, and R01 NS090998–02, –03, –04, and –05 submitted to NINDS, NIH, and R01 HL139506–01 submitted to the National Heart, Lung, and Blood Institute (NHLBI), NIH. The administrative actions, including debarment for a period of seven (7) years, were implemented beginning on June 19, 2023, and are detailed below.

FOR FURTHER INFORMATION CONTACT: Sheila Garrity, JD, MPH, MBA, Director, Office of Research Integrity, 1101 Wootton Parkway, Suite 240, Rockville, MD 20852, (240) 453–8200.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Office of Research Integrity (ORI) has taken final action in the following case:

William M. Armstead, Ph.D., University of Pennsylvania: Based on the report of an investigation conducted by UPENN and additional analysis conducted by ORI in its oversight review, ORI found that William M. Armstead, Ph.D., former Research Associate Professor of Anesthesiology and Critical Care, Department of Anesthesiology and Critical Care, Perelman School of Medicine, UPENN, engaged in research misconduct in research supported by PHS funds, specifically NINDS, NIH, grants R01 NS090998–01A1, R21 NS095321, and T32 NS043126 and NICHD, NIH, grant R01 HD057355. The research was included in grant applications for PHS funds, specifically R35 NS116805–01, R01 NS121149–01, and R01 NS090998–02, –03, –04, and –05 submitted to NINDS, NIH, and R01 HL139506–01 submitted to NHLBI, NIH.

ORI found that Respondent engaged in research misconduct by knowingly and intentionally falsifying and/or fabricating fifty-one (51) figures and the methods, data, results, and conclusions reporting on the effects of various vasoactive agents on the neurologic response to traumatic brain injury in piglets of different ages and genders in the following five (5) published papers, one (1) unpublished manuscript, one (1) review article, three (3) posters, three (3) grant applications submitted for PHS funds, and four (4) NIH grant progress reports:

- Dopamine protects cerebral autoregulation and prevents hippocampal necrosis after traumatic brain injury via block of ERK MAP in juvenile pigs. *Brain Res.* 2017 Sep 1;1670:118–24. Epub 2017 Jun 15. doi: 10.1016/j.brainres.2017.06.010 (hereafter referred to as ''*Brain Res.* 2017'').
- Sex and Age Differences in Epinephrine Mechanisms and Outcomes after Brain Injury. *J Neurotrauma* 2017 Apr 15;34(8):1666–75. Epub 2017 Jan 13. doi: 10.1089/neu.2016/4770 (hereafter referred to as ''*J Neurotrauma* 2017''). Retraction in: *J Neurotrauma* 2022 Jun;39(11–12):894. doi: 10.1089/neu.2016.4770.retract.
- Sex and age differences in phenylephrine mechanisms and outcomes after piglet brain injury. *Pediatr Res.* 2017 Jul;82(1):108–13. Epub 2017 Apr 26. doi:10.1038/pr.2017.83 (hereafter referred to as ''*Pediatr Res.* 2017''). Retraction in *Pediatr Res.* 2022 Oct:92 (4):1200. doi:10.1038/s41390–022–02248–9.
- Norepinephrine Protects Cerebral Autoregulation and Reduces Hippocampal Necrosis after Traumatic Brain Injury via Blockade of ERK MAPK and IL–6 in Juvenile Pigs. *J Neurotrauma.* 2016 Oct 1;33(19):1761–67. Epub 2016 Mar 22. doi: 10.1089/neu.2015.4290 (hereafter referred to as ''*J Neurotrauma* 2016''). Retraction in: *J Neurotrauma.* 2022 Jun;39(11–12):893. doi:neu.2015.4290.retract.
- Preferential Protection of Cerebral Autoregulation and Reduction of Hippocampal Necrosis with Norepinephrine After Traumatic Brain Injury in Female Piglets. *Ped Crit Care Med.* 2016 Mar;17(3):e 130–7. doi: 10.1097/PCC.0000000000000603 (hereafter referred to as ''*Ped Crit Care Med.* 2016''). Retraction in: *Ped Crit Care Med.* 2022 Jul 1; 23(7):e371. doi: 10.1097/PCC.0000000000003014.
- *Manuscript:* Phenylephrine modulates CSF IL–6 in a sex-dependent manner to protect cerebral autoregulation and reduce neuronal death after traumatic brain injury in newborn pigs. Submitted to *Pediatric Critical Care Medicine* in 2019. Withdrawn (hereafter referred to as the ''*Ped Crit Care Med* 2019 manuscript'').
- *Review article:* Translational approach towards determining the role of cerebral autoregulation in outcome after traumatic brain injury. *Exp Neurol.* 2019 Jul;317:291–7. doi: 10.1016/j.expneurol.2019.03.015 (hereafter referred to as ''*Exp Neurol.* 2019'').

• *Poster:* Normalization of CPP after TBI protects autoregulation and hippocampal neuronal cell necrosis in female but not male piglets via block of ERK MAPK and IL–6 upregulation. 43rd Society for Neuroscience in Anesthesiology and Critical Care (SNACC) Annual Meeting, San Diego, CA, October 22–23, 2015 (hereafter referred to as the ''SNACC 2015 poster'').

• *Poster:* Norepinephrine protects cerebral autoregulation and reduces hippocampal necrosis after traumatic brain injury via block of ERK MAPK and IL–6 in juvenile pigs. Experimental Biology Annual Meeting, San Diego, CA, April 2–6, 2016 (hereafter referred to as the ''Experimental Biology 2016 poster).

• *Poster:* Epinephrine blocks JNK MAPK, protects autoregulation and reduces histopathology after brain injury by age and sex. Neurotrauma 2016—The 34th Annual Symposium of the National Neurotrauma Society, Lexington, KY, June 26–29, 2016 (hereafter referred to as the ''Neurotrauma Society 2016 poster'').

• R35 NS116805–01, ''Brain-heart relationships in outcomes after traumatic brain injury,'' submitted to NINDS, NIH, on July 26, 2019, administratively withdrawn on March 3, 2020.

• R01 NS121149–01, ''Brain Heart Interactions and Vascular Contribution to Cognitive Outcome After TBI,'' submitted to NINDS, NIH, on June 5, 2020, administratively withdrawn on November 1, 2022.

• R01 HL139506–01, ''tPA, NMDA receptor excitotoxicity, and outcome after stroke,'' submitted to NHLBI, NIH, on February 6, 2017, administratively withdrawn on July 2, 2019.

• NINDS, NIH, R01 NS090998–02, –03, –04, and –05 grant progress reports, ''Pressor Choice Influences Protection of Autoregulation in Brain Injury,'' Funding Period: September 1, 2015–August 31, 2020.

Specifically, ORI found that Respondent intentionally and knowingly:

• Reused histopathology slides to falsely represent the controls for hippocampal neurons exposed to fluid percussion injury (FPI) and treated with norepinephrine (NE), phenylephrine (PHE), epinephrine (EPI), or dopamine (DA) in distinct experiments performed at different times in Figures 7A, 7B, 7C, 7E, 7G, and 7H of *Ped Crit Care Med.* 2016, Figures 5A, 5B, 5C, 5D, 5G, and 5H of the *Ped Crit Cre Med.* 2019 manuscript, Figures 5A, 5B, 5C, 5E, 5G, and 5H of *Pediatr Res.* 2017, Figures 6A, 6B, 6C, 6G, and 6H of *J Neurotrauma* 2017, Figures 7A, 7B, 7C, and 7E of *J Neurotrauma* 2016, and Figures 5A, 5B, 5C, 5D, and 5E of *Brain Res.* 2017.

• Reused the histopathology slides representing necrotic neurons after FPI treatment with NE in Figure 7E of *Ped Crit Care Med.* 2016 and relabeled the panel to falsely represent necrotic neurons after FPI treatment with PHE in Figure 5D of the *Ped Crit Care Med.* 2019 manuscript.

• Reused and relabeled the histograms to falsely represent traumatic brain injury responses, as represented by necrotic hippocampal neurons, in piglets of different ages and/or genders exposed to different therapeutic agents in Figure 5I of the *Ped Crit Care Med.* 2019 manuscript, Figure 7I of *Ped Crit Care Med.* 2016, Figure 7G of *J Neurotrauma* 2016, Figure 7G of *J Neurotrauma* 2017, and Figure 5I of *Brain Res.* 2017.

• Reused and relabeled histograms to falsely represent the pial artery response to different therapeutic agents for traumatic brain injury in piglets of different ages and genders in Figure 3 of *Pediatr Res.* 2017, Figures 3A and 3B of *Ped Crit Care Med.* 2016, and Figures 3 and 5I of *Brain Res.* 2017.

• Falsified and/or fabricated the sham condition, experimental methods, neuronal count methodology, piglet number, data, and statistics reported in *Ped Crit Care Med.* 2016, *J Neurotrauma* 2016, *J Neurotrauma* 2017, *Pediatr Res.* 2017, *Brain Res.* 2017, and the *Ped Crit Care Med.* 2019 manuscript.

• Reported falsified data, results, and conclusions highlighting the roles that age and gender have in the treatment of traumatic brain injury from *Ped Crit Care Med* 2016, *J Neurotrauma* 2016, *J Neurotrauma* 2017, *Brain Res.* 2017, and *Pediatr Res.* 2017 in *Exp. Neuro* 2019.

• Reported falsified results from *Ped Crit Care Med.* 2016, *J Neurotrauma* 2016, *J Neurotrauma* 2017, and *Brain Res.* 2017 and in the SNACC 2016 poster, Experimental Biology 2016 poster, Neurotrauma 2016 poster in progress reports R01 NS090998–02, –03, –04, and –05.

• Reported falsified results of the vasoactive agents NE, EPI, PHE, and DA on autoregulation and hippocampal neuronal necrosis in piglets of different ages and genders after a stroke or traumatic brain injury in Figures 4A, 4B, 5A, 5B, 6A, and 6B of R35 NS116805–01 and R01 NS121149–01, Figures 3A, 3B, 3G, and 3H of R01 HL139506–01, and the Research Strategy section of R35 NS116805–01.

Respondent entered into a Voluntary Exclusion Agreement (Agreement) and voluntarily agreed to the following:

(1) Respondent will exclude himself voluntarily for a period of seven (7) years beginning on June 19, 2023 (the ''Exclusion Period''), from any contracting or subcontracting with any agency of the United States Government and from eligibility for or involvement in nonprocurement or procurement transactions referred to as ''covered transactions'' in 2 CFR parts 180 and 376 (collectively the ''Debarment Regulations'').

(2) During the Exclusion Period, Respondent will exclude himself voluntarily from serving in any advisory or consultant capacity to PHS including, but not limited to, service on any PHS advisory committee, board, and/or peer review committee.

(3) Respondent will request that the following paper be corrected or retracted:

• *Exp Neurol.* 2019 Jul;317:291–7. doi: 10.1016/j.expneurol.2019.03.015.

Respondent will copy ORI and the Research Integrity Officer at UPENN on the correspondence with the journal.

Dated: July 3, 2023.

Sheila Garrity,

Director, Office of Research Integrity, Office of the Assistant Secretary for Health.

[FR Doc. 2023–14426 Filed 7–6–23; 8:45 am]

BILLING CODE 4150–31–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Committee on Vital and Health Statistics; Meeting

AGENCY: Centers for Disease Control and Prevention, HHS.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, the Department of Health and Human Services (HHS) announces the following advisory committee meeting. This meeting is open to the public. The public is welcome to attend in person or virtually by following the instructions posted on the website: *https://ncvhs.hhs.gov/meetings/full-committee-meeting-14/.*

Name: National Committee on Vital and Health Statistics (NCVHS) Meeting.

DATES:

Wednesday, July 19, 2023: 9:15 a.m.–5:30 p.m. EDT.

Thursday, July 20, 2023: 8:45 a.m.–2:45 p.m. EDT.

ADDRESSES: Hubert H. Humphrey Building (HHS Headquarters), 200 Independence Avenue SW, Room 505–A, Washington, DC 20201.

Registration is not required for in-person attendance; however, it is strongly encouraged to expedite entry through building security. A valid form

of U.S. ID is required for in-person attendance.

FOR FURTHER INFORMATION CONTACT: Substantive program information may be obtained from Rebecca Hines, MHS, Executive Secretary, NCVHS, National Center for Health Statistics, Centers for Disease Control and Prevention, 3311 Toledo Road, Hyattsville, Maryland 20782, or via electronic mail to *vgh4@cdc.gov;* or by telephone (301) 458–4715. Summaries of meetings and a roster of Committee members are available on the NCVHS website *https://ncvhs.hhs.gov/,* where further information including an agenda and instructions to access the broadcast of the meeting will be posted.

Should you require reasonable accommodation, please telephone the CDC Office of Equal Employment Opportunity at (770) 488–3210 as soon as possible.

SUPPLEMENTARY INFORMATION:

Purpose: As outlined in its Charter, the National Committee on Vital and Health Statistics assists and advises the Secretary of HHS on health data, data standards, statistics, privacy, national health information policy, and the Department's strategy to best address those issues.[1] Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA),[2] NCVHS advises the Secretary on administrative simplification standards, including those for privacy, security, adoption and implementation of transaction standards, unique identifiers, code sets, and operating rules adopted under the Patient Protection and Affordable Care Act (ACA).[3]

The meeting agenda will include time to introduce six new members recently appointed to serve on the Committee, continue with activities outlined in the NCVHS 2023 workplan, and hold discussions on several health data policy topics, including a briefing on conversational artificial intelligence (AI).

The NCVHS Workgroup on Timely and Strategic Action to Inform ICD–11 Policy for morbidity will report to the full Committee on activities leading up to the August 3, 2023, Expert Roundtable meeting. The National Center for Health Statistics will provide an update on implementation of ICD–11 for mortality.

The Subcommittee on Privacy, Confidentiality and Security will host panel briefings on Privacy and Reproductive Health with invited experts. The Subcommittee on Standards will report on its ''Convergence 2.0'' activities in light of completion of recommendations to the Department approved at the June 14, 2023, meeting of the full Committee. Finally, the Committee will allot time to discuss language for inclusion in the Committee's 2023 Report to Congress.

The Committee will reserve time on the agenda for public comment. Meeting times and topics are subject to change. Please refer to the agenda posted on the NCVHS website for updates: *https://ncvhs.hhs.gov/meetings/full-committee-meeting-14/*.

Sharon Arnold,

Associate Deputy Assistant Secretary, Office of Science and Data Policy, Office of the Assistant Secretary for Planning and Evaluation.

[FR Doc. 2023–14284 Filed 7–6–23; 8:45 am]

BILLING CODE 4150–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meetings

Pursuant to section 1009 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 Heart, Lung, and Blood Institute Special Emphasis Panel; Mentored Career Development Awards.

Date: August 2, 2023.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kristin Goltry, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 209–B, Bethesda, MD 20892, (301) 435–0297, *goltrykl@mail.nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Emerging Investigator Award (R35 EIA) Review Meeting.

Date: August 3, 2023.

Time: 10:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kazuyo Kegan, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 208–T, Bethesda, MD 20892, (301) 402–1334, *kazuyo.kegan@nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; NHLBI Mentored Career Development K-Awards.

Date: August 3, 2023.

Time: 10:30 a.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Fungai Chanetsa, Ph.D., MPH, Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 206–B, Bethesda, MD 20817, (301) 402–9394, *fungai.chanetsa@nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Catalyze Enabling Technologies.

Date: August 4, 2023.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kristin Goltry, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 209–B, Bethesda, MD 20892, (301) 435–0297, *goltrykl@mail.nih.gov*.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Catalyze Product Definition.

Date: August 7, 2023.

Time: 10:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge I, 6705 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Kristin Goltry, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 209–B, Bethesda, MD 20892, (301) 435–0297, *goltrykl@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases

[1] The original authorities of NCVHS are described at 42 U.S. Code § 242k.

[2] Public Law 104–191, 110 Stat. 1936 (Aug 21, 1996), *available at https://www.congress.gov/104/plaws/publ191/PLAW-104publ191.pdf.*

[3] Public Law 111–148, 124 Stat. 119 (Mar. 23, 2010), *available at https://www.congress.gov/111/plaws/publ148/PLAW-111publ148.pdf.*

and Resources Research, National Institutes of Health, HHS)

Dated: June 30, 2023.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14297 Filed 7–6–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

FOR FURTHER INFORMATION CONTACT: Licensing information may be obtained by communicating with the Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases, 5601 Fishers Lane, Rockville, MD 20852 by contacting Chris Kornak at 240–627–3705 or *chris.kornak@nih.gov.* A signed Confidential Disclosure Agreement will be required to receive copies of unpublished information related to the invention.

SUPPLEMENTARY INFORMATION: Technology description follows:

Dual-Germline Antibody Engager Chimeric HIV–1 Immunogens

Description of Technology: Despite four decades of intensive research, a safe and effective HIV–1 vaccine remains elusive due to the extreme difficulty in eliciting broadly neutralizing antibodies (bNAbs), which recognize and block HIV–1 from entering healthy cells. Only rare natural HIV–1 envelopes (Envs) promote the activation and expansion of naïve B cells expressing unmutated germline antibodies of various bNAb lineages, but they typically do so for a single lineage for the same neutralization site. To overcome this challenge, NIAID has designed and characterized two chimeric HIV–1 Env immunogens capable of simultaneously engaging multiple germline bNAb lineages. Both chimeric Env immunogens maintain native-like folding and engage two lineages of germline bNAbs directed against two independent sites of HIV–1 vulnerability.

This technology is available for licensing for commercial development in accordance with 35 U.S.C. 209 and 37 CFR part 404, as well as for further development and evaluation under a research collaboration.

Potential Commercial Applications:

• *Immunization:* The dual-germline engager HIV–1 immunogens could be employed during the priming phase of an HIV vaccine to trigger multiple bNAb lineages simultaneously, resulting in a multi-target protective antibody response.

• *Clinical Treatment:* The dual-germline engager HIV–1 immunogens could serve as an alternative to current anti-retrovirals or incorporated into current HIV treatment strategies.

Competitive Advantages:

• Dual-germline engager HIV–1 Env immunogens are inherently superior to the currently available single-germline engagers for eliciting bNAbs.

• The chimeric design could be expanded to generate HIV–1 Env trimers with even more germline bNAb specificities to enable a broader immunogenic response against HIV.

Inventors: Peng Zhang, Ph.D., Paolo Lusso, M.D., Ph.D., both of NIAID.

Publications: Publication pending.

Intellectual Property: HHS Reference No. E–140–2022; US Provisional Application No. 63/397,789.

Licensing Contact: To license this technology, please contact Chris Kornak at 240–627–3705 or *chris.kornak@nih.gov,* and reference E–140–2022.

Collaborative Research Opportunity: The Technology Transfer and Intellectual Property Office is seeking parties interested in collaborative research to further develop this technology by manufacturing non-MRNA virus-like particles incorporating dual germline engager HIV–1 immunogens and subsequently testing immunogenicity in non-human primates. For collaboration opportunities, please contact Chris Kornak; 240–627–3705, *chris.kornak@nih.gov.*

Surekha Vathyam,

Deputy Director, Technology Transfer and Intellectual Property Office, National Institute of Allergy and Infectious Diseases.

[FR Doc. 2023–14308 Filed 7–6–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 1009 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: Center for Scientific Review Special Emphasis Panel; Social Sciences and Population Studies A: Additional Applications.

Date: July 31, 2023.

Time: 2:00 p.m. to 5:00 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: Suzanne Ryan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3139, MSC 7770, Bethesda, MD 20892, (301) 435–1712, *ryansj@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: June 30, 2023.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14323 Filed 7–6–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 1009 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: Center for Scientific Review Special Emphasis Panel; Cellular and Molecular Technologies.

Date: July 17, 2023.

Time: 11:30 a.m. to 2:00 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: Tatiana V. Cohen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5213, Bethesda, MD 20892 301–455–2364, *tatiana.cohen@nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 30, 2023.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14296 Filed 7–6–23; 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 1009 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; Consortium for Design of TB Drug Regimens (UM1 Clinical Trial Not Allowed).

Date: August 17, 2023.

Time: 12 to 4 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 3G13B, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Yong Gao, 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 3G13B, Rockville, MD 20852, (240) 669–5048, *gaoL2@niaid.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: July 3, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14433 Filed 7–6–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meeting

Pursuant to section 1009 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: Center for Scientific Review Special Emphasis Panel Topics in Pregnancy and Neonatology.

Date: July 10, 2023.

Time: 1 p.m. to 4 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: Andrew M Wolfe, Ph.D. Scientific Review Officer Center for Scientific Review National Institutes of Health 6701 Rockledge Dr. Room 6214 Bethesda, MD 20892 *andrew.wolfe@nih.gov*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: June 30, 2023.

David W. Freeman,

Supervisory Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14324 Filed 7–6–23; 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 1009 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; Cancer Progression and Metastasis.

Date: July 26, 2023.

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: Rolf Jakobi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, MSC 7806, Bethesda, MD 20892, 301–435–1718, *jakobir@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Molecular, Cellular Sciences and Instrumentation.

Date: July 31, 2023.

Time: 9:30 a.m. to 4:00 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: Joonil Seog, SCD, Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–402–9791, *joonil.seog@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics on HIV Virology, Pathogenesis and Therapies.

Date: August 2, 2023.

Time: 11:00 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: Raul Rojas, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6185, Bethesda, MD 20892, (301) 451–6319, *rojasr@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Applied Immunology and Vaccine Development.

Date: August 2, 2023.

Time: 1:00 p.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: Dayadevi Jirage, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4422, Bethesda, MD 20892, (301) 867–5309, *jiragedb@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Autoimmunity.

Date: August 3, 2023.

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: Uma Basavanna, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–1398, *uma.basavanna@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–22–233: Time-Sensitive Opportunities for Health Research.

Date: August 3, 2023.

Time: 12:00 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: Shivakumar V. Chittari, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–408–9098, *chittari.shivakumar@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: June 30, 2023.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–14295 Filed 7–6–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[CBP Dec. 23–06]

Tuna Tariff-Rate Quota for Calendar Year 2023 for Tuna Classifiable Under Subheading 1604.14.22, Harmonized Tariff Schedule of the United States (HTSUS)

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Announcement of the quota quantity for tuna in airtight containers for Calendar Year 2023.

SUMMARY: Each year, the tariff-rate quota for tuna described in subheading 1604.14.22, Harmonized Tariff Schedule of the United States (HTSUS), is calculated as a percentage of the tuna in airtight containers entered, or withdrawn from warehouse, for consumption during the preceding calendar year. This document sets forth the tariff-rate quota for Calendar Year 2023.

DATES: The 2023 tariff-rate quota is applicable to tuna in airtight containers entered, or withdrawn from warehouse, for consumption during the period January 1, 2023 through December 31, 2023.

FOR FURTHER INFORMATION CONTACT: Julia Peterson, Chief, Quota and Agricultural Branch, Interagency Collaboration Division, Trade Policy and Programs, Office of Trade, U.S. Customs and Border Protection, Washington, DC 20229–1155, at (202) 384–8905 or by email at *HQQUOTA@cbp.dhs.gov.*

SUPPLEMENTARY INFORMATION:

Background

It has been determined that 13,377,875 kilograms of tuna in airtight containers may be entered, or withdrawn from warehouse, for consumption during Calendar Year 2023, at the rate of 6.0 percent *ad valorem,* under subheading 1604.14.22, Harmonized Tariff Schedule of the United States (HTSUS). Any such tuna which is entered, or withdrawn from warehouse, for consumption during the current calendar year in excess of this quota will be dutiable at the rate of 12.5 percent *ad valorem,* under subheading 1604.14.30, HTSUS.

Dated: June 30, 2023.

AnnMarie R. Highsmith,

Executive Assistant Commissioner, Office of Trade.

[FR Doc. 2023–14344 Filed 7–6–23; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0NEW]

Visitor Request Processing Systems (VRPS)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; this is a new collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than September 5, 2023) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0NEW in the subject line and the agency name. Please use the following method to submit comments:

Email. Submit comments to: *CBP_PRA@cbp.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339,

or CBP website at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions 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, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Visitor Request Processing Systems.

OMB Number: 1651–0NEW.

Form Number: N/A.

Current Actions: New collection of information.

Type of Review: New collection of information.

Affected Public: Individuals.

Abstract: The Secretary of the Department of Homeland Security (DHS) is required to protect property owned, occupied, or secured by the Federal Government. See 40 U.S.C. 1315 and 41 CFR 102–81.25, which require Federal agencies to be responsible for maintaining security at their own or leased facilities. Part of adhering to this responsibility is vetting and accounting for visitors to government facilities. U.S. Customs and Border Protection (CBP) is establishing visitor request processing systems to facilitate the vetting and approval workflows for visitor requests to enter various CBP-controlled locations.

This generic clearance would allow CBP to collect visitor data from and on behalf of individuals requesting access to CBP-controlled facilities. Visitor request processing systems are intended to collect information and maintain records on both domestic and foreign national visitors to CBP facilities to protect agency facilities and personnel, as well as facilitating visitor vetting and documenting vetting results and approvals, according to DHS requirements.

Individuals subject to proposed collection are primarily:

- Members of the public, in many instances, with specific business at the facility (*i.e.,* deliveries, repair/maintenance, drivers transporting other visitors, etc.)
- Contractor personnel
- Non-DHS/CBP federal, state, local and tribal government employees, or officials
- Foreign nationals, individually or as part of international delegations, requesting access to conduct a range of official business with DHS/CBP counterparts
- DHS/CBP personnel not assigned to the facility

Those individuals approved for access, are further evaluated for the type of access granted, escorted, unescorted, or staff-like access to CBP-controlled facilities. Information collected by CBP and entered into visitor request processing systems can include some data necessary for the adjudication of eligibility for facility access; however, only vetting/adjudication results may be contained in the visitor request processing system.

Type of Information Collection: Visitor Request Processing Systems.

Estimated Number of Respondents: 1,000,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 1,000,000.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 166,667.

Dated: July 3, 2023.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2023–14365 Filed 7–6–23; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2014–0022]

Technical Mapping Advisory Council

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: Request for applicants for appointment to the Federal Emergency Management Agency's Technical Mapping Advisory Council.

SUMMARY: The Federal Emergency Management Agency (FEMA) is requesting qualified individuals interested in serving on the Technical Mapping Advisory Council (TMAC) apply for appointment. The TMAC, as established in the Biggert-Waters Flood Insurance Reform Act of 2012, makes recommendations to the FEMA Administrator on how to improve, in a cost-effective manner, the accuracy, general quality, ease of use, distribution, and dissemination of Flood Insurance Rate Maps (FIRMs) and risk data; and to define performance metrics and milestones required to effectively and efficiently map flood risk areas in the United States. The appointments are for 3 years each and applicants will be considered for three vacancies on the TMAC.

DATES: Applications will be accepted until 11:59 p.m. ET on August 28, 2023.

ADDRESSES: Applications for membership should be submitted by one of the following methods:

- *Email: FEMA-TMAC@fema.dhs.gov.*
- *Mail:* FEMA, Federal Insurance and Mitigation Administration, Risk Management Directorate, Attn: Brian Koper, 400 C St. SW, Ste. 6NW–1412, Washington, DC 20472–3020.

FOR FURTHER INFORMATION CONTACT: Brian Koper, Designated Federal Officer for the TMAC, FEMA, Federal Insurance and Mitigation Administration, Risk Management Directorate, 400 C St. SW, Ste. 6NW–1412, Washington, DC 20472–3020, (202) 733–7859, *FEMA-TMAC@fema.dhs.gov.* The TMAC website is: *http://www.fema.gov/TMAC.*

SUPPLEMENTARY INFORMATION: The TMAC is an advisory committee established by the Biggert-Waters Flood Insurance Reform Act of 2012, 42 U.S.C. 4101a, in accordance with provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. Ch. 10 (Pub. L. 117–286). The TMAC makes recommendations to FEMA on mapping-related issues and activities,

including mapping standards and guidelines, performance metrics and milestones, map maintenance, interagency and intergovernmental coordination, map accuracy, and funding strategies. In addition, the TMAC submits an annual report to the FEMA Administrator that contains: (1) a description of the activities of the Council; (2) an evaluation of the status and performance of FIRMs and mapping activities to revise and update FIRMs; and (3) a summary of recommendations made by the Council to the FEMA Administrator.

Members of the TMAC will be appointed based on their demonstrated knowledge and competence in areas such as surveying, cartography, remote sensing, geospatial information systems, or the technical aspects of preparing and using FIRMs. In order for FEMA to maximize the impact of the Council and the guidance it provides, the Council must be diverse with regard to professional and technical expertise. FEMA is committed to pursuing opportunities, consistent with applicable law, to compose a committee that reflects the diversity of the nation's people.

FEMA is requesting qualified individuals who are interested in serving on the TMAC to apply for appointment. Applicants will be considered for appointment to three vacancies on the TMAC, the terms of which start in fall/winter 2023. One of these three vacancies, as described below, will be appointed to serve as a Special Government Employee (SGE) as defined in title 18 U.S.C. 202(a) to serve in their individual capacity, while the other two members of the TMAC will be appointed to serve as representative members. The candidate selected for appointment as a SGE will be subject to the Federal conflict of interest laws and standards of conduct regulations and required to file a New Entrant Confidential Disclosure Report (OGE 450). This form can be obtained by visiting the website of the Office of Government Ethics (*http://www.oge.gov*); please do not submit this form with your application. Qualified applicants will be considered for one or more of the following membership categories with vacancies:

(a) One member of a recognized regional flood and stormwater management organization;

(b) One member (SGE) of a recognized risk management association or organization;

(c) One representative of a recognized professional association or organization representing State geographic information;

Members of the TMAC serve terms of three years. There is no application form. However, applications must include the following information:

- Applicant's full name;
- Home and business phone numbers;
- Preferred email address;
- Home and business mailing addresses;
- Current position title and organization;
- Resume or curriculum vitae; and
- The membership category of interest (*e.g.,* member of a recognized professional association or organization representing flood hazard determination firms).

The TMAC meets as often as needed to fulfill its mission, but not less than twice a year. Members may be reimbursed for travel and per diem incurred in the performance of their duties as members of the TMAC. All travel for TMAC business must be approved in advance by the Designated Federal Officer.

The Department of Homeland Security (DHS) does not discriminate in employment on the basis of race, color, religion, sex, national origin, political affiliation, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other non-merit factor. DHS strives to achieve a widely diverse candidate pool for all its recruitment actions. Current DHS and FEMA employees will not be considered for membership. Federally registered lobbyists will not be considered.

Nicholas A. Shufro,

Deputy Assistant Administrator for Risk Management, Federal Insurance and Mitigation Administration, Resilience, Federal Emergency Management Agency.

[FR Doc. 2023–14328 Filed 7–6–23; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7066–N–08]

60-Day Notice of Proposed Information Collection: Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities; OMB Control No.: 2506–0087

AGENCY: Office of Community Planning and Development, 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:* September 5, 2023.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection can be submitted within 60 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 60-day Review—Open for Public Comments'' or by using the search function.

Interested persons are also invited to submit comments regarding this proposal by name and/or OMB Control Number and can be sent to: Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW, Room 4176, or email at *PaperworkReductionActOffice@hud.gov.*

FOR FURTHER INFORMATION CONTACT: Glenn Schroeder, Program Analyst, OEE, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email at *glenn.a.schroeder@hud.gov* or telephone 202–402–5849. 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 or 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: 24 CFR part 58—Environmental Review Procedures for Entities Assuming HUD Environmental Review Responsibilities.

OMB Approval Number: 2506–0087.

Type of Request: Revision of currently approved collection.

Form Numbers: HUD–7015.15; TDAT Interim Data Updates Request Form.

Description of the need for the information and proposed use: The RROF/C is used to document compliance with the National

Environmental Policy Act (NEPA) and the related environmental statutes, executive orders, and authorities in accordance with the procedures identified in 24 CFR part 58. Recipients certify compliance and make request for release of funds.

Respondents: State, local, and tribal governments and nonprofit organizations.

Estimated Number of Respondents: 19,555.

Estimated Number of Responses: 19,555.

Frequency of Response: 1.

Average Hours per Response: .6.

Total Estimated Burdens: 11,733 hours.

Description of the need for the information and proposed use: The Tribal Directory Assessment Tool (TDAT) Interim Data Updates Request Form allows tribal historic preservation staff from federally recognized tribes to update their tribe's information within TDAT to ensure the most up-to-date contact information and tribal interests are listed. TDAT is an online database that enables HUD users to access contact information for Tribal Leaders and Tribal Historic Preservation Officers for federally recognized Tribes for the purposes of conducting Section 106 tribal consultation under the National Historic Preservation Act.

Respondents: State, local, and tribal governments and nonprofit organizations.

Estimated Number of Respondents: 233.

Estimated Number of Responses: 233.

Frequency of Response: 1.

Average Hours per Response: .25.

Total Estimated Burdens: 58.25 hours.

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 comments in response to these questions.

C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Marion M. McFadden,

Principal Deputy Assistant Secretary for Community Planning and Development.

[FR Doc. 2023–14307 Filed 7–6–23; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6086–N–06]

National Standards for the Physical Inspection of Real Estate and Associated Protocols, Scoring Notice

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Office of the Assistant Secretary for Public and Indian Housing, U.S. Department of Housing and Urban Development (HUD).

ACTION: Final notice.

SUMMARY: This notice serves as a complementary document to the Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE) rule published May 11, 2023. The NSPIRE rule provides that HUD will publish in the **Federal Register** the NSPIRE inspection standards and scoring methodology to assess the overall condition, health, and safety of properties and units assisted or insured by HUD. The NSPIRE Standards were published for public comment on June 17, 2022 and posted as final on June 22, 2023. On March 28, 2023, HUD published a proposed scoring methodology for public comment. HUD establishes with this notice the NSPIRE physical inspection scoring and ranking methodology to implement HUD's NSPIRE rule for Public Housing and Multifamily Housing programs, including Section 8 Project-Based Rental Assistance (PBRA) and other Multifamily assisted housing, Section 202/811 programs, and HUD-insured Multifamily as described in the NSPIRE rule. The scoring methodology converts observed defects into a numerical score and sets a threshold for HUD to perform additional administrative oversight by establishing a level for when a property fails an inspection (less than 60 points) and when an enforcement referral is automatic or required (less than or equal to 30 points).

DATES: July 1, 2023.

FOR FURTHER INFORMATION CONTACT: Tara J. Radosevich, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street SW, Suite 100, Washington, DC 20410–4000, telephone number 612–370–3009 (this is not a toll-free number), email *NSPIRERegulations@hud.gov.* HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or 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.*

SUPPLEMENTARY INFORMATION:

I. Background

A. UPCS Standards and Scoring

Prior to the implementation of NSPIRE, HUD used two assessment methodologies to ascertain the quality and health and safety of HUD-assisted and insured properties and units: (1) Pass/Fail, used for the Housing Quality Standards (HQS) for the Housing Choice Voucher (HCV) and Project-based Voucher (PBV) programs; and (2) a zero to 100-point (0–100) scale used for properties inspected under the Uniform Physical Condition Standards (UPCS) for public housing and properties managed by HUD's Office of Multifamily Housing Programs.[1]

B. NSPIRE Final Rule and Implementation Timeline

On May 11, 2023, HUD published the NSPIRE Rule [2] to implement one of NSPIRE's core objectives—the formal alignment of expectations of housing quality and consolidation of inspection standards across HUD programs. The final rule is effective July 1, 2023, for public housing and Multifamily Housing programs. HUD's Real Estate Assessment Center (REAC) intends to commence scored inspections using the NSPIRE standards for public housing and Multifamily NSPIRE Demonstration participants that did not opt for a Uniform Physical Condition Standard inspection after this date pursuant to the Notice of Modifications to the Demonstration to Assess the National Standards for the Physical Inspection of Real Estate and Associated Protocols

[1] ''Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing,'' Final Rule, 63 FR 46565 (Sept. 1, 1998).

[2] 88 FR 30442 (May 11, 2023)

cited below.[3] NSPIRE inspection scores will be included in future Public Housing Assessment System (PHAS) scores after July 1, 2023 once every public housing asset management project (AMP) has been inspected under the final NSPIRE standards. For example, if a PHA has ten asset management projects, the physical condition portion of the PHAS score will not be issued until a sample of all units at each of those ten public housing asset management projects have received a NSPIRE inspection.

In the NSPIRE rule, HUD stated its intent to publish updates to the NSPIRE standards and scoring methodology through future **Federal Register** notices at least once every three years with an opportunity for public comment. The NSPIRE Standards were published for comment in the **Federal Register** on June 17, 2022,[4] and published as final on June 22, 2023].[5]

On April 21, 2023, HUD published an NSPIRE Scoring Calculator[6] to estimate a potential NSPIRE score based on the types and locations of deficiencies identified during an NSPIRE inspection. This calculator was based on the NSPIRE Standards 2.2 proposed for comment on June 17, 2022. It will be updated for the most recent NSPIRE Standards 3.0 and this scoring model and remain available on the REAC NSPIRE website at *www.hud.gov/program_offices/public_indian_housing/reac/nspire.*

C. HCV and PBV Assessment

Consistent with existing practice and with the NSPIRE proposed rule, NSPIRE retains a pass/fail indicator for the HCV and PBV programs and uses a 0–100-point scale for public housing and properties previously inspected under UPCS. This Scoring notice does not apply to the HCV and PBV programs and does not revise the inspection frequencies established under the applicable program regulations. The individual NSPIRE Standards include an indication of whether defects in the standard would result in an HCV fail for the unit or property.[7]

D. Comments on UPCS Scoring and Changes From the Proposed NSPIRE Scoring Methodology

To develop a new scoring methodology for comment, HUD reviewed its current scoring model under UPCS and solicited feedback from the public, including residents, housing industry groups, and housing professionals within and outside of HUD through the NSPIRE proposed rule.[8] HUD also considered feedback on the UPCS inspection and scoring process received from industry, residents, advocacy groups, and Congress, and acknowledges concerns about consistency and subjectivity, including the disproportionate impact of certain defects based on item weighting and disproportionate impact of certain non-unit observed defects in smaller properties. The final Scoring methodology considered public comment on the draft methodology, the results of the NSPIRE Demonstration, and user acceptance/pilot testing with volunteer PHA and owners.

HUD received 97 public comments on the NSPIRE proposed Scoring notice. Below, HUD discusses these comments and the major changes from the proposed Scoring methodology.

Letter Grades

HUD proposed the use of letter grades in conjunction with inspection scores in the NSPIRE proposed Scoring notice. The rationale for using letter grades was rooted in making property inspection scores easy to interpret for HUD-assisted housing residents. Several public comments underscored how such letter grading might lead to misinterpreting the inspection outcomes, or possibly ''stigmatize'' affordable housing. In line with these potential concerns, letter grading has been removed from the final Scoring notice. HUD may decide to use letter grades in the future, and if so, will announce that decision via notice before implementing. Until such time, HUD will continue to only issue scores on the 0–100 point scale. An alternative suggestion was to adopt Management and Occupancy Review (MOR) terminology to eliminate the risk of misinterpretations in the public eye: superior, above average, satisfactory, below average, and unsatisfactory. REAC will share comments on the MOR process with the Office of Housing; that is not in the NSPIRE rulemaking.

Unit Threshold of Performance

In the NSPIRE final rule and proposed Scoring notice, HUD identified three inspectable areas: Unit, Inside, and Outside. For scoring, HUD proposed that properties be rated against two performance thresholds: (1) Properties need to score 60 or above in all inspectable areas (''Property Threshold of Performance''), and (2) a ''Unit Threshold of Performance''; where a loss of 30 points or more in the Unit portion of the inspection will result in a score adjustment to 59 or failing, even if the Inside and Outside portions of the inspection allowed it to score over 60. The establishment of the Unit Threshold of Performance reflects HUD's concern with resident health and safety in its inspection protocols. Several public comments misinterpreted the Unit Threshold of Performance to suggest that the deduction of 30 points or more in a single inspected unit could fail an entire property. This interpretation does not reflect the intended goal or application of this policy. This final Scoring notice clarifies that the Unit Threshold of Performance applies to all the inspected units in a property collectively (*e.g.,* Unit Defection Deduction Value divided by the number of inspected units). Additionally, HUD will only lower the score to 59 if it was previously 60 or above. HUD will not further adjust scores that were already below 60.

Duplicate Defects

In the proposed NSPIRE Scoring notice, HUD scored all deficiencies, even repeated instances of the same deficiency. Public comments raised important considerations about certain types of deficiencies; for example, some deficiencies can be observed in multiple rooms or inspectable items even if they are the same deficiency. Examples include pest infestation, blocked egress, sharp edges, and damaged walls. To estimate the scoring impact of scoring every deficiency cited versus the overall condition, HUD conducted a statistical analysis of how scoring the same deficiency multiple times affects overall property scores, using data gathered from the NSPIRE Demonstration. The analysis showed that the difference between point deductions for each instance of deficiencies and point deductions in only the first observation of the deficiency is small and might lead to a negligible increase in the inspection failure rate. In other cases—such as pest infestation—the final NSPIRE Standard will not require that the inspector count each piece of evidence of a pest as an individual deficiency and will, instead,

[3] ''Notice of Modification to the Demonstration to Assess the National Standards for the Physical Inspection of Real Estate and Associated Protocols,'' 88 FR 4727, January 25, 2023.

[4] 87 FR 36426 (June 17, 2022).

[5] 88 FR 40832 (June 22, 2023)

[6] National Standards for the Physical Inspection of Real Estate (NSPIRE) | HUD.gov/U.S. Department of Housing and Urban Development (HUD), available at: *https://www.hud.gov/program_offices/public_indian_housing/reac/nspire.*

[7] 88 FR 40832 (June 22, 2023)

[8] Public comments can be reviewed in the rulemaking docket at: *https://www.regulations.gov/docket/HUD-2021-0005.*

characterize the infestation severity at the overall unit level. In view of the public comments and pilot testing results—and the minimal impact on overall inspection score—HUD will continue citing a deficiency multiple times in all inspectable areas (*i.e.,* Unit, Inside, Outside) but will deduct points once per inspected unit, inspected building, or Outside area, for the Unit, Inside, and Outside areas, respectively. Examples of deficiencies that will be cited for each instance but scored only once in the same inspectable area include blocked egress, damaged doors, damaged walls, sharp edges, and infestation. This revision takes into consideration concerns expressed in public comments while upholding HUD's focus on resident health and safety as standards for acceptable living conditions.

Comparison Between UPCS and NSPIRE Standards and Scoring

Several public comments requested a comparison between UPCS and NSPIRE scoring methodologies. HUD is still considering publishing a crosswalk analysis of UPCS and final NSPIRE standards and scores. However, the two scoring methodologies are fundamentally different from each other in several ways, rendering a direct comparison uninformative. The two methodologies differ in what is inspected (*e.g.,* new affirmative requirements) and the approach to assessment—determining health and safety impact rather than identifying the broken component. Additionally, they differ in the scoring calculations, the weights assigned to each inspected item, how inspectable areas are structured, the weight of each inspectable area, and how individual inspectable area point deductions are aggregated. Some UPCS standards, such as overgrown vegetation, erosion, and graffiti are no longer standards, but related health and safety conditions are included as new defects under different standards and condensed to new thresholds that capture the most important adverse conditions.

Additionally, the number of inspectable areas under NSPIRE has been reduced for the purposes of protocols and scoring, but NSPIRE has not reduced the inspection footprint in the inside area. The outside areas assessed will be reduced with new inspection protocols and the number of inspectable items have been marginally reduced to capture the most critical health and safety conditions. The focus of the NSPIRE inspection will continue to be on the units and the places where residents spend time. These differences between UPCS and NSPIRE reflect HUD's renewed emphasis on resident health and safety.

Property Size

HUD's focus on units as the most important element of resident health and safety drives the NSPIRE scoring methodology. As part of this emphasis, the NSPIRE Scoring methodology no longer requires every building of the property to be inspected; instead, only those buildings that contain a unit in the inspection sample are to be inspected. The inspection will also include at least two non-dwelling area spaces, with a priority on spaces that residents can access or will spend time in, in addition to those common areas within a building that includes sampled units. For example, residents are more likely to spend time in a community room as compared to a basement storage area or the management office. Public comments expressed concerns about how this new approach might disadvantage properties of certain sizes or configurations, simultaneously. However, the comments appear to be based on an incorrect reading of the scoring formula. The NSPIRE scoring methodology controls for property size by dividing Defect Deduction Value for all three areas: Unit, Inside, and Outside portions of the inspection by the number of units inspected. HUD's assertion is that number of units inspected is a simple and easy-to-measure proxy value for number of items inspected at a property. For large properties, there is a chance that the numerator, or number of total defects in each area will be larger because they will have more and larger common areas. Units inspected acts as an simple and easy-to-measure proxy value for number of items inspected at a property. For smaller properties, the concern is that the denominator will be smaller due to smaller number of units in the property, so every defect counts ''more.'' By using the total number of units inspected as the denominator in the scoring formula, HUD controls for the effect of the property size on the overall score for both small and large properties. Dividing the Defect Deduction Value by the total number of units inspected normalizes the impact of deficiencies on the property score, thereby eliminating a potential source of bias in the scoring due to property size. Alternative measures to control for property size yielded inconclusive results. Further, HUD's systems of record do not include building square footage by inspectable area, so the number of units inspected acts as a simple and easy-to-measure proxy value for number of items inspected at a property. HUD will use its inspector protocols and the individual NSPIRE Standard to define what is inspected, by inspectable item. Further, not all non-dwelling or other inside areas will be inspected. By limiting the score deductions for repeated Life-threatening (LT) conditions, the size of the inspectable area or building will have less of an impact on the overall score.

II. The NSPIRE Scoring Model

A. Applicability of the NSPIRE Scoring Notice

The NSPIRE Scoring notice applies to all HUD housing currently inspected by REAC, including public housing and Multifamily Housing programs such as Project-based Rental Assistance, FHA Insured, and Sections 202 and 811 as described in the NSPIRE proposed rule at § 5.701.[9]

B. NSPIRE Scoring Format

NSPIRE will retain a 0–100 score for properties inspected by REAC. Any score under 60 is considered a failing score, and properties that score 30 or less will be automatically referred to HUD's Departmental Enforcement Center (DEC) for administrative review as provided in § 5.711(i).

C. Scoring Methodology

The NSPIRE scoring methodology converts observed defects into a numerical score. It implements the NSPIRE rule's intent to provide reliable evaluations of health and safety conditions in housing. In evaluating the UPCS inspection standards and scoring, HUD identified a disproportionate emphasis around the appearance of items that are otherwise safe and functional and that the inspection standards paid inadequate attention to the health and safety conditions within the inside and outside areas and housing units. To best protect residents, the NSPIRE inspections will prioritize conditions that are most likely to impact residents in the places where they spend the most time: in their units. Thus, standards which are categorized as more severe should have a greater impact on a property's score when deficiencies exist in the unit, and a property with a high number of observed health and safety defects in its units is more likely to fail an inspection than a comparable property with a lower number of health and safety defects.

HUD therefore scores deficiencies based on two factors: severity and location. The categories of severity, as

[9] 86 FR 2582 (Jan. 13, 2021).

provided in the proposed NSPIRE Standards Notice, are Life-Threatening, Severe, Moderate, and Low. As described in NSPIRE Standards, defect severity levels include the following characteristics:

- *Life-Threatening (LT).* The Life-Threatening category includes deficiencies that, if evident in the home or on the property, present a high risk of death to a resident.
- *Severe.* The Severe category includes deficiencies that, if evident in the home or on the property, present a high risk of permanent disability, or serious injury or illness, to a resident; or the physical security or safety of a resident or their property would be seriously compromised.
- *Moderate.* The Moderate health and safety category includes deficiencies that, if evident in the home or on the property, present a moderate risk of an adverse medical event requiring a healthcare visit; cause temporary harm; or if left untreated, cause or worsen a chronic condition that may have long-lasting adverse health effects; or that the physical security or safety of a resident or their property could be compromised.
- *Low.* Deficiencies critical to habitability but not presenting a substantive health or safety risk to resident.

The location categories provided in § 5.703 of the NSPIRE Rule are the unit, inside, and outside. Under the NSPIRE scoring methodology, in-unit deficiencies are weighted more heavily; properties with in-unit deficiencies are more likely to fail inspections. HUD weighs deficiencies using a Defect Severity Value. Under the Defect Severity Value methodology, the weight of the deduction for a given deficiency changes depending on both the location and the severity of the deficiency such that a LT deficiency inside a unit will lead to the largest deduction and a Low deficiency observed outside the property will lead to the smallest deduction of points. To determine the point deduction of a given deficiency, HUD uses the Defect Severity Values by Inspectable Area as shown in Table 1, based on the rates of change described more in Tables 2 and 3.

TABLE 1—DEFECT SEVERITY VALUES

Defect severity category	Inspectable area *		
	Outside	Inside	Unit
Life-Threatening (most severe)	49.6	54.5	60.0
Severe	12.2	13.4	14.8
Moderate	4.5	5.0	5.5
Low (least severe)	2.0	2.2	2.4

Based on the Defect Severity Values in Table 1, the sum of individual defect point deductions would be divided by the number of units inspected. If, for example, only one LT defect in a unit was observed during an inspection sample size of 10 units, and no other defects were observed, the total deduction from the score would be 6 points (60.0 points divided by 10 units). See section D for additional details on property size adjustment. The survey referenced in Section I (Background) of the Proposed NSPIRE Scoring notice informed HUD's determination of the Defect Severity Values in Table 1. On average, most respondents indicated that the difference between a LT and a Severe deficiency should be greater than the difference between a Severe and a Moderate deficiency. Accordingly, the Defect Severity Values translate to the following rates of change by defect severity category (shown only for the Outside inspectable area):

TABLE 2—DEFECT SEVERITY VALUES AND RATES OF CHANGE BY DEFECT SEVERITY CATEGORY

Defect severity category	Severity value (outside)	Severity rate of change *
Life-Threatening (most severe)	49.6	4.1 × Severe.
Severe	12.2	2.7 × Moderate.
Moderate	4.5	2.3 × Low.
Low (least severe)	2.0	N/A.

* Severity rate of change is rounded to the tenths decimal place.

Consistent with HUD's goal of prioritizing the health and safety of residents, Table 2 illustrates that LT deficiencies affect inspection scores 4.1 times more than Severe deficiencies whereas the rate of change drops to 2.7 times from Severe to Moderate deficiencies and to 2.0 from Moderate to Low deficiencies. The rate of change at increasing severity levels is the same for all three inspectable areas; however, the following paragraph explains the defect value rate of change across inspectable areas.

Similarly, the Defect Severity Values increase by a factor of 1.1 from Outside to Inside and from Inside to Unit inspectable areas. For example, multiplying a Low defect located in an Outside inspectable area (with a severity value of 2.0) by 1.1 yields the Defect Severity Value for a Low Defect located in an Inside inspectable area with a value of 2.2. Similarly, when a Low defect located in an Inside inspectable area (with a severity value of 2.2) is multiplied by the rounded value of 1.1, it yields the Defect Severity Value of 2.4 for a Low defect located in a Unit inspectable area. Table 3 illustrates the increase in Defect Severity Values by inspectable area (*Note:* The same rate of change by inspectable area applies to all Defect Severity Categories).

TABLE 3—DEFECT SEVERITY VALUES AND RATES OF CHANGE BY INSPECTABLE AREA

Defect severity category	Inspectable area		
	Outside	Inside	Unit
Low	2.0	2.2	2.4.
Rate of Change	N/A	1.1 x Outside	1.1 x Inside.

* Area rate of change is rounded to the tenths place.

According to the NSPIRE rule, the inspectable areas are described as follows:

Outside of HUD housing (or ''outside areas'') refers to the building site, building exterior components, and any building systems located outside of the building or unit. Examples of ''outside'' components may include fencing, retaining walls, grounds, lighting, mailboxes, project signs, parking lots, detached garage or carport, driveways, play areas and equipment, refuse disposal, roads, storm drainage, non-dwelling buildings, and walkways. Components found on the exterior of the building are also considered outside areas, and examples may include doors, attached porches, attached patios, balconies, car ports, fire escapes, foundations, lighting, roofs, walls, and windows.

Inside of HUD housing (or ''inside areas'') refers to the common areas and building systems that can be generally found within the building interior and are not inside a unit. Examples of ''inside'' common areas may include, basements, interior or attached garages, enclosed carports, restrooms, closets, utility rooms, mechanical rooms, community rooms, day care rooms, halls, corridors, stairs, shared kitchens, laundry rooms, offices, enclosed porches, enclosed patios, enclosed balconies,[10] and trash collection areas. Examples of building systems include those components that provide domestic water, electricity, elevators, emergency power, fire protection, HVAC, and sanitary services.

Unit (or ''dwelling unit'') of HUD housing refers to the interior components of an individual unit. Examples of components included in the interior of a unit may include the bathroom, call-for-aid (if applicable), carbon monoxide devices, ceiling, doors, electrical systems, enclosed patio, floors, HVAC (where individual units are provided), kitchen, lighting, outlets, smoke detectors, stairs, switches, walls, water heater, and windows.

D. Final Scoring Conversion

Property size can affect the number of defects observed during inspections; in properties where HUD inspects a larger number of units, the total number of defects observed can be expected to be higher compared to properties where HUD inspects a small number of units. In the absence of controls for property size, larger properties can face a higher point deduction simply because they have a higher number of units inspected, which can result in a higher number of deficiencies. Not taking property size into consideration in scoring is likely to severely disadvantage larger properties. The NSPIRE scoring methodology normalizes the Total Defect Deduction Value by dividing it by the total number of units inspected. This normalization allows the calculation to minimize the effect of property size on inspection scores and aligns with NSPIRE's emphasis on protecting residents' health and safety by focusing on areas where residents spend most of their time. The number of units inspected is a simple and easy-to-measure proxy value for number of items inspected at a property. To obtain Defect Deduction Value Per Unit, the Defect Deduction Values for all three inspectable areas are summed to yield Total Defect Deduction All Areas, which is then divided by the number of units inspected. The formula is represented below:

Total Defect Deduction Value All Areas/ Number of Units Inspected = Defect Deduction Value Per Unit

To determine the final property score on a 100-point scale, the Defect Deduction Value Per Unit is subtracted from 100:

100 − (Defect Deduction Value Per Unit) = Final Score

Note: Inspection scores cannot go below zero; if the calculation yields a result below 0, the score is set to 0.

E. Fail Thresholds

This Scoring notice retains the provisions from UCPS to consider a score below 60 as failing and adds a new Unit Threshold Fail. Administrative review of properties that fail in § 5.711(i):

- *Scores below 60 (Property Threshold Fail).* Consistent with existing policy and practice, the Property Threshold of Performance is defined as properties that achieve a score of 60 or above. Failure to achieve a score of 60 or above is considered a failing score.
- *Unit Point Deduction 30 or above (Unit Threshold Fail).* Consistent with HUD's goal of maximizing the health and safety of a unit for residents, HUD has determined that the properties for which a substantial proportion of point deductions are from Unit deficiencies should be considered failures even if the rest of the property is in pristine condition. Therefore, regardless of the overall property score, if 30 points or more are deducted due to Unit deficiencies, HUD considers the property to have failed the inspection and deems the result of the inspection to be a score of 59. The Unit Point Deduction of 30 points applies to the Unit inspectable area at the aggregate level only; it does not refer to an individual unit's loss of 30 points in the inspection, thereby leading to a failing score for the entire property. Properties are evaluated at the Unit portion of the inspection collectively.

Properties that received a score under 60 are required to perform an additional survey as described at 5.711(c)(2); properties that receive two successive scores under 60 on its inspection may be referred for administrative review as described at § 5.711(i).

III. Examples

Example 1: A Property Where HUD Inspects 10 Units as Part of Its Inspection Sample

The following example demonstrates a 10-unit inspection in which the property passes the inspection with a score of 80. In this example, an Inspector conducted an inspection of Property L and observed various deficiencies in all three inspectable areas (Unit, Inside, and Outside) inspected under the NSPIRE Standards. The following defects in the

[10] Enclosed porches, enclosed patios, and enclosed balconies in the Inside inspectable area are available for the use of multiple tenants and are not accessible solely from a unit. By comparison, porches, patios, and balconies in the Unit inspectable area are intended for the sole use of the unit and only accessible from the unit.

corresponding Defect Severity Value categories were recorded by the inspector:

TABLE 4—EXAMPLE 1—DEFECTS OBSERVED DURING AN INSPECTION OF 10 SAMPLED UNITS IN PROPERTY L

Defect severity category	Outside	Inside	Unit
Life-Threatening	0	0	2
Severe	0	2	1
Moderate	0	3	0
Low	1	10	0
Total by Inspectable Area	1	15	3

Under the NSPIRE scoring methodology, each defect is multiplied by the corresponding Defect Severity Value to calculate the Defect Deduction Values (Inspectable Area), which are then added to calculate the Total Property Defect Deduction Value. Table 5 shows the calculations for Defect Deduction Values (Inspectable Area):

TABLE 5—EXAMPLE 1—TOTAL PROPERTY DEFECT DEDUCTION VALUE CALCULATION

Defect severity category	Outside	Inside	Unit
Life-Threatening	0 × 49.6 = 0	0 × 54.5 = 0	2 × 60 = 120.
Severe	0 × 12.2 = 0	2 × 13.4 = 26.8	1 × 14.8 = 14.8.
Moderate	0 × 4.5 = 0	3 × 5 = 15.0	0 × 5.5 = 0.
Low	1 × 2.0 = 2.0	10 × 2.2 = 22.0	0 × 2.4 = 0.
Defect Deduction Values (Inspectable Area)	2.0	63.8	134.8.
Total Property Defect Deduction Value (All Inspectable Areas)	2.0 + 63.8 + 134.8 = 200.6.		

The Defect Deduction Value Per Unit is calculated by dividing the Total Property Defect Deduction Value (200.6) by the number of units inspected of 10 for a value of 20.06 (values and calculations in parentheses):

Total Defect Deduction Value (200.6)/ Number of Units Inspected (10) = Defect Deduction Value Per Unit (20.06)

The property's raw score, before rounding, on the 100-point scale is then calculated as follows:

100 − Defect Deduction Value Per Unit (20.06) = Raw Score (79.94)

This score is rounded up to 80.

Example 2: A Property Where HUD Inspects 10 Units and the Unit Defect Deduction Value is Above 30

TABLE 6—EXAMPLE 2—DEFECTS OBSERVED DURING AN INSPECTION OF 10 SAMPLED UNITS IN PROPERTY

Defect severity category	Outside	Inside	Unit
Life-Threatening	0	0	4
Severe	0	2	4
Moderate	0	3	2
Low	2	10	0
Total by Inspectable Area	2	15	10

The following is another example that demonstrates a 10-unit inspection of Property T that would receive a score above 60 but ultimately fails the NSPIRE inspection based on Unit Point Deduction threshold. In this example, the following defects and the corresponding Defect Severity Value categories are recorded by the inspector:

TABLE 7—EXAMPLE 2—TOTAL DEFECT DEDUCTION VALUES

[Inspectable area]

Defect severity category	Outside	Inside	Unit
Life-Threatening	0 × 49.6 = 0	0 × 54.5 = 0	4 × 60 = 240.
Severe	0 × 12.2 = 0	2 × 13.4 = 26.8	4 × 14.8 = 59.2.
Moderate	0 × 4.5 = 0	3 × 5 = 15	2 × 5.5 = 11.
Low	1 × 2 = 2	10 × 2.2 = 22	0 × 2.4 = 0.
Defect Deduction Values (Inspectable Area)	2	63.8	310.2.
Total Property Defect Deduction Value	2 + 63.8 + 310.2 = 376		

In this example, defects were observed in all three Inspectable Areas. The Total Defect Deduction Value for All Inspectable Areas equals to 376; adjusting for the sample size of 10 units as follows (values and calculations in parentheses), yields a Defect Deduction Value Per Unit of 39.6:

Total Defect Deduction Value All Areas (376)/Number of Units Inspected (10) = Defect Deduction Value Per Unit (37.6)

The property's inspection score is calculated as follows:

100 − Total Defect Deduction Value All Areas Per Unit (37.6) = Final Score (62.4)

Property T's overall inspection result would be considered passing under UPCS scoring, as the final score would be rounded to 62. However, under NSPIRE, the Unit Defect Deduction needs to be considered before determining the final inspection score for the property. Using the Defect Deduction Value (Unit Area) of 310.2, the Unit Threshold of Performance is calculated as follows (values and calculations in parentheses):

Total Defect Deduction Value per Unit (Inspectable Area) (379)/Sample Size (10) = Final Unit Defect Deduction (31.02)

Based on the Unit Threshold of Performance, the property would fail the inspection because the Final Unit Defect Deduction is over 30 (31.02), leading to an automatic adjustment to a failing score of 59 despite the fact that the overall score is greater than 60. The reason for the property's failure to pass the inspection is the property's aggregate poor performance in the Unit portion of the inspection, which represents the entirety of the units included in the inspection and not any individual unit.

The table below provides a summary of the Property and Unit Thresholds of Performance and details the circumstances in which a property passes an inspection based on the examples of Property L and Property Y above.

TABLE 8—SUMMARY OF PROPERTY AND UNIT THRESHOLDS OF PERFORMANCE AND INSPECTION OUTCOMES

Inspection results	Property L	Property T
Property Score ≥60	Yes	Yes.
Final Unit Defect Deduction ≤30	Yes	No.
Overall Inspection Result	PASS	FAIL.

IV. Administrative Details

A. Rounding

Calculated scores will be rounded to the nearest whole number with one exception. For properties that score between 59 and 60, the score will be considered failing or properties that score between 59 and 60, the score will be considered failing and automatically rounded down to a 59. This reflects HUD's concern that properties must surpass these scoring thresholds to be considered at or above those scores which may dictate HUD's administrative, oversight, monitoring, and enforcement approach for poorly scoring properties.

B. Inspection Report

In the inspection report provided to property ownership and/or management, HUD will provide the overall score and indicate the numerical results for each of the two types of inspection evaluations that determine whether the property passes or fails the inspection:

- *Property Threshold Fail:* Property Score on the zero to 100-point scale
- *Unit Threshold Fail:* Defect Deduction Value (Inspectable Area) Per Unit

C. HUD's Use of NSPIRE Inspection Data and Scores

HUD uses property scores to support monitoring and enforcement of HUD's physical condition requirements. Property scores give HUD, the owner or PHA, and any other relevant parties an evaluation of the overall physical condition of the property. A high or low score does not change the obligation that a participant is required to repair all deficiencies identified in the inspection, including repairing similar deficiencies that may not have been included in the sampled units as required by § 5.711. As provided in § 5.705(e), HUD retains the ability to inspect any unit at any property and requires that the owner or PHA corrects the same deficiencies in units that may not have been included in the sample of units for that particular inspection. Further, under § 5.711(j), HUD may take additional administrative action which may be necessary and as authorized under existing statutes, regulations, contracts, grant agreements or other documents, to protect HUD's interests in HUD housing properties and to protect the residents of these properties.

As provided in the NSPIRE final rule, property scores will determine:

- *Frequency of Inspections:* Properties that score higher are inspected less frequently (§ 5.705(c));
- *Enforcement:* Properties that fail or score below certain thresholds may be subject to HUD enforcement actions, including referral to the DEC (§ 5.711(i));
- *Completion of a Post-report Survey:* At the completion of a REAC inspection, the owner or PHA must review the inspection report and perform a survey of units not inspected and provide that information to HUD. For properties that scored at or above 60, the survey may be limited to inspecting for deficiencies based on the inspecting entity's inspection findings. For properties that scored below 60, the owner or PHA must conduct a survey of the entire project, including all units, inside areas, and outside areas, for any deficiency, and must electronically submit a copy of the results of the survey to HUD. (§ 5.711(c)(2));
- *Public Housing Assessment System (PHAS) Designations:* Average weighted inspection scores comprise forty (40) points of a public housing agency's PHAS designation. Properties that are Physically Substandard or Troubled are subject to additional requirements at § 902.73 and § 902.75;
- *Participant Evaluation:* Inspection scores are considered when determining whether a potential or existing HUD Multifamily business stakeholder may expand its involvement in HUD housing; and
- *Risk Assessment:* HUD's Offices of Multifamily Housing and Public Housing use inspection scores and pass/fail designations to assess the risk of owners/agents and public housing agencies.
- *Research:* HUD may use data gathered from physical inspection for research purposes and to improve its programs.

D. Non-Scored Defects and New Affirmative Requirements

In recognition of its long-standing practice of not scoring smoke detector defects under the UPCS scoring methodology, HUD continues to not

score smoke detector defects and uses an asterisk (*) to denote identified smoke detector defects. The asterisk is appended to the numerical property score, and it is critical to note that these defects are classified as LT defects and must be corrected within 24-hours even though these defects are not scored. HUD follows the same policy for carbon monoxide devices and will use a plus (+) sign to denote carbon monoxide device defects. These devices are critical to safety and must be maintained and corrected within 24 hours, but are often disabled or removed by residents, and scoring them would result in many properties failing or scored at 0. HUD may further assess and work with PHAs and property owners that have ongoing deficiencies related to either smoke detectors or carbon monoxide detectors to remediate these issues through available funding, including using newer technologies that are more tamper-resistant. Further, some items, such as call-for-aid systems may be present in units but not currently used by the building management and have been modified or damaged by the tenant or their cat, for example, and will also not be scored. Otherwise, call-for-aid systems that are in use by the building management will continue to be scored. A quick list of these items is below:

Not Scored

1. Carbon Monoxide Device
   a. All Defects
2. Smoke Alarm
   a. All Defects (including the new ''Smoke Alarm is Obstructed'' defect)
3. Call-for-Aid
   a. System is blocked, or pull cord is higher than 6 inches off the floor.
   i. All locations
4. Handrail
   a. Handrail is missing.
   i. All locations
   b. Handrail is not installed where required.
   i. All locations

Similarly, HUD recognizes that the NSPIRE Standards include new affirmative requirements defined generally as property attributes or requirements that must be met. The lack of these property attributes, which may include the quantity and location of these items (*e.g.,* GFCI outlets) constitutes a defect and result in a deduction from the property's inspection score. HUD understands that it may take properties' ownership and management some time to comply with these new affirmative requirements; hence, HUD will not score new affirmative requirements, which are defined as those standards that were expressly not in the UPCS or in any way covered by those standards, in at least first 12 months of NSPIRE inspections for the program from the later effective date, ending October 1, 2024 for public and Multifamily Housing programs. HUD will also not score fire doors during this period, since the Fire Door NSPIRE Standard is new and properties may need to replace doors to meet the standard. Otherwise, call-for-aid systems that are in use by the building management will continue to be scored. Items that will not be scored until at least October 1, 2024, include:

1. Fire Labeled Doors
   a. All Defects
   i. All locations
2. Electrical—GFCI
   a. An unprotected outlet is present within six feet of a water source.
   i. All locations
3. Guardrail
   a. All Defects
   i. All locations
4. HVAC
   a. The inspection date is on or between *October 1 and March 31* and the permanently installed heating source is working and the interior temperature is *64 to 67.9* degrees Fahrenheit.
   i. All locations
   b. The inspection date is on or between *October 1 and March 31* and the permanently installed heating source is not working or the permanently installed heating source is working and the interior temperature is *below 64 degrees* Fahrenheit.
   i. All locations
   c. The inspection date is on or between *April 1 and September 30* and a permanently installed heating source is damaged, inoperable, missing, or not installed.
   i. All locations
5. Interior Lighting
   a. At least one (1) permanently installed light fixture is not present in the kitchen and bathroom.
   i. All locations
6. Minimum Electrical and Lighting
   a. At least two (2) working outlets are not present within each habitable room. OR

At least one (1) working outlet and one (1) permanently installed light fixture is not present within each habitable room.

During this initial period of implementation until October 1, 2024, HUD will provide additional information to help PHAs and POAs estimate their score if all the new requirements were scored, to see the potential impact in future inspection and scoring. The Final score report will be provided within 90 days of the inspection and prior to the property's next inspection in most cases, unless HUD needs to conduct a risk-based inspection more immediately. The deadlines in this section may be revised if the inspection is subject to a technical review.

E. Scoring Designations

HUD supplements a property's zero to 100-point score with the following designations that provide property ownership and/or management, residents, and other stakeholders with information important to understanding the overall inspection results. These designations include:

- *Smoke Detectors:* An asterisk (*) next to the property's zero to 100-point score indicates whether an inspector observed a smoke detector defect during an inspection.
- *Carbon Monoxide Detectors:* A plus sign (+) next to the property's zero to 100-point score indicates whether the inspector observed a carbon monoxide detector defect during an inspection.
- *Presence of Certain Defect Severity Levels:* HUD previously provided a letter designation (*e.g.,* a, b, c) to indicate the presence of exigent health and safety defects; NSPIRE does not use such letter designations. HUD instead provides a summary table of the defect observations by Defect Severity Category, *e.g.,* Life-threatening, Severe, Moderate, and Low. At the conclusion of the inspection, the PHA or Owner will receive a list of Life-threatening and Severe items that must be corrected within 24 hours of the inspection.
- *Certain New Requirements:* Until at least October 1, 2024, new requirements that were not scored will be flagged with a caret (^) symbol. Standards that may need more calibration through field testing, such as a minimum temperature standard, may be not scored for more than a year. In at least the initial year of NSPIRE, HUD will also provide two scores; one that shows the potential score if new requirements were scored, and the official score for that inspection.

F. Defect Remediation and Pass/Fail Status

As provided in § 5.711(c), HUD will evaluate the extent to which property ownership and/or management complies with its requirements to submit documentation indicating certain more severe defects have been remediated or are at least in the process of being remediated (*e.g.,* the property implemented an integrated pest management plan to address infestation). HUD will use its administrative authority in its

regulations to compel compliance. More information is provided in the NSPIRE Administrative notice.

G. Draft and Final Inspection Reports, Preliminary and Final Scores

After July 1, 2023, REAC will issue a draft inspection report with a Draft Inspection Score and a recordation of all defects including those that must be addressed within certain timeframes following an inspection. HUD will issue a Final Inspection report with a final score and a recordation of all defects following the technical review process specified in the NSPIRE Administrative Procedures Notice. Further, under § 5.711(j), HUD may take additional administrative action which may be necessary and as authorized under existing statutes, regulations, contracts, grant agreements or other documents, to protect HUD's interests in HUD housing properties and to protect the residents of these properties. Both the draft and final reports will also provide summaries of the inspection results.

H. Unit Sampling

HUD's inspection program and scoring methodology under NSPIRE relies on inspecting a statistically significant sample of units to achieve a 90 percent confidence level with a 6 percent margin of error for its inspections. HUD employed the same confidence level and a similar margin of error under UPCS, but had a maximum number of units inspected of 27 under UPCS. Under the NSPIRE scoring and sampling methodology, HUD changed the process to align with NSPIRE goals and the resultant increased the maximum number of units included in the scoring sample to 32 units. This sampling methodology with the corresponding assumptions allows HUD to balance between conducting physical inspections of HUD-assisted property for oversight and avoiding a major time burden on residents through additional inspections. HUD established in the NSPIRE Rule other mechanisms for oversight of housing conditions through PHA self-inspections and post-inspection activities. This increase in sample sizes helps achieve consistency in inspection results across all sizes of properties.

Under the UPCS scoring and sampling methodology, many inspections required that every residence building be inspected regardless of whether any units within that building were subject to inspection. HUD is eliminating that requirement, and only buildings in the sample will be inspected. Further, HUD is limiting the number of non-dwelling spaces inspected to those where residents spend more time. Under the NSPIRE scoring and sampling methodology, building-level sampling is driven by units. For any building that contains a unit in the inspection sample, the building will also be inspected.

Achieving a uniform confidence level is critical to the overall accuracy of HUD inspections and benefits residents and property ownership and/or management by reducing the number of re-inspections due to inspections that do not meet HUD's standards for accuracy. Under current HUD regulations, as affirmed in the NSPIRE rule, and HUD's contracts with owners and operators of HUD-assisted and insured housing, units should meet HUD's physical condition standards 365 days a year.

The inspection sample sizes adopted under the NSPIRE sampling methodology are provided in Table 9. The sample sizes were developed to consider the desired confidence interval (90 percent), margin of error (6 percent), and expected defect population proportion (3.97 percent).[11] HUD calculated the sample size for every possible population of units by solving for the lowest possible minimum sample size in the following equation: [12]

$$\varepsilon < z * \frac{\sqrt{\frac{(N-s)*p*(1-p)}{N*(s-1)}}}{(1-p)}$$

Where:

- ε = margin of error
- In this case, 6 percent
- z = z-score corresponding to confidence interval
- In this case, ~1.65 corresponds to 90 percent two-sided confidence interval
- p = expected defect population proportion
- In this case, HUD used a proportion of 3.97 percent
- N = unit population
- s = minimum sample size

[*Note:* For comparison purposes, the UPCS sampling methodology is also provided in Table 9, although the unit grouping does not fully align.]

V. Inspection Sample Sizes

TABLE 9—NUMBER OF UNITS SAMPLED UNDER NSPIRE SCORING AND SAMPLING METHODOLOGY BASED ON PROPERTY SIZE

Units in property	UPCS sample	NSPIRE sample
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	5	6
7	6	6
8	7	7
9	7	8
10	8	8
11–12	8	9
13–14	9	10
15–16	10	11
17–18	11	12
19–21	12	13
22–24	13	14
25–27	14	15
28–30	14	16
31–35	15	17
36–39	16	18
40–45	17	19
46–51	18	20
52–59	18	21
60–67	19	22
68–78	20	23
79–92	21	24
93–110	21–22	25
111–132	22–23	26
133–166	23–24	27
167–214	24–25	28
215–295	25	29

[11] Based on an analysis of historical UPCS data, this is the estimate of the percentage of units with more than 3 unique NSPIRE defects.

[12] Cochran, William G., Sampling Techniques, New York: John Wiley & Sons, Inc., 1977.

TABLE 9—NUMBER OF UNITS SAMPLED UNDER NSPIRE SCORING AND SAMPLING METHODOLOGY BASED ON PROPERTY SIZE—Continued

Units in property	UPCS sample	NSPIRE sample
296–455	25–26	30
456–920	26	31
921+	27	32

VI. NSPIRE and the Public Housing Assessment System (PHAS)

For Public Housing properties subject to the Public Housing Assessment System, HUD will use the NSPIRE scoring methodology and associated property inspection scores to calculate the PHAS Physical Condition Indicator component of PHAS once a PHA's entire portfolio has been inspected under NSPIRE. This indicator, also known as the Physical Assessment Subsystem (PASS) indicator, comprises 40 points of the 100-point PHAS score, except for Small and Rural PHAs, which are subject to 24 CFR 902 Subpart H. HUD will employ the same unit-weighted average score methodology under § 902.22 to calculate the PASS indicator score for PHAs subject to PHAS in calendar year 2023 using NSPIRE property inspection scores. Until all properties with public housing units are inspected under NSPIRE, a PHA's physical condition indicator will continue to be based on the most recent UPCS scoring and unit-weighted average.

Adrianne Todman,

Deputy Secretary.

[FR Doc. 2023–14362 Filed 7–6–23; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_NM_FRN_MO#4500171504]

Notice of Application for Withdrawal Extension, and Opportunity for Public Meeting for the Federal Law Enforcement Training Center; New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management (BLM) on behalf of the Department of Homeland Security (DHS) Federal Law Enforcement Training Center (FLETC) is requesting the Secretary of the Interior extend Public Land Order (PLO) No. 7591 for an additional 20-year term. PLO No. 7591 withdrew 1,920.80 acres of lands from location and entry under the United States mining laws for a period of 20 years for protection, operation, and maintenance of the DHS's FLETC. The withdrawal created by PLO No. 7591, will expire on November 19, 2023, unless extended. This Notice announces to the public an opportunity to comment on the proposal and to request a public meeting.

DATES: Comments and requests for public meeting regarding the withdrawal extension application must be received by October 5, 2023.

ADDRESSES: All comments should be sent to Tammie Hochstein, Federal Law Enforcement Training Center Withdrawal Extension, Bureau of Land Management Carlsbad Field Office, 620 E Greene Street, Carlsbad, NM 88220–6292.

FOR FURTHER INFORMATION CONTACT: Robert Gomez, BLM Carlsbad Field Office, 575–234–5989, or *rgomez@blm.gov* during regular business hours, 8 a.m. to 4:30 p.m., MDT, Monday through Friday, except holidays.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) 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: The DHS's FLETC filed an application requesting extension of the withdrawal established by PLO No. 7591 (68 FR 65471), incorporated herein by reference, which is set to expire on November 19, 2023. PLO No. 7591 withdrew 1,920.80 acres of lands from location and entry under the United States mining laws for a period of 20 years for protection, operation, and maintenance of the DHS's FLETC. This withdrawal was issued subject to valid existing rights. Maps and other project information are found in the NMNM–109118 casefile and can be viewed at the Carlsbad Field Office.

The use of a right-of-way, interagency agreement, or cooperative agreement would not provide adequate protection for this site.

No water rights will be needed to fulfill the purpose of the requested withdrawal.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask the BLM in your comment to withhold your personal identifying information, we cannot guarantee that we will be able to do so.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the withdrawal extension application. All interested persons who desire a public meeting for the purpose of being heard on the DHS application for withdrawal extension must submit a written request to the BLM Carlsbad Field Office, at the address in the **ADDRESSES** section, within 90 days from the date of publication of this notice. If the authorized officer determines that a public meeting will be held, a notice of the date, time, and place will be published in the **Federal Register**, local newspapers, and on the BLM website at *www.blm.gov* at least 30 days before the scheduled date of the meeting.

This withdrawal extension application will be processed in accordance with the regulations set forth in 43 CFR 2310.4.

(Authority: 43 U.S.C. 1714.)

Melanie G. Barnes,

State Director.

[FR Doc. 2023–14423 Filed 7–6–23; 8:45 am]

BILLING CODE 4331–23–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_AZ_FRN_MO4500172014]

Notice of Intent To Prepare an Environmental Impact Statement and To Amend the Resource Management Plan for the Lower Sonoran Field Office, and Notice of Segregation for the Proposed Vulcan Solar Project, Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent and segregation.

SUMMARY: 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) Arizona State Director intends to prepare an Environmental Impact Statement (EIS) and associated Resource Management Plan (RMP) amendment to consider the effects of the Vulcan Solar Project (Project) and by this notice is announcing the beginning of the scoping period to solicit public comments and identify issues, and is providing the planning criteria for

public review. The BLM also announces the segregation of 8,911 acres of public lands from appropriation under the public land laws, including the Mining Law, but not the Mineral Leasing or Materials Acts, for a period of two years from the date of publication of this notice, subject to valid existing rights. This segregation will facilitate the orderly administration of the public lands while the BLM considers potential solar development on the described parcels.

DATES: The BLM requests the public submit comments concerning the scope of the analysis, potential alternatives, and identification of relevant information and studies by August 7, 2023. To afford the BLM the opportunity to consider issues raised by commenters in the Draft EIS and RMP amendment, please ensure your comments are received prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later. A virtual public scoping meeting will be held 2–3 weeks after publication of this notice; the meeting date will be announced on the Project ePlanning website at least 15 days prior to the meeting. The segregation for the public lands identified in this notice is effective on July 7, 2023.

ADDRESSES: You may submit comments on issues and planning criteria related to the Project by any of the following methods:

- *Website: https://eplanning.blm.gov/eplanning-ui/project/2024466/510*
- *Email: BLM_AZ_PDO_Solar@blm.gov*
- *Mail:* BLM, Lower Sonoran Field Office, Attention: Vulcan Solar Project, 2020 East Bell Road, Phoenix, AZ 85022

Documents pertinent to this proposal may be examined online at the Project's ePlanning website: *https://eplanning.blm.gov/eplanning-ui/project/2024466/510* and at the Lower Sonoran Field Office.

FOR FURTHER INFORMATION CONTACT: Matt Drahnak, Project Manager, at *mdrahnak@blm.gov,* the mailing address above, or by phone at (602) 919–1702. Contact Mr. Drahnak 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 Mr. Drahnak. 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 Arizona State Director intends to prepare an EIS and RMP amendment, announces the beginning of the scoping process, and seeks public input on issues and planning criteria. The BLM is evaluating permitting solar energy facilities—including photovoltaic panels, batteries, and other solar array infrastructure—within a designated utility corridor, which would require amending the existing Lower Sonoran RMP to remove the utility corridor designation from 921 acres of designated utility corridors in order to allow for the placement of photovoltaic panels and other project infrastructure.

The planning area is located in Maricopa County, Arizona, and encompasses approximately 7,374 acres of public land.

The scope of this land use planning process does not include addressing the evaluation or designation of areas of critical environmental concern (ACEC), and the BLM is not considering ACEC nominations as part of this process.

Purpose and Need

The purpose and need for action is to respond to Vulcan Solar's application for a right-of-way (ROW) to construct, operate, maintain, and decommission a solar photovoltaic project and associated facilities on public land administered by the BLM, consistent with Title V of FLPMA, regulations at 43 CFR part 2800, and other applicable laws and regulations. In making its decision to issue a ROW grant, the BLM must first consider conformance with existing RMPs (43 CFR 1610.5–3). Because a portion of the proposed project would be in a designated utility corridor that precludes this type of development, this EIS will include analysis of an amendment to the Lower Sonoran RMP to remove the utility corridor designation.

Preliminary Alternatives

The BLM has identified three preliminary alternatives, including the No Action Alternative. The Proposed Action would authorize development of a solar photovoltaic facility and battery storage system on up to 7,374 acres of BLM-administered land in Maricopa County, Arizona. The Project proposal includes photovoltaic modules, battery energy storage facilities, substations, electrical collector and connection lines, switch yards, monitoring and maintenance facilities, access roads, and temporary use areas. The Project has a proposed generating capacity of up to 1,050 megawatt alternating current net capacity and would connect to the regional electrical grid via a proposed nine-mile transmission line to the existing Hassayampa Switchyard. As part of the Proposed Action, the BLM will consider an amendment to the Lower Sonoran RMP to remove approximately 921 acres from designated utility corridors, which would allow for placement of photovoltaic arrays and other Project infrastructure. A second action alternative called the Corridor Exclusion Alternative would authorize the Project as proposed, minus the 921 acres within the designated utility corridors, so no RMP amendment would be required. The No Action Alternative would deny the ROW application; no RMP amendment would be required. 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 interested stakeholders. The BLM has identified one preliminary issue for this planning effort's analysis of the RMP amendment. The planning criteria are available for public review and comment at the ePlanning website (see **ADDRESSES**).

Summary of Expected Impacts

Anticipated impacts on BLM-managed lands from the proposed Project and RMP amendment include up to 7,374 acres of ground disturbance for the solar facility, battery storage systems, transmission lines, operation and maintenance buildings, construction laydown areas, and access roads. Potential impacts may include reduction in authorized grazing; vegetation removal; recreation, access, and land use changes; wildlife and migratory bird impacts including habitat loss and potential direct mortalities during construction and operation; visual impacts including glint and glare and an increase in nighttime brightness; potential impacts to cultural resources and Native American concerns; and socioeconomic impacts. Known resources to be addressed in the analysis include, but are not limited to, air quality, visual resources, environmental justice, social and economic values, mining and minerals, land uses, Native American religious concerns, recreation, grazing/range, cultural resources,

wildlife, migratory birds, threatened, endangered and sensitive species, soils, water resources, invasive species and paleontology. Impact analysis will also consider the cumulative impacts to natural and cultural resources from reasonably foreseeable projects in the area. Modifications to the designated utility corridor would likely reduce future siting flexibility for linear utilities, including sub-surface pipelines and overhead powerlines in the vicinity of the corridor that would be undesignated.

Anticipated Permits and Authorizations

In addition to the requested ROW grant, other Federal, State, and local authorizations would be required for the Project. These may include authorizations determined through consultation under the Endangered Species Act (ESA) (16 U.S.C. 1536 *et seq.*), Clean Water Act (CWA) (33 U.S.C. 1251 *et seq.*), and other laws and regulations determined to be applicable to the 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 RMP Amendment/EIS and a concurrent 30-day public protest period and 60-day Governor's consistency review on the Proposed RMP Amendment. The Draft RMP Amendment/EIS is anticipated to be available for public review in Spring 2024, and the Proposed RMP Amendment is anticipated to be available for public protest in Fall 2024, with a Record of Decision and (if approved) Approved RMP Amendment expected in late 2024 or early 2025.

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 and RMP amendment. The BLM will hold one virtual public scoping meeting (see **DATES** and **ADDRESSES** section earlier). The meeting date, time, and information on how to attend will be announced at least 15 days in advance on the Project ePlanning website at *https://eplanning.blm.gov/eplanning-ui/project/2024466/510* and via news release. Project information and documents will also be posted on that website. Persons needing assistance (assistive technology, translators, or other assistance) should contact Matt Drahnak, Project Manager (see contact information above).

Segregation

Regulations found at 43 CFR 2804.25(f) allow the BLM to segregate public lands included in an application for a ROW for solar energy development from the operation of the public land laws, including the Mining Law, by publication of a **Federal Register** notice. The BLM uses this authority to preserve its ability to approve, approve with modifications, or deny a proposed ROW, and to facilitate the orderly administration of the public lands. This segregation is subject to valid existing rights, including existing mining claims located before this segregation notice. Licenses, permits, cooperative agreements, or discretionary land use authorizations of a temporary nature that would not impact lands identified in this notice may be allowed with the approval of a BLM authorized officer during the segregation period. As provided in the regulations, the segregation of lands in this notice will not exceed two years from the date of publication unless extended for up to an additional two years through publication of a new notice in the **Federal Register**. The segregation period will terminate and the land will automatically reopen to appropriation under the public land laws, including the Mining Law, at the earliest of the following dates: upon issuance of a decision by the authorized officer granting, granting with modifications, or denying the application for a ROW; without further administrative action at the end of the segregation provided for in the **Federal Register** notice initiating the segregation; or upon publication of a **Federal Register** notice terminating the segregation.

The lands segregated under this notice are legally described as follows:

Gila and Salt River Meridian, Arizona

T. 2 S., R. 6 W.,
- Sec. 1, lots 4, 6, and 7, SW¼NE¼, S½NW¼, SW¼, and W½SE¼;
- Sec. 2, lots 1 thru 3, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
- Sec. 3, partly unsurveyed;
- Sec. 4, NE¼, NE¼NW¼, N½NW¼NW¼, N½SE¼NW¼, and SE¼, partly unsurveyed;
- Sec. 5, S½NW¼SW¼, SW¼SW¼, and S½SE¼SW¼, partly unsurveyed;
- Sec. 6, S½NW¼NE¼, SW¼NE¼, S½SE¼NE¼, NW¼, and, S½, partly unsurveyed;
- Sec. 7, N½, NE¼SW¼, N½SE¼, and SE¼SE¼, partly unsurveyed;
- Sec. 8, NW¼NE¼, S½NE¼, NW¼, and S½, unsurveyed;
- Sec. 9, SW¼ and SW¼SE¼, unsurveyed;
- Sec. 10, NE¼, N½NW¼, and N½NE¼SE¼, partly unsurveyed;
- Sec. 11, E½, E½NW¼, and E½SW¼, partly unsurveyed;
- Sec. 12, partly unsurveyed;
- Sec. 13, N½, N½NE¼SW¼, and N½SE¼, partly unsurveyed;
- Sec. 14, NE¼NE¼, N½NW¼NE¼, and N½SE¼NE¼, unsurveyed;
- Sec. 15, W½SW¼, unsurveyed;
- Sec. 16, W½NE¼NE¼, W½NE¼, SE¼NE¼, NW¼, and N½NE¼SE¼, unsurveyed;
- Sec. 17, N½NE¼, N½SE¼NE¼, NE¼NW¼, and N½NW¼NW¼, unsurveyed.

T. 1 S., R. 7 W.,
- Sec. 26, SW¼ and S½SE¼;
- Sec. 27, S½NE¼, NW¼, and S½;
- Sec. 28, E½SE¼;
- Sec. 33, NE¼NE¼, S½NE¼, and NW¼SE¼;
- Sec. 34, N½ and SE¼;
- Sec. 35, N½, SW¼, N½SE¼, and SW¼SE¼.

T. 2 S., R. 7 W.,
- Sec. 1, S½NE¼, E½SW¼, S½NW¼SW¼, and SE¼;
- Sec. 2, lot 4;
- Sec. 3, lot 1;
- Sec. 12, N½NE¼, SE¼NE¼, and NE¼NW¼.

The areas described contain 8,911 acres, according to the official plats of the surveys and protraction diagrams of the said lands, on file with the BLM.

Cooperating Agencies

These Federal agencies have agreed to participate as Cooperating Agencies under a Memorandum of Understanding to Improve Public Land Renewable Energy Project Permit Coordination: the U.S. Fish and Wildlife Service, Bureau of Reclamation, Department of Defense, Department of Energy, and Environmental Protection Agency. Local, State, and Tribal agencies wishing to be considered as a Cooperating Agency on this effort, either on the basis of their jurisdiction by law or special expertise, are invited to express their interest to Matt Drahnak, Project Manager (see contact information above).

Responsible Official

The BLM Arizona State Director is the deciding official for this planning effort and notice of segregation. The Authorized Officer and Decision Maker for the Project is the BLM Lower Sonoran Field Office Manager.

Nature of Decision To Be Made

The BLM will decide whether to approve, approve with modification(s), or deny the implementation-level decision for the issuance of a ROW grant to the applicant for the proposed Project. The nature of the planning decision to be made will be the State Director's selection of land use planning decisions pursuant to this RMP amendment for managing BLM-administered lands under the principles

of multiple use and sustained yield in a manner that best addresses the purpose and need.

Interdisciplinary Team

The BLM will use an interdisciplinary approach to develop the plan amendment in order to consider the variety of resource issues and concerns identified. Specialists with expertise in the following disciplines will be involved in this planning effort: lands and realty, wildlife, botany, archaeology, air quality, hydrology, socioeconomics, outdoor recreation, rangeland management, soils, and visual resources.

Additional Information

The BLM will identify, analyze, and consider mitigation to address the reasonably foreseeable impacts to resources from the Project and proposed RMP amendment and all analyzed reasonable alternatives and, in accordance with 40 CFR 1502.14(e), include appropriate mitigation measures not already included in the Proposed Action including the proposed RMP 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. Information about historic and cultural resources and threatened and endangered species within the area potentially affected by the Project and proposed RMP amendment will assist the BLM in identifying and evaluating impacts to such resources.

The BLM will consult with Indian Tribal Nations on a government-to-government basis in accordance with Executive Order 13175, BLM MS 1780, and other Departmental policies. Tribal concerns, including impacts on Indian trust assets and potential impacts to cultural resources, will be given due consideration.

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: 40 CFR 1501.7, 43 CFR 1610.2, 43 CFR 2091, 43 CFR 2800.)

Raymond Suazo,

State Director.

[FR Doc. 2023–14411 Filed 7–6–23; 8:45 am]

BILLING CODE 4331–12–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MTM–56312–01]

Notice of Application for Withdrawal Extension and Opportunity for Public Meeting, Wisdom Administrative Site; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of withdrawal application.

SUMMARY: On behalf of the United States Department of Agriculture, the United States Forest Service (USFS) filed an application with the Bureau of Land Management (BLM) requesting the Secretary of the Interior extend Public Land Order (PLO) No. 6560 for an additional 20-year term. PLO No. 6560 as extended by PLO No. 7610 withdrew 59.99 acres of public domain land outside the exterior boundary of the Beaverhead-Deerlodge National Forest in Beaverhead County, Montana from settlement, sale, location, or entry under the general land laws, including the mining laws and transferred administrative jurisdiction to the USFS, subject to valid existing rights, to protect the USFS-managed administrative site. The withdrawal created by PLO No. 6560 as extended will expire on August 5, 2024, unless extended. This notice announces to the public an opportunity to comment on the USFS application.

DATES: Comments must be received by October 5, 2023.

ADDRESSES: All written comments should be sent to the Office of the Regional Forester, Northern Region, 26 Fort Missoula Road, Missoula Montana 59804.

FOR FURTHER INFORMATION CONTACT: Will Pedde, Land Status Program Manager, USFS Region One, 406–329–3204 or via email at *will.pedde@usda.gov* or you may contact the USFS office at the earlier address. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or Tele Braille) 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: The USFS filed an application requesting extension of the withdrawal established by PLO No. 6560 (49 FR 32068 (1984)) as extended by PLO No. 7610 (69 FR 50213 (2004)), which withdrew 59.99 acres of public lands in Beaverhead County, Montana, from settlement, sale, location, or entry under the general land laws, including the mining laws (30 U.S.C. ch. 2), subject to valid existing rights, for a 20-year term. PLO No. 6560 is incorporated herein by reference.

The purpose of the proposed extension is to protect the USFS-managed facilities and capital improvements from surface entry and mining within the Wisdom Administrative Site.

The use of a rights-of-way, interagency agreement, or cooperative agreement would not provide adequate protection for this site.

There are no suitable alternative administrative sites available.

No water rights will be needed to fulfill the purpose of the withdrawal.

All interested persons who wish to submit comments, suggestions, or objections in connection with the withdrawal extension application may submit a written request to the Regional Forester by October 5, 2023, at the address in the **ADDRESSES** section earlier.

Comments, including names and street addresses of respondents, will be available for public review at Region One, 26 Fort Missoula Road, Missoula, Montana 59804, during regular business hours.

Before including your address, phone number, email address, or other personal identifying information in your comment, be advised that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask the BLM in your comment to withhold your personal identifying information from the public review, we cannot guarantee that we will be able to do so.

This application will be processed in accordance with the regulations set-forth in 43 CFR 2310.4.

(Authority: 43 U.S.C. 1714.)

Sonya Germann,

State Director.

[FR Doc. 2023–14298 Filed 7–6–23; 8:45 am]

BILLING CODE 4311–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[BLM_CO_FRN_MO4500170164]

Notice of Availability of the Proposed Resource Management Plan and Final Environmental Impact Statement for the Eastern Colorado Resource Management Plan, Colorado

AGENCY: Bureau of Land Management.

ACTION: Notice of availability.

SUMMARY: 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, the Bureau of Land Management (BLM) has prepared a Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (EIS) for the Eastern Colorado RMP and by this notice is announcing the start of a 30-day protest period of the Proposed RMP and public comment on proposed target shooting closures.

DATES: This notice announces a 30-day protest period to the BLM on the Proposed RMP beginning with the date following the Environmental Protection Agency's (EPA) publication of its Notice of Availability (NOA) of the Proposed RMP/Final EIS in the **Federal Register**. The EPA usually publishes its NOAs on Fridays. Protests must be postmarked or electronically submitted on the BLM's ePlanning site during the 30-day protest period.

In accordance with the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019 (Dingell Act, Pub. L. 116–9, Section 4103), the BLM is announcing the opening of a 60-day public comment period on the proposed closure of recreational target shooting (referred to as ''target shooting'' in the RMP) near residences and at certain rock climbing areas, trail networks, campgrounds, and other high-use recreation sites identified in the Proposed RMP alternative.

ADDRESSES: The Proposed RMP and Final EIS is available on the BLM ePlanning project website at *https://eplanning.blm.gov/eplanning-ui/project/39877.* Documents pertinent to this proposal may be examined online at *https://eplanning.blm.gov/eplanning-ui/project/39877* and at the Royal Gorge Field Office.

Instructions for filing a protest of the proposed Eastern Colorado Resource Management Plan can be found at: *https://www.blm.gov/programs/planning-and-nepa/public-participation/filing-a-plan-protest* and at 43 CFR 1610.5–2.

You may submit comments on the proposed shooting closures by the following methods:

Mail: RMP Project Manager Royal, Gorge Field Office, 3028 E Main St., Cañon City, CO 81212.

Email: BLM_CO_RG_RMP_Comments@blm.gov.

FOR FURTHER INFORMATION CONTACT: John Smeins, Project Manager, telephone (719) 252–8212; address 3028 E Main St., Cañon City, CO 81212; email *jsmeins@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 for contacting Mr. Smeins. 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: The BLM prepared the Eastern Colorado Proposed RMP/Final EIS to evaluate and revise the management strategy for resources, resource uses, and special designations on public lands managed by the Royal Gorge Field Office, which is the planning area for the RMP. Existing management decisions for public lands and resources in the Royal Gorge Field Office are currently described in two documents: the 1986 Northeast RMP, as amended; and the 1996 Royal Gorge RMP, as amended.

The planning area encompasses approximately 35 million acres of land under various jurisdictions, including the BLM, U.S. Forest Service, National Park Service, State of Colorado, and local government and private lands in 37 counties across south-central and eastern Colorado. The Browns Canyon National Monument is not part of the planning area for this RMP/EIS, as it is the subject of a separate plan. The Eastern Colorado RMP will provide management direction for approximately 658,200 acres of BLM-administered surface land and approximately 3,311,900 acres of BLM-administered mineral estate. The decision area includes all BLM public lands and approximately 2,673,000 acres of split-estate Federal minerals on private, local government, and State lands. It does not include National Forest System land and other Federal land where the BLM does not make planning decisions about oil and gas management and other uses. The BLM typically adopts the requirements determined by those Federal surface-managing agencies when leasing the associated mineral estate; while such lands are within the planning area, they are outside the decision area for this RMP.

In preparing the Proposed RMP, the BLM evaluated, in detail, a No Action Alternative (Alternative A) and three action alternatives (Alternatives B, C and D). Alternative A retains the current management goals, objectives, and direction specified in the 1986 Northeast RMP and the 1996 Royal Gorge RMP. Alternative B emphasizes improving, rehabilitating, and restoring resources; sustaining the ecological integrity of habitats for all priority plant, wildlife, and fish species; and allowing appropriate development scenarios for allowable uses (such as mineral leasing, recreation, communication sites, and livestock grazing). Alternative C emphasizes a mix of uses that maximizes utilization of resources while protecting land health. The development scenarios for allowable uses in this alternative emphasize maximizing resource production in an environmentally responsible manner while maintaining the basic protection needed to sustain resources, including mitigating impacts on land health. Alternative D, the Proposed RMP, emphasizes balancing resources and resource use among competing human interests, land uses, and the conservation of natural and cultural resource values, while sustaining and enhancing ecological integrity across the landscape, including plant, wildlife, and fish habitat. This alternative has four geographic landscapes with distinct management, and incorporates a balanced level of protection, restoration, and enhancement, as well as the use of resources and services to meet ongoing programs and land uses with an emphasis on local community visions for the future of public lands.

Public review of the Eastern Colorado Draft RMP/EIS began on June 21, 2019. The BLM held seven public open-house meetings across the Eastern Colorado Planning Area during the 90-day public comment period. Comments on the Draft RMP/EIS were considered and incorporated into the final EIS and proposed plan as appropriate. Public and cooperating agency comments and further internal BLM review resulted in the addition of clarifying text and refinement of Alternative D to include backcountry conservation areas, expanded ACEC designations, and the

closure of areas with low or no fluid mineral potential to oil and gas leasing. In the Proposed RMP, the BLM proposes that recreational target shooting would generally be allowed on BLM-managed lands in the planning area, but to protect the safety of visitors, target shooting would continue to be prohibited at certain rock-climbing areas, trail networks, campgrounds, and other high-use recreation sites. To protect public safety near residences, target shooting would not be allowed on small BLM-administered parcels west of Boulder that are interspersed with private lands and numerous houses.

Protest of the Proposed RMP

The BLM planning regulations state that any person who participated in the preparation of the RMP and has an interest that will or may be adversely affected by approval of the Proposed RMP may protest its approval to the BLM Director. Protest on the Proposed RMP constitutes the final opportunity for administrative review of the proposed land use planning decisions prior to the BLM adopting an approved RMP. Instructions for filing a protest regarding the Proposed RMP with the BLM Director may be found online at *https://www.blm.gov/programs/planning-and-nepa/public-participation/filing-a-plan-protest* and at 43 CFR 1610.5–2. All protests must be in writing and mailed or delivered to the appropriate address, as set forth in the **ADDRESSES** section, or submitted electronically through the BLM ePlanning project website as described previously. Protests submitted by email or by fax will be invalid unless a protest is also submitted as a hard copy. The BLM Director will render a written decision on each protest. The Director's decision shall be the final decision of the Department of the Interior. Responses to protest issues will be compiled and documented in a Protest Resolution Report made available following the protest resolution online at: *https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports.* After resolution of protests, the BLM will issue a Record of Decision (ROD) and an Approved RMP.

Dingell Act Comment on Proposed Target Shooting Closures

Target shooting closures near residences, certain rock-climbing areas, trail networks, campgrounds, and other high-use recreation sites are for the safety of residents and the visiting public. To afford the BLM the opportunity to consider comments on proposed Penrose Commons, Phantom Canyon Road, Shelf Road Recreation Area, Guffey Gorge, Methodist Mountain, Turkey Rock, Temple Canyon Road, Garden Park, and Boulder County target shooting closures before approval of the ROD/RMP, please ensure your comments are received by the **DATES** listed above. Comments may be submitted using the specified methods listed in the **ADDRESSES** section earlier.

Before including your phone number, email address, or other personal identifying information in your protest or comment, you should be aware that your entire protest or comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your protest or comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2, 43 CFR 1610.5.)

Douglas J. Vilsack,

State Director.

[FR Doc. 2023–14034 Filed 7–6–23; 8:45 am]

BILLING CODE 4331–16–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036140; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The human remains and associated funerary objects were removed from Barnstable and Plymouth Counties, MA.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Ryan J. Wheeler, Robert S. Peabody Institute of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, telephone (978) 749–4490, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Robert S. Peabody Institute of Archaeology. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the Robert S. Peabody Institute of Archaeology.

Description

Two associated funerary objects were removed from the Corn Hill site (19–BN–144/145) in Truro, Barnstable County, MA. In 2023, the Buttonwoods Museum, Haverhill MA, transferred two red ochre samples to the Robert S. Peabody Institute of Archaeology to facilitate repatriation. Fred Luce collected the samples during his excavation of the site in 1915. The Robert S. Peabody Institute of Archaeology previously published a Notice of Inventory Completion in the **Federal Register** (70 FR 16839–16840, April 1, 2005) for human remains and associated funerary objects from Corn Hill, and they have already been repatriated. The two associated funerary objects listed in this notice are two red ochre samples that most likely are associated with the repatriated human remains and funerary objects.

One associated funerary object was removed from the Taylor Hill site (19–BN–106) in Wellfleet, Barnstable County, MA. In 2023, during preparation for a building renovation, personnel at the Robert S. Peabody Institute of Archaeology identified a large stone axe from the Taylor Hill site; a note with the axe indicates a funerary association. The Robert S. Peabody Institute of Archaeology previously published a Notice of Inventory Completion in the **Federal Register** (70 FR 16839–16840, April 1, 2005) for human remains and associated funerary objects from Taylor Hill, and they have already been repatriated. The one associated funerary object listed in this notice is a stone axe that most likely is associated with the repatriated human remains and funerary objects.

Human remains representing, at minimum, one individual were removed from the Titicut site in Plymouth County, MA. In 2022, during an inventory, personnel at the Robert S. Peabody Institute of Archaeology identified additional human remains and associated funerary objects from the Titicut site, which had been excavated

by institute staff members in 1947. The human remains of one individual were reported in a previous Notice of Inventory Completion published in the **Federal Register** (60 FR 8733, February 15, 1995), and they have already been repatriated. The human remains listed in this notice consist of one tooth. The one associated funerary object are the remains of a dog that was interred near the individual.

Cultural Affiliation

The human remains and associated funerary objects in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: geographical, archeological, linguistic, oral traditional, and historical.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the Robert S. Peabody Institute of Archaeology has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The four objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and associated funerary objects described in this notice and the Mashpee Wampanoag Indian Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah).

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes identified in this notice and, if joined to a request from one or more of the Indian Tribes, the Assonet Band of the Wampanoag Nation, a non-federally recognized Indian group.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the Robert S. Peabody Institute of Archaeology must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The Robert S. Peabody Institute of Archaeology is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14390 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036131; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University, DeKalb, IL (Formerly Anthropology Museum at Northern Illinois University)

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University (Pick Museum) intends to repatriate certain cultural items that meet the definition of sacred objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after August 7, 2023.

ADDRESSES: Dr. Christy DeLair, Museum Director, James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University, 1425 W Lincoln Hwy, DeKalb, IL 60015, telephone (815) 753–0230, email *cdelair@niu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records held by the James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University.

Description

In 1977, the Pick Museum purchased 10 false face protectors from the Cahokia Mounds Museum Society, which had purchased them from Iroqrafts, an indigenous arts and crafts outlet located on the Six Nations of the Grand River. Pick Museum records indicate that the maker was Hôwe'drangwus (''He Keeps Ice'') from the Wolf Clan of the Cayuga of the Six Nations of the Grand River, based on the original Iroqrafts' tags that came with each protector. Nandell Hill, the current owner of Iroqrafts, and whose father was the owner of Iroqrafts when the protectors were sold to Cahokia, confirmed Hôwe'drangwus (also known as Mark Sky) was a member of the Wolf Clan of the Cayuga Nation of the Six Nations of the Grand River, and also stated she was a relation of Hôwe'drangwus. Likewise, Miran Hill, the Keeper of all wampum belts, funeral remains, masks, and ceremonial items for the Six Nations of the Grand River, who knew Hôwe'drangwus, confirmed he was from the Six Nations of the Grand River. The 10 false face protectors are sacred objects.

In 1981, the Pick Museum purchased three false face masks from Desert House Crafts in Tucson, Arizona. Pick Museum records indicate the artist was doChAn'dre (''Breaking Daylight,'' also known as Gene Thomas), a member of the Wolf Clan of the Onondaga of the Six Nations of the Grand River. His father, Hadaje'grenta (''Flying Cloud,'' also known as Jake Thomas) was a chief and member of the Snipe Clan of the Cayuga of the Six Nations of the Grand River. Nandell Hill, the current owner of Iroqrafts, provided the clan membership and English names of doChAn'dre (''Breaking Daylight'') and his father

Hadaje'grenta (''Flying Cloud''). Likewise, Miran Hill, the Keeper of all wampum belts, funeral remains, masks, and ceremonial items for the Six Nations of the Grand River, who knew doChAn'dre (''Breaking Daylight'') and his father Hadaje'grenta (''Flying Cloud''), confirmed they were from the Six Nations of the Grand River. The three false face masks are sacred objects.

Cultural Affiliation

The cultural items in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: anthropological, geographical, historical, oral traditional, kinship, and expert opinion.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University has determined that:

- The 13 cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.
- There is a relationship of shared group identity that can be reasonably traced between the cultural items and the Onondaga Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The James B. and Rosalyn L. Pick Museum of Anthropology at Northern Illinois University is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.8, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14386 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036141; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: Robert S. Peabody Institute of Archaeology, Andover, MA

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Robert S. Peabody Institute of Archaeology has amended a Notice of Inventory Completion published in the **Federal Register** on September 22, 2017, corrected on January 30, 2018, and corrected again on November 8, 2019. This notice amends the number of associated funerary objects in a collection removed from Middlesex County, MA.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Ryan Wheeler, Robert S. Peabody Institute of Archaeology, 180 Main Street, Andover, MA 01810, telephone (978) 749–4490, email *rwheeler@andover.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Robert S. Peabody Institute of Archaeology. The National Park Service is not responsible for the determinations in this notice. Additional information on the amendments and determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the Robert S. Peabody Institute of Archaeology.

Amendment

This notice amends the determinations published in a Notice of Inventory Completion in the **Federal Register** on September 22, 2017 (82 FR 44460–44461) and corrected in notices published on January 30, 2018 (83 FR 4266–4267), and November 9, 2019 (84 FR 60442–60443). Repatriation of the items in the original Notice of Inventory Completion has not occurred. In mid-2021, the Robert S. Peabody Institute of Archaeology received a collection of artifacts from the estate of Dale Farrell that included one bifacial point from Mansion Inn site in Wayland, Middlesex County, MA. The bifacial point is an additional associated funerary object from this site.

TABLE OF CHANGES—ASSOCIATED FUNERARY OBJECTS

Site	Original No.	Amended No.	Amended description
Mansion Inn, Wayland, Middlesex County, MA.	274	275	Three adze fragments; one axe fragment; 122 bifaces and biface fragments; 18 flakes/debitage; 11 lots, flakes/debitage; one lot, calcined bone fragments; two charcoal samples; one charred nut fragment; one hammerstone; 22 worked and unworked pebbles and pebble fragments; 22 biface preform fragments; one shark tooth; one ceramic sherd; one lot, red ochre and animal bone fragments; 18 groundstone fragments; 10 fragments, fire cracked rock; one thumbnail scraper, and 39 unworked stone fragments.

Determinations (as Amended)

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the Robert S. Peabody Institute of Archaeology has determined that:

- The 275 objects described in this amended notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and associated funerary objects described in this notice and the Mashpee Wampanoag Tribe, and the Wampanoag Tribe of Gay Head (Aquinnah).

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes identified in this notice and, if joined to a request from one or more of the Indian Tribes, the Assonet Band of the Wampanoag Nation and the Nipmuc Nation, non-federally recognized Indian groups.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the Robert S. Peabody Institute of Archaeology must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The Robert S. Peabody Institute of Archaeology is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, 10.13, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14391 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036129; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Eastern Washington University, Cheney, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Eastern Washington University has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were removed from Pend Oreille County, WA or Bonner County, ID.

DATES: Repatriation of the human remains in this notice may occur on or after August 7, 2023.

ADDRESSES: Kate Valdez, NAGPRA Coordinator, Eastern Washington University, 214 Showalter Hall, Cheney, WA 99004, telephone (509) 359–3116, email *vvaldez6@ewu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Eastern Washington University. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by Eastern Washington University.

Description

Human remains representing, at minimum, two individuals were removed from Pend Oreille County, WA or Bonner County, ID. Sometime prior to 1926, these human remains were plowed up from the Pend Oreille River. On January 1, 1926, these human remains were accessioned by the Eastern Washington State Historical Society as part of the W.M. Manning Collection (Accession #1.151) and were identified as ''Kalispell Indian bones plowed up in the Pend d'Oreille River.'' In 1987, the human remains were transferred to Eastern Washington University. No associated funerary objects are present.

Cultural Affiliation

The human remains in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: anthropological, geographical, and historical.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, Eastern Washington University has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- There is a relationship of shared group identity that can be reasonably traced between the human remains described in this notice and the Kalispel Indian Community of the Kalispel Reservation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, Eastern Washington University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. Eastern Washington University is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14384 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036125; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Hartwick College, Oneonta, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), Hartwick College has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were removed from Santa Fe County, NM.

DATES: Repatriation of the human remains in this notice may occur on or after August 7, 2023.

ADDRESSES: Dr. Quentin Lewis, Yager Museum of Art & Culture, Hartwick College, 1 Hartwick Drive, Oneonta, NY 13820, telephone (607) 431–4481, email *lewisq@hartwick.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Hartwick College. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by Hartwick College.

Description

Human remains representing, at minimum, one individual were removed from Santa Fe County, NM. In the spring of 1914, Willard Yager purchased these human remains from Abraham Spiegelberg, a Santa Fe antiquities dealer. Spiegelberg told Yager the human remains belonged to a Ute Indian. When Yager died in 1929, he left these human remains to Hartwick College. The human remains consist of a scalp lock and belong to an individual of indeterminate age. No associated funerary objects are present.

Cultural Affiliation

The human remains in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: anthropological, geographical, historical, and expert opinion.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, Hartwick College has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a relationship of shared group identity that can be reasonably traced between the human remains described in this notice and the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and the Ute Mountain Ute Tribe.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, Hartwick College must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. Hartwick College is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14381 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036126; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of California, Riverside, Riverside, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Riverside (UCR) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The human remains and associated funerary objects were removed from Riverside in Riverside County, CA.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Megan Murphy, University of California, Riverside, 900 University Avenue, Riverside, CA 92517–5900, telephone (951) 827–6349, email *megan.murphy@ucr.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of California, Riverside. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the University of California, Riverside.

Description

Human remains representing, at minimum, one individual were removed from Riverside County, California. In 1973, the cremated remains belonging to a Native American individual were removed from a construction site in

Indio by Thomas King. (UCR NAGPRA Repatriation Coordinator Megan Murphy contacted King, but he did not remember the excavation. King suggested that the excavation might have been an unplanned salvage project requested by an Indian Tribe—perhaps the Torres Martinez Desert Cahuilla Indians, California—when the Tribe heard that a cremation had been disturbed by nearby construction.) Markings on the bags from the excavation indicate that this cremation was removed from ''48th + Jefferson—Indio,'' which UCR NAGPRA Program Staff believe connotes the crossing of Avenue 48 and Jefferson Street in Indio. The site identification, ''CV–126,'' is consistent with the system used by the UCR Archaeological Research Unit in 1970s for work in the Coachella Valley. The collection is identified as accession #47 in the UCR Archaeological Curation Unit. The four lots of associated funerary objects are one lot consisting of shells, one lot consisting of charcoal, one lot consisting of soil and sand, and one lot consisting of geological materials.

Human remains representing, at minimum, two individuals were removed from Riverside County, California. In 1972, the cremated human remains belonging to two Native American juveniles, together with associated funerary objects, were removed from archeological site CA–RIV–273 (CV–139) during an investigation by the UCR Archaeological Research Unit led by Phillip Wilke. This site was reported to have been located near the historic village of Toro, to which many living members of the Torres Martinez Desert Cahuilla Indians, California can trace direct ancestry. Tribal members of the Torres-Martinez reservation had reportedly been long aware of a surface scatter of objects that they identified as funerary in nature. According to ethnographic accounts and archeological evidence, the burials likely date to the early 19th century. Although the human remains were reportedly reburied by the Agua Caliente Band of Cahuilla Indians in 1990, Wilke and the UCR Anthropology Department did not transfer the associated funerary objects, and they remained at UCR. The 1,922 associated funerary objects are 43 bobcat phalanges, three animal bone beads, one ceramic spindle whorl, 1,276 ceramic sherds, one clay bead, one piece of fabric, two samples of floral material, three pieces of cordage, one fiber basketry fragment, two fiber carrying net fragments, 35 glass seed beads, 20 fire-cracked stones, eight flaked stone tools, two ground stone tools, one steatite arrow shaft straightener, one stone bead, four metal objects, two lots consisting of charred seeds, two faunal elements, one sandal, 512 Olivella shell beads, and one reconstructed clay olla.

Cultural Affiliation

The human remains and associated funerary objects in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological, geographical, historical, kinship, oral traditional, and expert opinion.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the University of California, Riverside has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The 1,926 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and associated funerary objects described in this notice and the Torres Martinez Desert Cahuilla Indians, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the University of California, Riverside must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The University of California, Riverside is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14382 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036138; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: New York State Museum, Albany, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the New York State Museum (NYSM), has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The human remains and associated funerary objects were removed from Albany and Washington Counties, NY.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Lisa Anderson, New York State Museum, 3049 Cultural Education Center, Albany, NY 12230, telephone (518) 486–2020, email *lisa.anderson@nysed.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the NYSM. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including

the results of consultation, can be found in the inventory or related records held by the NYSM.

Description

Between 1954 and 1974, human remains representing one individual were removed from the Menands Bridge site in Menands, Albany County, NY, during salvage excavations conducted by New York State Museum staff and avocational archeologists R. Arthur Johnson and C.S. Sundler. The 582 associated funerary objects are 80 chipped stone flakes, five bifaces, three projectile points, 48 pottery sherds, one pottery pipe bowl, one netsinker, 299 fragments of animal bone (including one dog), 14 shell beads, 70 shell fragments, three botanical samples, 10 charcoal samples, three soil samples, 43 unmodified stones, one fire-cracked rock, and one iron fragment. The Menands Bridge site is located within traditional Mohican territory. Based on their archeological context, the human remains and associated funerary objects probably date to the Lake Woodland period.

In 1969, associated funerary objects were removed from the Coffin site in Easton, Washington County, NY, during excavations conducted by the NYSM. The 46 associated funerary objects include six pottery fragments, 38 chipped stone flakes, one scraper, and one biface. The Coffin site is located within traditional Mohican territory. The archeological evidence dates the site to the Late Woodland period.

On October 4, 2001, the NYSM listed additional human remains and associated funerary objects from the above sites in the **Federal Register** (66 FR 50674–50675). On June 23, 2004, the NYSM repatriated them.

Cultural Affiliation

The human remains and associated funerary objects in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological, geographical, and linguistic.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the NYSM has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The 628 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and associated funerary objects described in this notice and the Stockbridge Munsee Community, Wisconsin.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the NYSM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The NYSM is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14388 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036071; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: California State University, Chico, Chico, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), California State University Chico (CSU Chico) intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice. The cultural items were removed from Butte, Glenn, and Tehama Counties, CA.

DATES: Repatriation of the cultural items in this notice may occur on or after August 7, 2023.

ADDRESSES: Dawn Rewolinski, California State University Chico, 400 W 1st Street, Chico, CA 95929, telephone (530) 898–3090, email *drewolinski@csuchico.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of CSU Chico. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records held by CSU Chico.

Description

Accession 5

The 216 objects of cultural patrimony were removed from Butte County, CA. The cultural items were accumulated by Clarence N. Jackson, who collected items in Alaska, Nebraska, the Ozarks, Butte County, California, and San Mateo County, California. These cultural items were donated to the Chico State Anthropology Department in October of 1960. The 216 objects of cultural patrimony are one lot consisting of debitage, one modified faunal element, 58 modified stones, and 156 projectile points.

Accession 14

The six unassociated funerary objects were removed from site CA–BUT–167 in

Butte County, CA. This site consists of a partially destroyed mound on private land that contains human remains. It was recorded by Dorothy Hill on October 25,1963. The cultural items were donated to the Chico State Anthropology Department on November 18, 1965. The six unassociated funerary objects are four modified stones and two lots consisting of debitage.

Accession 20

The 19 objects of cultural patrimony were removed from site CA–BUT–402 in Butte County, CA. This site was recorded on June 22, 1962, by Dorothy Hill, who was affiliated with the Chico State Anthropology Department. Hill collected items from the surface of the site and donated them to the Chico State Anthropology Department in 1965. The 19 objects of cultural patrimony are two lots consisting of debitage, 10 modified stones, two oversized stone tools, three projectile points, and two modified shells.

Accession 28

The 13 objects of cultural patrimony were removed from a location near the town of Paradise, in Butte County, CA. The cultural items were collected by H.M. Doerchuck and donated to the Chico State Anthropology Department in 1967. The 13 objects of cultural patrimony are modified stones.

Accession 56

The 60 objects of cultural patrimony were removed from Tehama County, CA. These items were collected on March 20, 1972, and March 27, 1972, during a survey of Panther Springs by a Chico State Anthropology class led by Professor Makato Kowta. The 60 objects of cultural patrimony are 27 lots consisting of debitage, one unmodified faunal element, 27 modified stones, one oversized stone tool, and four projectile points.

Accession 66

The 105 objects of cultural patrimony were removed from site CA–GLE–018 in Glenn County, CA. This site was excavated by a Chico State Anthropology class led by Professor Keith Johnson in the summer of 1973. The 105 objects of cultural patrimony are 30 beads, 25 lots consisting of debitage, 11 unmodified faunal elements, two modified faunal elements, 15 modified stones, 11 organics, and 11 unmodified shells.

Accession 89

The 32 objects of cultural patrimony were removed from site CA–BUT–116 in Butte County, CA. This site was recorded by Fritz A. Riddell on March 12, 1961. In 1975, cultural items were removed from the site by Richard Markley, who was affiliated with the Chico State Anthropology Department. The 32 objects of cultural patrimony are one charcoal sample, seven lots consisting of debitage, five modified stones, one organic, five projectile points, and 13 soil samples.

Accession 90

The 16 objects of cultural patrimony were removed from site CA–BUT–117 in Butte County, CA. This site was recorded by Fritz A. Riddell on March 12, 1961. In 1975, cultural items were removed from the site by Richard Markley. The 16 objects of cultural patrimony are three projectile points, five lots of debitage, one unmodified faunal element, and seven lots of soil.

Accession 91

The 25 objects of cultural patrimony were removed from site CA–BUT–118 in Butte County, CA. This site was recorded by Fritz A. Riddell on March 12, 1961. In 1975, cultural items were removed from the site by Richard Markley. The 25 objects of cultural patrimony are 18 lots consisting of debitage, four modified stones, two projectile points, and one lot of charcoal.

Accession 154

The 17 objects of cultural patrimony were removed from sites, CA–BUT–634, CA–BUT–636 and CA–BUT–639 in Butte County, CA. All three sites were found during the Woodworth Survey. CA–BUT–634 and CA–BUT–636 were recorded by Donald Storm and R. Meeks on May 1, 1978, and CA–BUT–639 was recorded by Donald Storm, R. Meeks, and E. Royat on May 7, 1978. Donald Storm removed several cultural items from the three sites and donated them to the Chico State Anthropology Department on November 3, 1978. The 17 objects of cultural patrimony are nine lots consisting of debitage and eight modified stones.

Accession 162

The 428 objects of cultural patrimony were removed from site CA–BUT–619 in Butte County, CA. This site was recorded by Eric W. Ritter on July 7, 1977. Ritter collected items from the surface of the site and donated the collection to the Chico State Anthropology Department in 1978 or 1979. The 428 objects of cultural patrimony are 413 lots consisting of debitage, one unmodified faunal element, 13 modified stones, and one oversized stone tool.

Accession 385

The 13,032 objects of cultural patrimony were removed from the Big Chico Creek Ecological Reserve (BCCER) in Butte County, CA. The BCCER is owned by Chico State. Between 2001 and 2010, Drs. Frank Bayham and Antoinette Martinez of the Chico State Anthropology Department led classes at several archeological sites within the BCCER. In 2005, as part of a cooperative agreement with the Mechoopda Tribe of Chico, Dr. Martinez conducted a test excavation at BCCER–02 with a class. The 13,032 objects of cultural patrimony are 145 charcoal samples, 9,903 lots consisting of debitage, 1,113 unmodified faunal elements, 1,112 modified faunal elements, 505 modified stones, 167 organics, four fragments of petrified wood, 30 projectile points, 23 unmodified shell fragments, and 30 soil samples.

Accession 419

The 99 objects of cultural patrimony were removed from the Big Chico Creek Ecological Reserve (BCCER) in Butte County, CA. The BCCER is owned by Chico State. Between 2001 and 2010, Drs. Frank Bayham and Antoinette Martinez of the Chico State Anthropology Department led classes at several archeological sites within the BCCER. The 99 objects of cultural patrimony are 28 charcoal samples, 23 lots consisting of debitage, 17 unmodified faunal elements, 12 modified clay fragments, three modified stones, eight organics, two fragments of petrified wood, one projectile point, and five soil samples.

Accession 429

The 147 objects of cultural patrimony were removed from Butte, Glenn, and Tehama Counties, CA. Accession 429 consists of cultural items accumulated by private collector Dale Ritter, who collected throughout northern California. In 2019, these cultural items were donated to the Chico State Anthropology Department by Dale's son, Eric Ritter. The 147 objects of cultural patrimony are 146 modified stones and one lot consisting of debitage.

Cultural Affiliation

The cultural items in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. (We also note here that the Konkow Valley Band of Maidu, a non-federally recognized Indian group,

considers portions of Butte County to be their aboriginal territory.) The following types of information were used to reasonably trace the relationship: anthropological, archeological, historical, and expert opinion.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, CSU Chico has determined that:

- The six cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- The 14,209 cultural items described above have ongoing historical, traditional, or cultural importance central, to the Native American group or culture itself, rather than property owned by an individual.
- There is a relationship of shared group identity that can be reasonably traced between the cultural items and the Berry Creek Rancheria of Maidu Indians of California; Enterprise Rancheria of Maidu Indians of California; Mechoopda Indian Tribe of Chico Rancheria, California; Mooretown Rancheria of Maidu Indians of California; and the Paskenta Band of Nomlaki Indians of California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, CSU Chico must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. CSU Chico is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.8, 10.10, and 10.14.

Dated: June 14, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14378 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036137; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: New York State Museum, Albany, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the New York State Museum (NYSM), intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice. The cultural items were removed from Dutchess County, NY.

DATES: Repatriation of the cultural items in this notice may occur on or after August 7, 2023.

ADDRESSES: Lisa Anderson, New York State Museum, 3049 Cultural Education Center, Albany, NY 12230, telephone (518) 486–2020, email *lisa.anderson@nysed.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the NYSM. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records held by the NYSM.

Description

In 1947, James Shafer removed seven unassociated funerary objects from the South Cruger Island site in Dutchess County, NY. Shafer donated the objects to the New York State Museum in 1955. The seven unassociated funerary objects are one projectile point, one biface, two pottery sherds, one stone celt, one chopper, and one groundstone maul. The South Cruger Island site is located in traditional Lenape territory, and archeological evidence indicates occupations there during the Late Archaic and Late Woodland periods.

Cultural Affiliation

The cultural items in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological and geographical.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the NYSM has determined that:

- The seven cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- There is a relationship of shared group identity that can be reasonably traced between the cultural items and the Delaware Nation, Oklahoma; Delaware Tribe of Indians; and the Stockbridge Munsee Community, Wisconsin.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the NYSM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The NYSM is responsible for sending a copy of this

notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.8, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14387 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036123; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: High Desert Museum, Bend, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the High Desert Museum has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The human remains and associated funerary objects were removed from Wasco County, OR, and Klickitat County, WA.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Michelle Seiler, High Desert Museum, 59800 South Hwy. 97, Bend, OR 97702, telephone (541) 382–4754 Ext. 376, email *michelle@highdesertmuseum.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of High Desert Museum. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by High Desert Museum.

Description

Human remains representing, at minimum, one individual were removed from Wasco County, OR. The human remains were removed from Memaloose Island by Sue Frewing, who accompanied her father there as a child. According to Frewing, at that time, the entire island was fully accessible by boat, as The Dalles Dam had not yet been constructed. On March 31, 1986, the human remains were donated to the High Desert Museum by Sue Frewing. The one associated funerary object is one lot consisting of loose beads, buttons, shells, and sand.

Human remains representing, at minimum, one individual were removed from Wasco County, OR/Klickitat County, WA. The human remains were removed from Memaloose Island and donated to the High Desert Museum at an unknown date. No associated funerary objects are present.

Cultural Affiliation

The human remains and associated funerary objects in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological, geographical, historical, and oral traditional.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, High Desert Museum has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- The one lot of multiple objects described in this notice is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and the associated funerary object described in this notice and the Confederated Tribes and Bands of the Yakama Nation; Confederated Tribes of the Umatilla Indian Reservation; Confederated Tribes of the Warm Springs Reservation of Oregon; and the Nez Perce Tribe.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, High Desert Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. High Desert Museum is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14379 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036139; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: New York State Museum, Albany, NY

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the New York State Museum (NYSM) has amended a Notice of Inventory Completion published in the **Federal Register** on December 9, 2022. This notice amends the number of human remains and associated funerary objects removed from the Dennis site, in Menands, Albany County, NY.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Lisa Anderson, New York State Museum, 3049 Cultural Education

Center, Albany, NY 12230, telephone (518) 486–2020, email *lisa.anderson@nysed.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the New York State Museum. The National Park Service is not responsible for the determinations in this notice. Additional information on the amendments and determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the New York State Museum.

Amendment

This notice amends the determinations for the Dennis site, in Menands, Albany County, NY, that were published in the **Federal Register** on December 9, 2022 (87 FR 75659–75662). In the interim, additional human remains as well as associated funerary objects were identified. Repatriation of the items from the Dennis site listed in the original Notice of Inventory Completion has not occurred.

Human remains belonging to, at minimum, eight individuals were removed from the Dennis site, in Menands, Albany County, NY; previously, only seven were identified. The human remains were removed during salvage excavations conducted by Mr. R. Arthur Johnson and others, after the site was disturbed by mining activity. The 123 associated funerary objects are 120 fragments of animal bone and three unmodified stones; previously, none were identified.

The Dennis site is located within traditional Mohican territory. Archeological evidence indicates it was occupied intermittently from the Late Archaic through Late Woodland periods. The human remains and associated funerary objects listed in this notice most likely date to the later occupation.

Determinations (as Amended)

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the New York State Museum has determined that:

- The human remains described in this notice represent the physical remains of eight individuals of Native American ancestry.
- The 123 objects described in this notice are reasonably believed to have been placed with or near the individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the human remains and associated funerary objects described in this notice and the Stockbridge Munsee Community, Wisconsin.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains and associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, the New York State Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The New York State Museum is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, 10.13, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14389 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036127; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: South Carolina Institute of Archaeology and Anthropology, University of South Carolina, Columbia, SC

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the South Carolina Institute of Archaeology and Anthropology (SCIAA) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The associated funerary objects were removed from Lancaster County, SC.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after August 7, 2023.

ADDRESSES: Nina Schreiner, South Carolina Institute of Archaeology and Anthropology (SCIAA), College of Arts and Sciences, University of South Carolina, 1321 Pendleton Street, Columbia, SC 29208, email *Schreinn@email.sc.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of SCIAA. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by SCIAA.

Description

In 1965, Mr. John R. Hart of York, SC, removed human remains belonging to one individual and 81 associated funerary objects from a ''Historic Catawba Burial, near Van Wyck'' in Lancaster County, SC. In 1981, following Mr. Hart's death, his son, Mr. John R. Hart III, donated these human remains and associated funerary objects to SCIAA. On January 12, 2023, this individual and 79 of the associated funerary objects were listed in a Notice of Inventory Completion published in the **Federal Register** (88 FR 2127–2128) and have been repatriated. Subsequently, two additional funerary objects associated with this individual were discovered in SCIAA collections. They are one lot consisting of soil matrix and one lot consisting of lithic objects.

Cultural Affiliation

The associated funerary objects in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or

more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological, geographical, and historical.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, SCIAA has determined that:

- The two objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a relationship of shared group identity that can be reasonably traced between the associated funerary objects described in this notice and the Catawba Indian Nation.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the associated funerary objects in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, SCIAA must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. SCIAA is responsible for sending a copy of this notice to the Indian Tribe identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14383 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036124; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: High Desert Museum, Bend, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the High Desert Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice. The cultural items were removed from Wasco County, OR, and Klickitat County, WA.

DATES: Repatriation of the cultural items in this notice may occur on or after August 7, 2023.

ADDRESSES: Michelle Seiler, High Desert Museum, 59800 South Hwy. 97, Bend, OR 97702, telephone (541) 382–4754 Ext. 376, email *michelle@highdesertmuseum.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of High Desert Museum. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records held by High Desert Museum.

Description

Forty-nine cultural items were removed from Wasco County, OR. These cultural items were removed from Memaloose Island by Sue Frewing, who accompanied her father there as a child. According to Frewing, at that time, the entire island was fully accessible by boat, as The Dalles Dam had not yet been constructed. On March 31, 1986, these cultural items were donated to the High Desert Museum by Sue Frewing. The 49 unassociated funerary objects are five cylindrical beads, one disk shaped bead, one brass bead, two strings of beads, five animal teeth or claws, one awl, one piece of leather with brass tacks, one piece of wood with brass tack, two rusted nails, one piece of a buckle, two brass buttons, 16 brass tacks, one piece of wood, one piece of green fabric, one Dentalium shell, and eight shells with sand.

Three lots of cultural items were removed from Wasco County, OR, and Klickitat County, WA. Around 1960, Erna Mader Rose removed these cultural items from Memaloose Island in either Wasco County, OR, or Klickitat County, WA. On July 6, 1994, Marian M. Campbell, acting as Erna Rose's executrice, donated them to the High Desert Museum. The three lots of unassociated funerary objects are one lot consisting of a Riker mount with seed and shell beads, rolled copper fragments, dentalium, carved wood or bone fragment; one lot consisting of glass beads; and one lot consisting of shell and bone beads.

Ten cultural items were removed from Wasco County, OR. In 1961, Erna Mader Rose removed these cultural items from the Bead Patch Site next to The Dalles Bridge. On July 6, 1994, Marian M. Campbell, acting as Erna Rose's executrice, donated them to the High Desert Museum. The 10 unassociated funerary objects are six stone point fragments; two stone projectile points; one stone drill; and one stone bead.

Cultural Affiliation

The cultural items in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: archeological, geographical, historical, and oral traditional.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, the High Desert Museum has determined that:

- The 62 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.
- There is a relationship of shared group identity that can be reasonably traced between the cultural items and the Confederated Tribes and Bands of the Yakama Nation; Confederated Tribes of the Umatilla Indian Reservation; Confederated Tribes of the Warm Springs Reservation of Oregon; and the Nez Perce Tribe.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, High Desert Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. High Desert Museum is responsible for sending a copy of this notice to the Indian Tribes identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.8, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14380 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0036130; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Eastern Washington University, Cheney, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Eastern Washington University has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice. The human remains were removed from Honolulu, Honolulu County, HI.

DATES: Repatriation of the human remains in this notice may occur on or after August 7, 2023.

ADDRESSES: Kate Valdez, NAGPRA Coordinator, Eastern Washington University, 214 Showalter Hall, Cheney, WA 99004, telephone (509) 359–3116, email *vvaldez6@ewu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of Eastern Washington University. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by Eastern Washington University.

Description

In 1906, during the excavation of a house foundation, human remains representing, at minimum, one individual were removed from Honolulu in Honolulu County, HI. In the early 1920s, O.S. James donated these human remains to the Eastern Washington State Historical Society (Accession #469.1), and on April 3, 1987, the human remains were legally transferred to Eastern Washington University. No associated funerary objects are present.

Cultural Affiliation

The human remains in this notice are connected to one or more identifiable earlier groups, tribes, peoples, or cultures. There is a relationship of shared group identity between the identifiable earlier groups, tribes, peoples, or cultures and one or more Indian Tribes or Native Hawaiian organizations. The following types of information were used to reasonably trace the relationship: anthropological, geographical, and historical.

Determinations

Pursuant to NAGPRA and its implementing regulations, and after consultation with the appropriate Indian Tribes and Native Hawaiian organizations, Eastern Washington University has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a relationship of shared group identity that can be reasonably traced between the human remains described in this notice and the Hui Iwi Kuamo'o, a Native Hawaiian organization.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the Responsible Official identified in **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after August 7, 2023. If competing requests for repatriation are received, Eastern Washington University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. Eastern Washington University is responsible for sending a copy of this notice to the Native Hawaiian organization identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.9, 10.10, and 10.14.

Dated: June 28, 2023.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2023–14385 Filed 7–6–23; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Vaporizer Devices, Cartridges Used Therewith, and Components Thereof, DN 3685;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information

System (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov*. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of JUUL Labs, Inc. and VMR Products LLC on June 30, 2023. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaporizer devices, cartridges used therewith, and components thereof. The complaint names as respondents: NJOY, LLC of Phoenix, AZ; NJOY Holdings, Inc. of Scottsdale, AZ; Altria Group, Inc. of Richmond, VA; Altria Group Distribution Company of Richmond, VA; and Altria Client Services LLC of Richmond, VA. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) Identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) Indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) Explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3685'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures.) [1] 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. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: June 30, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–14301 Filed 7–6–23; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–682 and 731–TA–1592 (Final)]

Certain Freight Rail Couplers and Parts Thereof From China

Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

(''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that an industry in the United States is materially injured by reason of imports of certain freight rail couplers and parts thereof (''FRCs'') from China, provided for in subheadings 8607.30.10 and 7326.90.86 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (''Commerce'') to be sold in the United States at less than fair value (''LTFV'') and subsidized by the government of China.[2] [3] [4]

Background

The Commission instituted these investigations effective September 28, 2022, following receipt of petitions filed with the Commission and Commerce by the Coalition of Freight Coupler Producers, consisting of McConway & Torley LLC, Pittsburgh, Pennsylvania, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of FRCs from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on March 15, 2023 (88 FR 16031). The Commission conducted its hearing on May 18, 2023. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 705(b) and 735(b) of the Act (19 U.S.C. 1671d(b) and 19 U.S.C. 1673d(b)). It completed and filed its determinations in these investigations on July 3, 2023. The views of the Commission are contained in USITC Publication 5438 (July 2023), entitled *Certain Freight Rail Couplers and Parts Thereof from China: Investigation Nos. 701–TA–682 and 731–TA–1592 (Final).*

By order of the Commission.

Issued: July 3, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–14410 Filed 7–6–23; 8:45 am]

BILLING CODE 7020–02–P

[2] 88 FR 32184 (May 19, 2023) and 88 FR 34485 (May 30, 2023).

[3] Chairman David S. Johanson dissenting, and Commissioner Randolph J. Stayin not participating.

[4] The Commission also finds that imports subject to Commerce's affirmative critical circumstances determination are not likely to undermine seriously the remedial effect of the antidumping and countervailing duty orders on FRCs from China.

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–575 and 731–TA–1360–1361 (Review)]

Tool Chests and Cabinets From China and Vietnam

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 countervailing duty order on tool chests and cabinets from China and revocation of the antidumping duty orders on tool chests and cabinets from China and Vietnam 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 December 1, 2022 (87 FR 73786) and determined on March 6, 2023 that it would conduct expedited reviews (88 FR 23464, April 17, 2023).

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 June 30, 2023. The views of the Commission are contained in USITC Publication 5445 (June 2023), entitled *Tool Chests and Cabinets from China and Vietnam: Investigation Nos. 701–TA–575 and 731–TA–1360–1361 (Review).*

By order of the Commission.

Issued: June 30, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–14302 Filed 7–6–23; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

DEPARTMENT OF JUSTICE

[OMB Number 1105–0108]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Complaint Regarding United States Marshals Service (USMS) Personnel or Programs

AGENCY: U.S. Marshals Service, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), U.S. Marshals Service (USMS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until September 5, 2023.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Karl Slazer, U.S. Marshals Service Headquarters, 1215 S Clark St., Ste. 10005, Arlington, VA 22202–4387, 703–740–2316; *kslazer@usms.doj.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,*

permitting electronic submission of responses.

Abstract: This form will allow members of the public to submit information regarding potential misconduct involving USMS personnel or programs.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *The Title of the Form/Collection:* Complaint Regarding USMS Personnel or Programs.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: None. Component: U.S. Marshals Service, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as the obligation to respond:* Affected Public: Individuals or households. The obligation to respond is voluntary.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated number of respondents for this collection is 1,000. The time per response is 5 minutes to complete the form.

6. *An estimate of the total annual burden (in hours) associated with the collection:* The total annual burden hours for this collection is 83 hours.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* $0.

TOTAL BURDEN HOURS

Activity	Number of respondents	Frequency	Total annual responses	Time per response (min.)	Total annual burden (hours)
Complaint Regarding USMS Personnel	1,000	1/annually	1,000	5	83
Unduplicated Totals	1,000		1,000		83

If additional information is required contact: John R. Carlson, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: June 30, 2023.

John Carlson,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2023–14318 Filed 7–6–23; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Susan Harwood Training Grant Program Grantee Quarterly Progress Report

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-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 August 7, 2023.

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: The Grantee Quarterly Progress Report is used to collect information concerning activities conducted during the quarter by grantees under OSHA's Susan Harwood training grants. The information is used by OSHA to monitor progress and the use of Federal grant funds. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on January 26, 2023 (88 FR 5041).

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–OSHA.

Title of Collection: Susan Harwood Training Grant Program Grantee Quarterly Progress Report.

OMB Control Number: 1218–0100.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 45,834.

Total Estimated Number of Responses: 46,392.

Total Estimated Annual Time Burden: 10,128 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D).)

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2023–14377 Filed 7–6–23; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of the Workers' Compensation Programs

[OMB Control No. 1240–0029]

Proposed Extension of Existing Collection; Request for Examination and/or Treatment (LS–1)

AGENCY: Division of Federal Employees', Longshore and Harbor Workers' Compensation (DFELHWC), Office of Workers' Compensation Programs, Department of Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance request for comment to provide the general public and Federal agencies with an opportunity to comment on proposed collections of information in accordance with the Paperwork Reduction Act of 1995. This request helps to ensure that: requested data can be provided in the desired format; reporting burden (time and financial resources) is minimized; collection instruments are clearly understood; and the impact of collection requirements on respondents can be properly assessed. OWCP/DFELHWC is soliciting comments on the information collection for ''Request for Examination and/or Treatment (LS–1).''

DATES: Consideration will be given to all written comments received by September 5, 2023.

ADDRESSES: You may submit comment as follows. Please note that late, untimely filed comments will not be considered.

Written/Paper Submissions: Submit written/paper submissions in the following way:

- *Mail/Hand Delivery:* Mail or visit DOL–OWCP/DFELHWC, Office of Workers' Compensation Programs, Division of Federal Employees' Longshore and Harbor Workers' Compensation, U.S. Department of Labor, 200 Constitution Ave. NW, Room C–4319, Washington, DC 20210.
- OWCP/DFELHWC will post your comment as well as any attachments, except for information submitted and marked as confidential, in the docket at *https://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Contact Anjanette Suggs, Office of Workers' Compensation Programs, Division of Federal Employees' Longshore and Harbor Workers' Compensation, OWCP/DFELHWC at *suggs.anjanette@dol.gov* (email); or (202) 354–9660.

SUPPLEMENTARY INFORMATION:

I. Background

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act. The Act provides benefits to workers' injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel. In addition, several acts extend the Longshore Act's coverage to certain other employees. Section 33 U.S.C. 907 of the Longshore Act and 20 CFR 702.419, the employer/insurance carrier is responsible for furnishing medical care for the injured employee for such period of time as the injury or recovery period may require. Form LS–1 serves two purposes: It authorizes the medical care, and it provides a vehicle for the treating. physician to report the findings, treatment given, and anticipated physical condition of the employee. Legal authority for this information collection is found at 33 U.S.C. 907. Regulatory authority is found at 20 CFR 702.419.

II. Desired Focus of Comments

The OWCP/DFELHWC is soliciting comments concerning the proposed information collection request (ICR) titled, ''Request for Examination and/or Treatment (LS–1).''

OWCP/DFELHWC is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.
- Evaluate the accuracy of OWCP/DFELHWC's estimate of the burden related to the information collection, including the validity of the methodology and assumptions used in the estimate.
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Background documents related to this information collection request are available at *https://regulations.gov* and at DOL–OWCP/DFELHWC located at 200 Constitution Ave. NW, Room C–4319, Washington, DC 20210. Questions about the information collection requirements may be directed to the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

III. Current Actions

This information collection request concerns the ''Request for Examination and/or Treatment (LS–1). OWCP/DFELHWC has updated the data with respect to the number of respondents, responses, burden hours, and burden costs supporting this information collection request from the previous information collection request.

Type of Review: Extension (with/without) change of a currently approved collection.

Agency: DOL-Office of Workers' Compensation Programs, Division of Federal Employees, Longshore and Harbor Workers' Compensation, OWCP/DFELHWC.

OMB Control Number: 1240–0029.

Affected Public: Individuals or households.

Number of Respondents: 3,800.

Frequency: On occasion.

Number of Responses: 60,000.

Annual Burden Hours: 48,750 hours.

Annual Respondent or Recordkeeper Cost: $2,544,300.

OWCP Form: Form LS–1, Request for Examination and/or Treatment.

Comments submitted in response to this notice will be summarized in the request for Office of Management and Budget approval of the proposed information collection request; they will become a matter of public record and will be available at *https://www.reginfo.gov*.

Anjanette Suggs,

Certifying Officer.

[FR Doc. 2023–14375 Filed 7–6–23; 8:45 am]

BILLING CODE 4510–CF–P

NUCLEAR REGULATORY COMMISSION

Seeks Qualified Candidates for Appointment to the Advisory Committee on Reactor Safeguards

AGENCY: Nuclear Regulatory Commission.

ACTION: Request for resumes.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) seeks qualified candidates for appointment to the Advisory Committee on Reactor Safeguards (ACRS or Committee).

DATES: Resumes will be accepted until October 5, 2023.

ADDRESSES: Submit resumes to Sandra Walker, ACRS, Mail Stop: T2B50, U.S.

Nuclear Regulatory Commission, Washington, DC 20555–0001, or email *Sandra.Walker@nrc.gov.*

SUPPLEMENTARY INFORMATION: The ACRS is a part-time advisory group, which is statutorily mandated by the Atomic Energy Act of 1954, as amended. The ACRS provides independent expert advice on matters related to the safety of existing and proposed nuclear reactor facilities and on the adequacy of proposed reactor safety standards. Of primary importance are the safety issues associated with the operation of commercial nuclear power plants in the United States and regulatory initiatives, including risk-informed and performance-based regulation, license renewal, new licensing applications for non-light water reactors, and the use of mixed oxide and high burnup fuels. In addition, the ACRS may be requested to provide advice on radiation protection, radioactive waste management, and earth sciences in the agency's licensing reviews for fuel fabrication and enrichment facilities, and for waste disposal facilities. The ACRS also has some involvement in security matters related to the integration of safety and security of commercial reactors. See the NRC website at *https://www.nrc.gov/about-nrc/regulatory/advisory/acrs.html* for additional information about the ACRS.

An increased emphasis is being given to engineering and safety issues associated with new light water and non-light water reactor designs and technologies, including topics related to: neutronics and reactor kinetics analyses; reactor physics and fuel management, integrated reactor systems analysis and performance; nuclear fuels, chemistry, and engineering materials (including application of probabilistic methods and non-destructive examination techniques); and structural and seismic design.

Criteria used to evaluate candidates include education and experience, demonstrated skills in nuclear reactor safety matters, the ability to solve complex technical problems, and the ability to work collegially on a board, panel, or committee. The Commission, in selecting its Committee members, also considers the need for specific expertise to accomplish the work expected to be before the ACRS. ACRS members are appointed for four-year terms with no term limits. The Commission looks to appoint two members to the Committee as a result of this request. Candidates are desired that have broad, extensive experience in nuclear safety, such as multiple areas of current emphasis (listed in the second paragraph under **SUPPLEMENTARY INFORMATION**) or similar fields of nuclear reactor and nuclear fuel cycle safety. Candidates with broad nuclear safety experience in industry, academia, laboratory, or regulatory backgrounds, or work between those environments, are encouraged to apply. The candidates should also have at least 20 years of education and broad experience and a distinguished record of achievement in one or more areas of nuclear science and technology or related engineering disciplines. Candidates with pertinent graduate level experience will be given additional consideration, and candidates with relevant experience and a distinguished record who do not quite meet the 20-year threshold are also encouraged to apply.

Consistent with the requirements of the Federal Advisory Committee Act, the Commission seeks candidates with diverse backgrounds, so that the membership on the Committee is fairly balanced in terms of the points of view represented and functions to be performed by the Committee. Candidates will undergo a thorough security background check to obtain the security clearance that is mandatory for all ACRS members. The security background check will involve the completion and submission of paperwork to the NRC. Candidates for ACRS appointment may be involved in or have financial interests related to NRC-regulated aspects of the nuclear industry. However, because conflict-of-interest considerations may restrict the participation of a candidate in ACRS activities, the degree and nature of any such restriction on an individual's activities as a member will be considered in the selection process. Each qualified candidate's financial interests must be reconciled with applicable Federal and NRC rules and regulations prior to final appointment. This might require divestiture of securities or discontinuance of certain contracts or grants. Information regarding these restrictions will be provided upon request. As a part of the Stop Trading on Congressional Knowledge Act of 2012, which bans insider trading by members of Congress, their staff, and other high-level federal employees, candidates for appointment will be required to disclose additional financial transactions.

A resume describing the educational and professional background of each candidate, including any special accomplishments, publications, and professional references should be provided. Candidates should provide their current address, telephone number, and email address. All candidates will receive careful consideration. The NRC does not discriminate in employment on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, membership in an employee organization, retaliation, parental status, military service, or other non-merit factor. Candidates must be citizens of the United States and be able to devote approximately 100 days per year to Committee business, but may not be compensated for more than 130 calendar days. Appointees may be able to attend some Committee meetings virtually.

Dated: July 3, 2023.

For the Nuclear Regulatory Commission.

Brooke P. Clark,

Secretary of the Commission.

[FR Doc. 2023–14419 Filed 7–6–23; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2023–178 and CP2023–182]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* July 7, 2023.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or

removal of a negotiated service agreement from the Market Dominant or the Competitive product list, or the modification of an existing product currently appearing on the Market Dominant or the Competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern Market Dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern Competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2023–178 and CP2023–182; *Filing Title:* USPS Request to Add Priority Mail, First-Class Package Service & Parcel Select Contract 31 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* June 29, 2023; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative:* Kenneth R. Moeller; *Comments Due:* July 7, 2023.

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2023–14311 Filed 7–6–23; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail, First-Class Package Service & Parcel Select Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* July 7, 2023.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on June 30, 2023, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail, First-Class Package Service & Parcel Select Contract 32 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2023–179, CP2023–183.

Sarah Sullivan,

Attorney, Ethics & Legal Compliance.

[FR Doc. 2023–14327 Filed 7–6–23; 8:45 am]

BILLING CODE 7710–12–P

RAILROAD RETIREMENT BOARD

Privacy Act of 1974; Matching Program; (RRB and State Agencies)

AGENCY: U.S. Railroad Retirement Board (RRB).

ACTION: Notice of a renewed matching program.

SUMMARY: As required by the Privacy Act of 1974, as amended, the RRB is issuing public notice of its renewal of an ongoing computer-matching program with State agencies regarding individuals who received benefits under the Railroad Unemployment Insurance Act.

DATES: Public comments are welcome until August 7, 2023. We will file a report of this computer-matching program with the Committee on Homeland Security and Governmental Affairs of the Senate; the Committee on Oversight and Government Reform of the House of Representatives; and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will continue for 18 months after the effective date and may be extended for an additional 12 months, if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

ADDRESSES: Interested parties may comment on this publication by writing to Stephanie Hillyard, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–1275.

FOR FURTHER INFORMATION CONTACT: Mr. Chad Peek, Chief Privacy Officer, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–1275, telephone 312–751–3389 or email at *chad.peek@rrb.gov.*

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988, (Pub. L. 100–503), amended by the Privacy Act of 1974, (5 U.S.C. 552a) as amended, requires a Federal agency participating in a computer matching program to publish a notice in the **Federal Register** for all matching programs.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records contained in a Privacy Act System of Records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

(2) Obtain the approval of the matching agreement by the Data Integrity Boards (DIB) of the participating Federal agencies;

(3) Publish notice of the computer matching program in the **Federal Register**;

(4) Furnish detailed reports about matching programs to Congress and OMB;

(5) Notify applicants and beneficiaries that their records are subject to matching; and

(6) Verify match findings before reducing, suspending, terminating, or denying a person's benefits or payments. The last notice for this matching program was published in the **Federal Register** on January 20, 2015 (80 FR 2757).

B. RRB Computer Matches Subject to the Privacy Act

We have taken appropriate action to ensure that all of our computer matching programs comply with the requirements of the Privacy Act, as amended.

Participating Agencies

Railroad Retirement Board (RRB) and agencies of all 50 States and the District of Columbia which provide unemployment or sickness benefits.

Authority for Conducting The Matching Program

5 U.S.C. 552a(o); 42 U.S.C. 503(c)(1); 44 U.S.C. 3551–59; 45 U.S.C. 362(f); 20 CFR 200.8(g); 20 CFR 603.6(b)(2).

Purpose(s)

The RRB will conduct computer matching activities to determine if an individual who received benefits under the Railroad Unemployment Insurance Act also received during the designated time period:

1. Any unemployment or sickness insurance benefits from a State agency, or

2. Any employment or self-employment earnings reported to the State. If there is a match, the State will report the amount of unemployment or sickness insurance benefits paid or the employment or self-employment earnings reported to the RRB.

1. For individuals who received both benefits under the Railroad Unemployment Insurance Act and either unemployment or sickness insurance benefits from the State: Depending on arrangements made between the two jurisdictions, and, in the case of State sickness benefits, on the applicable State law, either the RRB or the State agency will attempt to recover the amount of the duplicate payments.

2. For individuals for whom earnings information was reported to the State: the State will notify the RRB and furnish a breakdown of the wages, as well as the name and address of each employer who reported earnings for the individual. The RRB will then contact each employer who reported earnings for the individual for the given period. Only if the employment is verified will the RRB take action to recover the overpayment. If benefits were paid under the Railroad Unemployment Insurance Act, recovery is limited to payments made for those days on which the individual was gainfully employed.

Categories of Individuals

All recipients of benefits under the Railroad Unemployment Insurance Act during the period covered by the computer matching program who reside in the States the RRB has negotiated a computer matching program agreement with.

Categories of Records

The information received through the computer matching programs may consist of either: (1) a report of unemployment or sickness payments made by the State for the same period that benefits were paid by the RRB, or (2) a report of wages paid to an individual, and the names and addresses of employers who reported those wages to the State for the same period that benefits were paid by the RRB.

System(s) of Records

Records furnished by the States are covered under Privacy Act system of records RRB–21, Railroad Unemployment and Sickness Insurance Benefit System, May 15, 2015 (80 FR 28016).

Dated: July 3, 2023.

By authority of the Board.

Stephanie Hillyard,

Secretary to the Board.

[FR Doc. 2023–14352 Filed 7–6–23; 8:45 am]

BILLING CODE 7905–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34955]

Deregistration Under Section 8(f) of the Investment Company Act of 1940

June 30, 2023.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'').

ACTION: Notice of applications for reregistration under section 8(f) of the Investment Company Act of 1940.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of June 2023. A copy of each application may be obtained via the Commission's website by searching for the applicable file number listed below, 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 *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090. An order granting each application will be issued unless the SEC 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 relevant applicant 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 SEC by 5:30 p.m. on July 25, 2023, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.*

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Assistant Director, at (202) 551–6413 or Chief Counsel's Office at (202) 551–6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE, Washington, DC 20549–8010.

Direxion Insurance Trust [File No. 811–09761]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On October 30, 2015, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $2,000 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Dates: The application was filed on September 9, 2022, and amended on March 3, 2023, and June 1, 2023.

Applicant's Address: 1301 Avenue of the Americas, 28th Floor, New York, New York 10019.

Dreyfus Amt-Free Municipal Cash Management Plus [File No. 811–06172]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On May 18, 2021, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $3,800 incurred in connection with the liquidation were paid by the applicant and the applicant's investment adviser.

Filing Dates: The application was filed on June 15, 2022, and amended on August, 12, 2022, May 2, 2023 and May 3, 2023.

Applicant's Address: c/o BNY Mellon Investment Adviser, Inc., 240 Greenwich Street, New York, New York 10286.

Dreyfus Amt-Free New York Municipal Cash Management [File No. 811–06395]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On May 18, 2021, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $4,047.06 incurred in connection with the liquidation were paid by the applicant and the applicant's investment adviser.

Filing Dates: The application was filed on June 15, 2022, and amended on August 12, 2022 and May 3, 2023.

Applicant's Address: c/o BNY Mellon Investment Adviser, Inc., 240 Greenwich Street, New York, New York 10286.

OSI ETF Trust [File No. 811–23167]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 17, 2023, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $5,000 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Dates: The application was filed on January 13, 2023 and amended on March 30, 2023 and June 29, 2023.

Applicant's Address: 75 State Street, Suite 100, Boston, Massachusetts.

Pacific Funds Series Trust [File No. 811–10385]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Aristotle Funds Series Trust, and on April 17, 2023 made a final distribution to its shareholders based on net asset value. Expenses of $3,571,846 incurred in connection with the reorganization were paid by the applicant's investment adviser.

Filing Date: The application was filed on May 22, 2023.

Applicant's Address: 700 Newport Center Drive, Newport Beach, California 92660.

Stone Harbor Investment Funds [File No. 811–22037]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Virtus Opportunities Trust, and on April 8, 2022 made a final distribution to its shareholders based on net asset value. Expenses of $347,000 incurred in connection with the reorganization were paid by the applicant's investment adviser and the acquiring fund's investment adviser.

Filing Date: The application was filed on June 5, 2023.

Applicant's Address: 31 West 52nd Street, 16th Floor, New York, New York 10019.

Value Line Centurion Fund Inc [File No. 811–03835]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On April 29, 2022, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $25,000 incurred in connection with the liquidation were paid by the applicant.

Filing Dates: The application was filed on April 13, 2023 and amended on June 22, 2023.

Applicant's Address: 7 Time Square, Suite 1606, New York, New York 10036.

Value Line Funds Variable Trust [File No. 811–05276]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On April 29, 2022, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $20,000 incurred in connection with the liquidation were paid by the applicant.

Filing Dates: The application was filed on April 13, 2023 and amended on June 22, 2023.

Applicant's Address: 7 Time Square, Suite 1606, New York, New York 10036.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. 2023–14281 Filed 7–6–23; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–97825; File No. SR–Phlx–2023–28]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Establish Purge Ports for Equities Trading

June 30, 2023.

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 June 28, 2023, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the 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 establish Purge Ports for equities trading.

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.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange is proposing to establish a new port type, ''Purge Port,'' which is a function enabling PSX Participants (the ''Participants'') to cancel all open orders or a subset of open orders (per MPID, buy or sell side of the order, or ticker symbol) across multiple protocols through a single cancel message.[3] The Exchange also proposes to amend the Pricing Schedule in Equity 7, Section 3 to set fees for Purge Ports and to waive the fees for the Purge Ports in the Exchange's Test Facility for the first two months a Participant uses them in the Test Facility. Finally, the Exchange proposes to make functional enhancements to its Order entry protocols to include a function enabling Participants to cancel, through a single cancel message, all open orders or a subset of open orders

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Purge Ports will be available for RASH, FIX and OUCH protocols.

(per MPID, buy or sell side of the order, or ticker symbol) entered through that port (the ''purging functionality'').

A logical port represents a port established by the Exchange within the Exchange's system for trading and billing purposes. Each logical port grants a Participant the ability to accomplish a specific function, such as order entry, order cancellation, access to execution reports, and other administrative information.

The proposed Purge Ports are designed to assist Participants, including Market Makers [4] in the management of, and risk control over, their orders, particularly if the firm is dealing with a large number of securities. For example, if a Participant detects market indications that may influence the execution potential of their orders, the Participant may use the proposed Purge Ports to reduce uncertainty and to manage risk by purging all orders in a number of securities. This would allow the Participant to seamlessly avoid unintended executions, while continuing to evaluate the market, their positions, and their risk levels. While Purge Ports will be available to all Participants, the Exchange anticipates they will be used primarily by firms that conduct business activity that exposes them to a large amount of risk across a number of securities. The proposed purging functionality will operate similar to a Purge Port, by allowing a Participant to purge all orders or a subset of open orders (per MPID, buy or sell side of the order, or ticker symbol) open on that port. The only material difference for a Participant, between relying on the purging functionality as opposed to using a Purge Port, is that Purge Port requires a Participant to send one message to accomplish desired cancellation of orders or a subset thereof as described above, while the purging functionality requires a Participant to send multiple messages (which could be sent simultaneously) to accomplish the same task.[5]

Participants may currently cancel individual orders through the existing functionality of the RASH Order entry protocol,[6] FIX Order entry protocol [7] and the OUCH Order entry protocol.[8] In addition to the current functionality, which is being retained, the Exchange now proposes to expand the ability of Participants to cancel orders through the new purge functionality, which would enable them to cancel all open orders or a subset of open orders (per MPID, buy or sell side of the order, or ticker symbol) entered through a single port; and through the proposed Purge Ports, which would enable them to cancel all open orders, or a subset of open orders (per MPID, buy or sell side of the order, or ticker symbol) across multiple protocols through a single cancel message.

The Exchange notes that dedicated Purge Ports are not a new functionality for equities exchanges, as other equity exchanges already offer similar functionality.[9] The Exchange also notes that the proposed Purge Ports increase efficiency of already existing functionality enabling the cancellation of orders. Nasdaq operates highly performant systems with significant throughput and determinism which allows participants to enter, update and cancel orders at high rates. In that regard, Participants can cancel orders in rapid succession across their order entry ports.[10] In addition, the Exchange provides a similar ability to mass cancel orders through the Nasdaq Kill Switch, which is an optional tool offered at no charge that enables Participants to establish pre-determined levels of risk exposure, which can be used to cancel all open orders. Similarly, Participants may use cancel-on-disconnect control when they experience a disruption in connection to the Exchange to immediately cancel all pending Exchange orders except for good-till-canceled orders. Accordingly, the Exchange believes that the purge functionality and Purge Ports provide an efficient option as an alternative to already available services and enhance the Participant's ability to manage their risk.

The Exchange proposes to provide the purging functionality without charging any additional fees. All existing ports will be enhanced with the purging functionality and will continue to be subject to the existing fee schedule without any changes.

The Exchange proposes to adopt a fee for Purge Ports of $500 per port/per month. As stated above, the Exchange believes that Participants would benefit from a dedicated purge mechanism. Only firms that request Purge Ports would be subject to the proposed fees, and other firms can continue to operate in exactly the same manner as they do today without dedicated Purge Ports, but with the additional purging functionality.

The Exchange proposes to waive the applicable $300 per Purge Port, per month fees for Participants that use their PSX access protocols connection through the Exchange's Testing Facility to test the new Purge Ports. The fees will be waived for the first two calendar months from the date the participant first receives access to Purge Ports in the Test Facility. A Participant may choose to conduct testing for OUCH, FIX and RASH protocols simultaneously or at different times. If a Participant chooses to conduct tests for their protocols separately, the fees will be waived each time.

After the two months of service, a Participant will be expected to have fully tested the new Purge Ports and will be charged for any fees incurred for using the Exchange's Testing Facility ports thereafter.

Implementation

The Exchange intends to implement the proposed rule changes on or before March 31, 2024. The Exchange will issue an Equity Trader Alert to members announcing the exact date the Exchange will implement the Purge Ports and the purging functionality, as described above.

[4] Member organizations seeking to become registered as a PSX Market Maker must comply with the applicable requirements of General 3, Section 1. *See* Equity 2, Section 4.

[5] The Exchange expects the purging functionality to remain substantially similar to Purge Ports, as described above, and would offer the purging functionality as long as it offers Purge Ports.

[6] The RASH Order entry protocol is a proprietary protocol that allows members to enter Orders, cancel existing Orders and receive executions. RASH allows participants to use advanced functionality, including discretion, random reserve, pegging and routing.

[7] Financial Information eXchange (FIX) is a vendor-neutral standard message protocol that defines an electronic message exchange for communicating securities transactions between two parties.

[8] The OUCH Order entry protocol is a proprietary protocol that allows subscribers to quickly enter orders into the System and receive executions. OUCH accepts limit Orders from members, and if there are matching Orders, they will execute. Non-matching Orders are added to the Limit Order Book, a database of available limit Orders, where they are matched in price-time priority. OUCH only provides a method for members to send Orders and receive status updates on those Orders.

[9] *See* Securities Exchange Act Release No. 84405 (October 11, 2018), 83 FR 52598 (October 17, 2018) (SR–CboeEDGA–2018–016). Explaining its decision to waive the 30-day operative delay of this proposed rule change, the Commission stated that it believed that purge ports may be a helpful tool for managing the risk associated with trading equities, and that this can be important both for individual market participants and the market in general.

[10] Current Exchange port functionality supports cancelation rates that exceed one thousand messages per second and the Exchange's research indicates that certain Participants rely on such functionality and at times utilize such cancelation rates.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[11] in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,[12] 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 proposal is also 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.

The Exchange believes that the proposed rule change would promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market because offering Participants a new optional service promotes choice, flexibility, efficiency, and competition. The Exchange believes the new features may enhance participants' ability to manage orders, which would, in turn, improve their risk controls to the benefit of all market participants. The Exchange believes that the purging functionality and the Purge Ports would foster cooperation and coordination with persons engaged in facilitating transactions in securities because designating Purge Ports for purge messages may encourage better use of such ports. This may, concurrent with the ports that carry quote and other information necessary for market making activities, enable more efficient, as well as fair and reasonable, use of Market Makers' resources. Although dedicated Purge Ports are a new functionality for Phlx equities exchange,[13] similar connectivity and functionality is offered by options exchanges, including the Exchange's own affiliated options exchanges, and other equities exchanges.[14] The Exchange believes that proper risk management, including the ability to efficiently cancel multiple orders quickly when necessary, is similarly valuable to firms that trade in the equities market, including Market Makers that have heightened quoting obligations that are not applicable to other market participants.

The proposed rule change will not relieve Market Makers of their quoting obligations or firm quote obligations under Regulation NMS Rule 602.[15] Specifically, any interest that is executable against a Participant's or Market Maker's quotes and orders that is received by the Exchange prior to the time of the removal of orders request will automatically execute. Market Makers that purge their orders will not be relieved of the obligation to provide continuous two-sided quotes on a daily basis, nor will it prohibit the Exchange from taking disciplinary action against a Market Maker for failing to meet their continuous quoting obligation each trading day.[16]

Dedicated Purge Ports, which were originally introduced for options trading, subsequently became a feature in the equities market. The Exchange, therefore, is not the first equities exchange to offer this functionality to Participants and to charge associated fees.[17]

The Exchange believes the proposed fee for Purge Ports is reasonable. The Exchange currently charges $400 per port/per month for logical ports. The Exchange believes it is reasonable to charge $500 per month for the proposed Purge Ports, which is $100 more than the fee for a logical port, as such ports represent targeted enhancement of technology and were specially developed to allow for the sending of a single message to cancel multiple orders, thereby assisting firms in effectively managing risk. Nasdaq also believes that a Participant that chooses to utilize a Purge Port may, in the future, reduce their need for additional logical ports by consolidating cancel messages to the Purge Port and thus freeing up some capacity of the existing logical ports and, therefore, allowing for increased message traffic without paying for additional logical ports. In addition, the proposed purging functionality will allow Participants to achieve essentially the same outcome without paying for a dedicated Purge Port. Purge Ports provide the ability to cancel multiple orders across multiple ports with less messaging from the firms using the ports and therefore may create efficiencies for firms and provide a more economical solution to their risk management needs. In addition, Purge Port requests may cancel orders submitted over numerous ports and contain added functionality to purge only a subset of these orders (per MPID, buy or sell side of the order, or ticker symbol). Effective risk management is important both for individual market participants that choose to utilize risk features provided by the Exchange, as well as for the market in general. As a result, the Exchange believes that it is appropriate to charge fees for such functionality as doing so aids in the maintenance of a fair and orderly market.

The Exchange also believes that its ability to set fees for Purge Ports is subject to significant substitution-based forces because Participants are able to rely on currently available services both free and those they receive when using existing trading protocols, which will include the proposed purging functionality. If the value of the efficiency introduced through the Purge Port functionality is not worth the proposed fees, Participants will simply continue to rely on the existing functionality and the proposed purging functionality and not pay for Purge Ports. In that regard, Participants already can cancel orders individually and by utilizing Nasdaq protocols that allow them to develop proprietary systems that can send cancel messages at a high rate.[18] In addition, the Exchange already provides similar ability to mass cancel orders through the Nasdaq Kill Switch, which is an optional tool offered at no charge that enables Participants to establish pre-determined levels of risk exposure, and can be used to cancel all open orders. Similarly, Participants may use cancel-on-disconnect control when they experience a disruption in connection to the Exchange to immediately cancel all pending Exchange orders except for good-till-canceled orders. Finally, the proposed purging functionality will allow Participants to achieve essentially the same outcome in canceling orders as they would by utilizing the Purge Ports. Accordingly, the Exchange believes that the proposed Purge Ports fee is reasonable because it is related to the efficiency introduced by the Purge Port functionality related to other means and services already available which are either free or already a part of a fee assessed to the Participant's for existing

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(4) and (5).

[13] *See* footnote 6, above.

[14] *See* Securities Exchange Act Release No. 77613 (April 13, 2016), 81 FR 23023 (April 19, 2016). *See* also Securities Exchange Act Release Nos. 79956 (February 3, 2017), 82 FR 10102 (February 9, 2017) (SR–BatsBZX–2017–05); 79957 (February 3, 2017), 82 FR 10070 (February 9, 2017) (SR–BatsEDGX–2017–07); 83201 (May 9, 2018), 83 FR 22546 (May 15, 2018) (SR–C2–2018–006).

[15] 17 CFR 242.602.

[16] *See* Equity 2, Section 5.

[17] Cboe charges $650 per port/per month for Purge Ports that have substantially similar functionality. This fee is also $100 more than the fee for a logical port on its exchange. *See,* Cboe EDGA U.S. Equities Exchange Fee Schedule.

[18] Current Exchange port functionality supports cancelation rates that exceed one thousand messages per second and the Exchange's research indicates that certain Participants rely on such functionality and at times utilize such cancelation rates.

connectivity. Accordingly, because the proposed Purge Ports provide additional optional functionality, excessive fees would simply serve to reduce or eliminate demand for this optional product.

The Exchange also believes that offering the purging functionality and the Purge Ports at the Exchange level promotes risk management across the industry, and thereby facilitates investor protection. Some market participants, in particular the larger firms, could and do build similar risk functionality (as described above) in their trading systems that permit the flexible cancellation of orders entered on the Exchange at a high rate. Offering Exchange level protections ensures that such functionality is widely available to all firms, including smaller firms that may otherwise not be willing to incur the costs and development work necessary to support their own customized mass cancel functionality.

As noted above, the Exchange is not the first equities exchange to develop and offer dedicated Purge Ports for equities trading, and the proposed rate is lower than that charged by other equities exchanges for similar functionality. Generally speaking, restricting the Exchange's ability to offer new services and charge fees for these new services discourages innovation and competition. Specifically in this case, the Exchange's inability to introduce similar services to those offered by other exchanges, and charge reasonable and equitable fees for such services, would put the Exchange at a significant competitive disadvantage and therefore serves to restrict competition in the market—especially when other exchanges assess fees higher than those proposed by the Exchange.

The Exchange believes that the proposed Purge Port fees are equitable because the proposed Purge Ports are completely voluntary as they relate solely to optional risk management functionality.

The Exchange also believes that the proposed amendments to its fee schedule are not unfairly discriminatory because they will apply uniformly to all Participants that choose to use the optional Purge Ports. The proposed Purge Ports are completely voluntary and, as they relate solely to optional risk management functionality, no Participant is required or under any regulatory obligation to utilize them. All Participants that voluntarily select this service option will be charged the same amount for the same services. All Participants have the option to select any connectivity option, and there is no differentiation among Participants with regard to the fees charged for the services offered by the Exchange.

The Exchange believes that the proposal to waive the applicable $300 per Purge Port, per month fees for Participants that conduct tests of their PSX access protocols connection through the Exchange's Testing Facility to test the new Purge Ports functionality is reasonable and not unfairly discriminatory. Importantly, the Exchange believes the two-month waiver of the fee will encourage testing of the new optional Purge Ports, which will allow participants to evaluate whether the new optional service is of value to them and if so will help them better implement them into their workflow. All Participants will be notified about the availability of the new Purge Port functionality and have access to test it but will not be required to use it. Moreover, the fees for the RASH, FIX and OUCH ports will remain the same and apply to all Participants in the same manner. Based on the Exchange's experience, we anticipate that Participants will complete testing the new Purge Ports within two months from initiating such tests and thus will not incur any fees related to testing the functionality of Purge Ports.

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. To the contrary, the Exchange believes the proposed rule change will enhance competition because it will enable the Exchange to innovate and offer similar equities Purge Port functionality to that offered by other equity exchanges and on options markets today. The proposed Purge Ports are completely voluntary and will be made available to all members on an equal basis at the same cost. While the Exchange believes that the proposed Purge Ports provide a valuable service, Participants can choose to purchase, or not purchase, these ports based on their own determination of the value and their business needs. No Participant is required or under any regulatory obligation to utilize Purge Ports. Accordingly, the Exchange believes that the proposed rule change is designed to offer appropriate risk management functionality to firms that trade on the Exchange without imposing an unnecessary or inappropriate burden on competition.

The Exchange is also allowing the Participants to test this new functionality for free by providing a two-month waiver in the Exchange's Test Facility. Accordingly, the Exchange believes that the proposed rule change is designed to offer optional risk management functionality to firms that trade on the Exchange without imposing an unnecessary or inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act[19] and subparagraph (f)(6) of Rule 19b–4 thereunder.[20]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule 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 (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov*. Please include file number SR–Phlx–2023–28 on the subject line.

[19] 15 U.S.C. 78s(b)(3)(A)(iii).

[20] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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–2023–28. 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 (*https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–Phlx–2023–28 and should be submitted on or before July 28, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[21]

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. 2023–14286 Filed 7–6–23; 8:45 am]

BILLING CODE 8011–01–P

[21] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17842 and #17843; California Disaster Number CA–00376]

Presidential Declaration Amendment of a Major Disaster for the State of California

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 7.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of California (FEMA–4699–DR), dated 04/03/2023.

Incident: Severe Winter Storms, Straight-line Winds, Flooding, Landslides, and Mudslides.

Incident Period: 02/21/2023 and continuing.

DATES: Issued on 06/30/2023.

Physical Loan Application Deadline Date: 07/20/2023.

Economic Injury (EIDL) Loan Application Deadline Date: 01/03/2024.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for the State of California, dated 04/03/2023, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Nevada.

Contiguous Counties (Economic Injury Loans Only):

California: Placer, Sierra.

Nevada: Washoe.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Francisco Sánchez, Jr.,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2023–14354 Filed 7–6–23; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #17889 and #17890; Texas Disaster Number TX–00652]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Texas

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 3.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Texas (FEMA–4705–DR), dated 04/21/2023.

Incident: Severe Winter Storm.

Incident Period: 01/30/2023 through 02/02/2023.

DATES: Issued on 06/30/2023.

Physical Loan Application Deadline Date: 06/20/2023.

Economic Injury (EIDL) Loan Application Deadline Date: 01/22/2024.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Texas, dated 04/21/2023, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties:

Comal.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

Francisco Sánchez, Jr.,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2023–14353 Filed 7–6–23; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12108]

Privacy Act of 1974; System of Records

AGENCY: Department of State.

ACTION: Rescindment of a system of records notice.

SUMMARY: The Email Archive Management Records, State-01, which is being rescinded, captures all emails and attachments that interact with a Department of State email account and stores them in a secure repository that allows for search, retrieval, and view when necessary. Additionally, the Department of State, by separate **Federal Register** notice, will also be rescinding the Final Rule associated with State-01.

DATES: On December 12, 2017, the Department of State published a notice in the **Federal Register** (82 FR 58477) creating Email Archive Management Records, State-01.

ADDRESSES: Questions can be submitted by mail, email, or by calling Eric F. Stein, the Senior Agency Official for Privacy on (202) 485–2051. If mail,

please write to: U.S Department of State; Office of Global Information Systems, A/GIS; Room 4534, 2201 C St. NW, Washington, DC 20520. If email, please address the email to the Senior Agency Official for Privacy, Eric F. Stein, at *Privacy@state.gov.* Please write ''Email Archive Management Records, State-01'' on the envelope or the subject line of your email.

FOR FURTHER INFORMATION CONTACT: Eric F. Stein, Senior Agency Official for Privacy; U.S. Department of State; Office of Global Information Services, A/GIS; Room 4534, 2201 C St. NW, Washington, DC 20520 or by calling on (202) 485–2051.

SUPPLEMENTARY INFORMATION: Email Archive Management Records, State-01 must be rescinded because the characteristics of the system as it exists do not render the eRecords Archive a system of records within the meaning of 5 U.S.C. 552a. The millions of emails, diplomatic cables, and other files that the system ingests are not ''records'' as defined by section 552a(a)(4), as they are not grouped by personal identifier and are not records ''about'' the individuals incidentally mentioned in the files. eRecords is not a ''system of records'' as defined by section 552a(a)(5) because it (1) does not index files by personal identifier and (2) is not used to retrieve data by using a personal identifier. Information collected incidentally through eRecords is included in other ''systems of records.''

SYSTEM NAME AND NUMBER:

Email Archive Management Records, State-01.

HISTORY:

Email Archive Management Records, State-01, was previously published at 85 FR 13482.

Eric F. Stein,

Deputy Assistant Secretary, Global Information Services (A/GIS), U.S. Department of State.

[FR Doc. 2023–14351 Filed 7–6–23; 8:45 am]

BILLING CODE 4710–24–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36706]

BLPI RR L.L.C.—Acquisition and Operation Exemption—Palouse River & Coulee City Railroad L.L.C.

BLPI L.L.C. (BLPI), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 43.74 miles of rail line owned by Palouse River & Coulee City Railroad L.L.C. (PCC), extending from milepost 3.32 (Washington-Idaho state line) to milepost 47.06 at Bovill, Idaho, in Latah County, Idaho (the Line).

According to the verified notice, BLPI and PCC entered into a Purchase and Sale Agreement on April 24, 2023, under which BLPI would acquire the Line.[1] The verified notice indicates that BLPI intends to lease the Line to a third-party operator for the purposes of rail service, but BLPI will function as the operator of the Line if it were to so choose.

BLPI certifies that the proposed transaction does not involve a provision or agreement that would limit future interchange with a third-party connecting carrier. BLPI also certifies that the projected annual revenues resulting from the transaction will not exceed $5 million and will not result in the creation of a Class I or Class II carrier.

The earliest this transaction may be consummated is July 22, 2023, the effective date of the exemption (30 days after the verified notice of exemption 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 July 14, 2023 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36706, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on BLPI's representative, John K. Fiorilla, Dyer & Peterson PC, 605 Main Street, Suite 104, Riverton, NJ 08077–1440.

According to BLPI, this action is categorically excluded from environmental reporting requirements under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at *www.stb.gov.*

Decided: June 30, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Eden Besera,

Clearance Clerk.

[FR Doc. 2023–14337 Filed 7–6–23; 8:45 am]

BILLING CODE 4915–01–P

[1] The eastern portion of the Line, between milepost 21.0 and milepost 47.0, was authorized for abandonment in *Palouse River & Coulee City Railroad—Abandonment Exemption—in Latah County, Idaho,* AB 570 (Sub-No. 1X) (STB served Oct. 6, 2000). BLPI's verified notice here states that, based on the Board's records, an interim trail use negotiating period for that portion expired without agreement and PCC did not consummate abandonment; BLPI therefore asserts that the eastern portion of the Line remains subject to the Board's jurisdiction and available to be acquired.

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA–2023–0013]

Hours of Service of Drivers: Application for Exemption; Matthew Killmer

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

ACTION: Notice of final disposition; denial of application for exemption.

SUMMARY: FMCSA announces its decision to deny the application from Matthew Killmer requesting an exemption from the hours-of-service (HOS) regulations to allow him to split his sleeper berth time into two 5-hour periods. The applicant indicates that the exemption would enable him to be a more alert and well rested commercial motor vehicle (CMV) operator and allow him to find a safe place to park his vehicle. FMCSA analyzed the application and public comments and determined that the exemption is not likely to achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Clemente, Driver and Carrier Operations Division; Office of Carrier, Driver and Vehicle Safety Standards; FMCSA; 202–366–2722 or *richard.clemente@dot.gov.* If you have questions on viewing or submitting material to the docket, contact Docket Services, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Viewing Comments and Documents

To view comments, go to *www.regulations.gov,* insert the docket number ''FMCSA–2023–0013'' in the keyword box, and click ''Search.'' Next, sort the results by ''Posted (Newer-Older),'' choose the first notice listed, and click ''View Related Comments.''

To view documents mentioned in this notice as being available in the docket, go to *www.regulations.gov,* insert the

docket number ''FMCSA–2023–0013'' in the keyword box, click ''Search,'' and chose the document to review.

If you do not have access to the internet, you may view the docket by visiting Dockets Operations in Room W12–140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366–9317 or (202) 366–9826 before visiting Dockets Operations.

II. Legal Basis

FMCSA has authority under 49 U.S.C. 31136(e) and 31315(b) to grant exemptions from Federal Motor Carrier Safety Regulations (FMCSRs). FMCSA must publish a notice of each exemption request in the **Federal Register** (49 CFR 381.315(a)). The Agency must provide the public an opportunity to inspect the information relevant to the application, including any safety analyses that have been conducted. The Agency must provide an opportunity for public comment on the request.

The Agency reviews safety analyses and public comments submitted and determines whether granting the exemption would likely maintain a level of safety equivalent to, or greater than, the level that would be achieved by the current regulation (49 CFR 381.305(a)). The Agency must publish its decision in the **Federal Register** (49 CFR 381.315(b)). If granted, the notice will identify the regulatory provision from which the applicant will be exempt, the effective period, and all terms and conditions of the exemption (49 CFR 381.315(c)(1)). If the exemption is denied, the notice will explain the reason for the denial (49 CFR 381.315(c)(2). The exemption may be renewed (49 CFR 381.300(b)).

III. Background

Current Regulatory Requirements

FMCSA's hours-of-service (HOS) regulations in 49 CFR part 395 limit the time CMV drivers may drive and also require certain off-duty periods to ensure that individuals stay awake and alert while driving. The HOS regulations in 49 CFR 395.3(a)(1) prohibit an individual from continuing to drive after 11 hours driving. Further, under 49 CFR 395.3(a)(2) drivers may not drive after a period of 14 consecutive hours on duty until they have been off duty for a minimum of 10 consecutive hours, or the equivalent of at least 10 consecutive hours off duty. Section 395.1(g)(1)(ii) allows a driver using the sleeper berth exception to accumulate the equivalent of at least 10 consecutive hours off duty by taking a combination of either two periods of sleeper-berth time or a combination of off-duty time and sleeper-berth time (in both cases totaling 10 hours) if: (1) neither rest period is shorter than 2 hours; (2) one rest period is at least 7 consecutive hours long; and (3) driving time before and after each rest period, when added together does not exceed 11 hours driving and does not violate the 14-hour duty-period limit.

Applicant's Request

Matthew Killmer requests an exemption from certain restrictions imposed by 49 CFR 395.1(g)(1)(ii) on the use of the sleeper berth to accumulate the required off-duty time under 49 CFR 395.3(a)(1). Section 395.1(g)(1)(ii), as described above, allows a driver operating a CMV equipped with a sleeper berth to obtain the required 10 hours of rest in two periods. In particular, the applicant requests that he, and other drivers who so request, be allowed to shorten the required 7-consecutive-hour sleeper-berth period to 5 hours, paired with another 5-hour sleeper-berth period, to accumulate the required 10 hours of rest.

IV. Method To Ensure an Equivalent or Greater Level of Safety

The applicant believes that the exemption, if granted, would result in increased driver turnover at rest areas/safe havens, which would allow more drivers to utilize available parking spaces to get adequate rest. He states that the percentage of drivers with proper rest would increase creating a more alert and responsive driver population and reducing sleep-related crashes/incidents. The applicant further adds that this would allow drivers to better utilize their available time when accounting for delays due to inclement weather or detention time at a shipper's facility.

V. Public Comments

On February 23, 2023, FMCSA published Matthew Killmer's application and requested public comment (88 FR 11504). The Agency received 279 comments, nearly all filed by individuals/owner-operators and small trucking companies. Comments supporting the application numbered 222, while 11 opposed the exemption and another 46 offered no position either for or against the request, but instead offered general comments on the current HOS regulations. Joint comments in opposition were filed by the Truck Safety Coalition (TSC), Citizens for Reliable and Safe Highways (CRASH), and Parents Against Tired Truckers (PATT). These three organizations stated that the law requires any exemption request to include ''proven measures to ensure that an equal or greater level of safety will result from the granting of the exemption. . . . The applicant fails to propose any rigorous, evidence-based measures that would satisfy this statutory requirement.'' They added: ''the reason that the current sleeper berth requirement exists is due to the fact that FMCSA found that splitting time in the sleeper berth in too short of increments prevents obtaining reasonable sleep that is necessary to perform a safety-sensitive function.''

Other themes in opposition included: (1) there is not enough data available from the June 1, 2020, HOS rule changes to support a 5/5 sleeper berth split provision; (2) additional ''flexibility'' is not necessary with the current HOS regulations; (3) better driver training is needed; and (4) the increased numbers of CMV crashes/incidents.

A number of filers supporting the exemption argued that a 6/4 sleeper-berth split: (1) would provide a better opportunity for drivers to find safe parking and to stay more alert; (2) would provide a better opportunity for managing a driver's down time; (3) would enable drivers to be more rested; and (4) could be combined with additional ideas for ''pausing'' the 14-hour ''driving window.''

Those with no position either for or against the exemption had general complaints about the HOS rules, with including: (1) the Agency again needs to amend/revise the HOS rules; (2) accidents/incidents are caused by driver carelessness not [HOS] laws; (3) let drivers decide when they are tired; (4) support for a 24-hour restart instead of the current 34-hour restart; and (5) the Agency should grant exemptions to companies with better Pre-Employment Screening Program (PSP) scores.

VI. FMCSA Safety Analysis and Decision

FMCSA has evaluated Matthew Killmer's application and public comments and denies the exemption request. The applicant failed to establish that he would likely maintain a level of safety equivalent to, or greater than, the level achieved without the exemption.

In 2020, in its most recent HOS rulemaking, the Agency modified the split sleeper-berth provisions to provide more flexibility for drivers and settled on the current rule which requires at least one longer period of at least 7 hours in the sleeper berth (85 FR 33396). During the rulemaking process,

in considering other split modifications, the Agency stated:

> [T]here is no clear evidence—to say nothing of a scientific consensus—that a 6-hour (or shorter) sleeper-berth period is long enough to prevent cumulative fatigue. That is especially obvious since drivers cannot be expected to fall asleep immediately. The 7-hour period adopted in this final rule allows enough time for drivers to relax, de-compress, and obtain more than 6 hours of sleep. Having examined a wide range of sleep and fatigue studies, which fail to converge on a single result, the Agency has concluded that the proposed 7/3 split is both scientifically reasonable and responsive to the needs of the driver population for greater flexibility.

Although a large number of commenters supported Mr. Killmer's request, they did not provide any evidence to demonstrate that the exemption was likely to provide a level of safety equivalent to the current regulatory requirements. The Agency acknowledges the commenters' concerns relating to truck parking; however, those concerns are not a valid basis for evaluating the application, as the Agency must base its decision on the requirement for an equivalent level of safety.

For the above reasons, the exemption application is denied.

Earl Stanley Adams Jr.,

Deputy Administrator.

[FR Doc. 2023–14303 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2020–0133]

Decommissioning and Disposition of the National Historic Landmark Vessel N.S. Savannah; Establishment of the Peer Review Group; and Schedule of PRG Meetings

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: In accordance with the National Historic Preservation Act (NHPA) and its implementing regulations, the Maritime Administration (MARAD) has developed and executed a Programmatic Agreement (PA) among the U.S. Department of Transportation, MARAD, the U.S. Nuclear Regulatory Commission (NRC), the Advisory Council on Historic Preservation (ACHP), and the Maryland State Historic Preservation Officer (SHPO) for the Decommissioning and Disposition of the Nuclear Ship Savannah (NSS). The PA executed on March 17, 2023, outlines the process for the decommissioning and disposition of the NSS. The PA is available for review on the MARAD docket located at *www.regulations.gov* under docket id ''MARAD–2020–0133.'' Stipulation II of the PA establishes a Peer Review Group (PRG) and affords the public an opportunity to participate in PRG activities, including attending meetings and reviewing draft deliverables developed as part of the PA. MARAD encourages public participation and is providing the preliminary PRG meeting schedule for 2023 and 2024 in the **DATES** section below.

DATES: The PRG plans to meet every two months on the third Tuesday of the month from 2:30–4:00 p.m. Eastern Time. The preliminary meeting schedule for 2023 through 2024 is as follows:

- *2023:* July 18, September 19, November 21
- *2024:* January 16, March 19, May 21, July 16, September 17, November 19

ADDRESSES: PRG meetings will be hosted onboard the NSS with remote access available to participate online. The NSS is located at Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21124.

FOR FURTHER INFORMATION CONTACT: Erhard W. Koehler, (202) 680–2066 or via email at *marad.history@dot.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during business hours. The FIRS is available twenty-four hours a day, seven days a week, to leave a message or question. You will receive a reply during normal business hours. You may send mail to N.S. Savannah/Savannah Technical Staff, Pier 13 Canton Marine Terminal, 4601 Newgate Avenue, Baltimore, MD 21224, ATTN: Erhard Koehler.

SUPPLEMENTARY INFORMATION:

Background

Built in 1959, NSS is the world's first nuclear-powered merchant ship and served as a signature element of President Eisenhower's Atoms for Peace program. While in service, NSS demonstrated the peaceful use of atomic power and explored the feasibility of nuclear-powered merchant vessels. The vessel was retired from active service in 1970. It was designated as a National Historic Landmark (NHL) in 1991. NSS is currently part of MARAD's National Defense Reserve Fleet (NDRF) in retention status. Additional information regarding the vessel is available at *https://www.maritime.dot.gov/nssavannah.*

The NSS nuclear power plant is licensed by the NRC. MARAD is decommissioning the nuclear power plant, which will result in the termination of the NRC license. The license termination will lead to MARAD's disposition of the NSS. Because the decommissioning and disposition of the NSS is an Undertaking under Section 106 of the NHPA, MARAD initiated consultation in 2018 with the Maryland SHPO, the ACHP, the NRC, the National Park Service (NPS) and other consulting parties. Given the complexities of the Undertaking, including the yet undetermined disposition of the NSS, the parties agreed to develop a PA to guide the execution of the Undertaking.

Section 106 requires that federal agencies consider views of the public regarding their Undertakings; therefore, in 2020, MARAD established a Federal docket at *https://www.regulations.gov/docket/MARAD-2020-0133* to provide public notice about the NSS Undertaking. The federal docket was also used in 2021 to solicit public comments on the future uses of the NSS. Moving forward, this same docket will be used as a resource to take in public comment, share information, and post agency actions.

On March 17, 2023, the PA among the U.S. Department of Transportation, MARAD, the NRC, the ACHP, and the Maryland SHPO for the Decommissioning and Disposition of the NSS was executed. The PA stipulates a deliberative process by which MARAD will consider the disposition of the NSS. This process requires MARAD to make an affirmative, good-faith effort to preserve the NSS. The PA also establishes the PRG in Stipulation II. The PRG is the mechanism for continuing consultation during the effective period of the PA and its members consist of the signatories and concurring parties to the PA, as well as other consulting parties, all of whom are recognized subject matter experts across various relevant fields and disciplines. The PRG members will provide individual input and guidance to MARAD, rather than building towards consensus group advice regarding the implementation of stipulations in the PA. PRG members and members of the public are invited to provide input by attending bi-monthly meetings and reviewing and commenting on deliverables developed as part of the PA.

PRG Meeting Agenda

The PRG meeting agenda will typically include (1) Welcome and introduction; (2) Previous meeting minutes review; (3) Program update; (4) Status of PA stipulations; (5) Review of any deliverables provided; (6) Comments on any deliverables (7) Other business; and (8) Date of next meeting. MARAD will publish meeting agendas in the **Federal Register** and on its website a minimum of one week before each meeting.

Public Participation

PRG meetings will be open to the public to attend in-person or virtually. MARAD will publish notices in advance of each meeting in the **Federal Register** and on MARAD's website that will provide meeting access information and other relevant information. MARAD posts will include information relative to the particular meeting, deliverables for review, and instructions on how best to provide public comment. Each meeting notice will direct members of the public who wish to participate to register their attendance through the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Note: The NSS is not compliant with the Americans with Disabilities Act (ADA). The ship has some capability to accommodate persons with impaired mobility, for which advance notice is required. If you require accommodations to attend PRG meetings in-person, please include this information in your RSVP.

(Authority: 49 CFR 1.81 and 1.93; 36 CFR part 800; 5 U.S.C. 552b.)

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2023–14403 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT–OST–2016–0023]

Extension of a Previously Approved Collection: Public Charters

AGENCY: Office of the Secretary

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Department of Transportation (DOT) invites the general public, industry and other governmental parties to comment on Public Charters. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on April 21, 2023. No comments were received.

DATES: Written comments should be submitted by July 21, 2023.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503. Comments may also be sent via email to OMB at the following address: *oira_submissions@omb.eop.gov.*

FOR FURTHER INFORMATION CONTACT: Ms. Reather Flemmings (202–366–1865) and Mr. Brett Kruger (202–366–8025), Office of the Secretary, Office of International Aviation, U.S. Air Carrier Licensing/Special Authorities Division-X44, 1200 New Jersey Ave. SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2106–0005.

Title: Public Charters, 14 CFR part 380.

Form Numbers: 4532, 4533, 4534, 4535.

Type of Review: Extension of a Previously Approved Collection: The current OMB inventory has not changed.

Abstract: 14 CFR part 380 establishes regulations embodying the Department's terms and conditions for Public Charter operators to conduct air transportation using direct air carriers. Public Charter operators arrange transportation for groups of people on chartered aircraft. This arrangement is often less expensive for the travelers than individually buying a ticket. Part 380 exempts charter operators from certain provisions of the U.S. code in order that they may provide this service. A primary goal of part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus—consisting of OST Forms 4532, 4533, 4534, 4535, and supporting financial documents) with the Department for each charter program certifying that it has entered into a binding contract with a direct air carrier to provide air transportation and that it has also entered into agreements with Department-approved financial institutions for the protection of charter participants' funds. The prospectus must be accepted by the Department prior to the operator's advertising, selling or operating the charter. If the prospectus information were not collected it would be extremely difficult to assure compliance with agency rules and to assure that public security and other consumer protection requirements were in place for the traveling public. The information collected is available for public inspection (*unless the respondent specifically requests confidential treatment*). Part 380 does not provide any assurances of confidentiality.

Burden Statement: Completion of all forms in a prospectus can be accomplished in approximately two hours (30 minutes per form) for new filers and one hour for amendments (existing filings). The forms are simplified and request only basic information about the proposed programs and the private sector filer. The respondent can submit a filing to operate for up to one year and include as many flights as desired, in most cases. If an operator chooses to make changes to a previously approved charter operation, then the operator is required by regulations to file revisions to its original prospectus.

Respondents: Private Sector: Air carriers; tour operators; the general public (including groups and individuals, corporations and Universities or Colleges, etc.).

Number of Respondents: 245.

Number of Responses: 1,782.

Total Annual Burden: 891.

Frequency of Responses:

245 (respondents) × 4 = 980

401 (amendments *from the same respondents*) × 2 = 802

Total estimated responses: 980 + 802 = 1,782

The frequency of response is dependent upon whether the operator is requesting a new program or amending an existing prospectus. Variations occur due to the respondents' criteria. On average four responses (forms 4532, 4533, 4534 and/or 4535) are required for filing new prospectuses and two of the responses (forms) are required for amendments. The separate hour burden estimate is as follows:

Total Annual Burden: 891 hours.

Approximately 1,782 (responses) × 0.50 (per form) = 891

Public Comments Invited: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information collection; and (d) ways to minimize the burden of the collection of information on respondents, by the use of electronic means, including the use of automated

collection techniques or other forms of information technology. All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

A **Federal Register** Notice with a 60-day comment period on the information collection was published on April 21, 2023 (88 FR 24659).

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC, on June 21, 2023.

Benjamin J. Taylor,

Director, Office of International Aviation.

[FR Doc. 2023–14280 Filed 7–6–23; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Community Development Financial Institutions Fund

Capital Magnet Fund (CMF)

ACTION: Notice and request for information.

SUMMARY: The Community Development Financial Institutions Fund (CDFI Fund), Department of the Treasury requests comments from the public regarding methods by which it can enhance and improve the impact of the Capital Magnet Fund; streamline or minimize the administrative burden on Capital Magnet Fund applicants and award recipients; as well as safeguard public funds. Information provided in response to this Request will allow the CDFI Fund to consider the development of policies and programs that better support and expand Capital Magnet Fund activities to spur investment in affordable housing and related economic development efforts that serve low-income families and communities.

DATES: Written comments must be received on or before September 5, 2023.

ADDRESSES: You may submit comments via the Federal eRulemaking Portal: *www.regulations.gov.* Follow the instructions on the website for submitting comments. In general, all comments will be available for inspection at *www.regulations.gov.* Comments, including attachments and other supporting materials, are part of the public record. Do not submit any information in your comments or supporting materials that you consider confidential or inappropriate for public disclosure.

For further information, contact Andrew Schlack, Program Manager, Capital Magnet Fund, CDFI Fund, 1500 Pennsylvania Avenue NW, Washington, DC 20220, or by email at *cmf@cdfi.treas.gov,* and include ''CMF RFI'' in the subject line of the email. Other information regarding the CDFI Fund and its programs may be obtained through the CDFI Fund website at *www.cdfifund.gov.*

Note: Capitalized terms not defined in this Notice are defined in the CMF Interim Rule (as amended February 8, 2016; 12 CFR part 1807).[1]

SUPPLEMENTARY INFORMATION:

I. Background

The Capital Magnet Fund (CMF) was established through the Housing and Economic Recovery Act of 2008 (HERA), Public Law 110–289, section 1131. Per the statute, the allocations to the Capital Magnet Fund are to be used to carry out a competitive grant program administered by the CDFI Fund.

HERA requires Fannie Mae and Freddie Mac to set aside an amount equal to 4.2 basis points for each dollar of their unpaid principal balances of total new business purchases to be allocated to the Housing Trust Fund (administered by the Department of Housing and Urban Development) and the Capital Magnet Fund.

Through CMF, the CDFI Fund is authorized to make grants to Certified Community Development Financial Institutions (CDFIs) and Nonprofit Organizations (if one of their principal purposes is the development or management of affordable housing). CMF Awards must be used to attract private financing for and increase investment in: (1) the Development, Preservation, Rehabilitation, and Purchase of Affordable Housing for primarily Extremely Low-, Very Low-, and Low-Income Families; and (2) Economic Development Activities which, In Conjunction with Affordable Housing Activities, will implement a Concerted Strategy to stabilize or revitalize a Low-Income or Underserved Rural Area.

II. Purpose of This Request for Information

The purpose of this Request for Information (RFI) is to solicit public input related to CMF. Specifically, the goals of this RFI are: (1) to clarify terms, concepts, and requirements of the CMF program to improve CMF Recipients' understanding of their obligations and requirements under the program; (2) to ensure the CMF Program requirements adequately address activities and current business practices in the affordable housing industry; (3) to identify opportunities to reduce the burden of administering CMF Awards for CMF Recipients while ensuring accountability; (4) to identify opportunities to better align the CMF program with the rules, terms, practices, and definitions of other significant federal funding sources for affordable housing, as a way to facilitate compatibility and reduce CMF Recipient burden; and (5) to determine how the CMF Program can better promote and incorporate policy priorities such as economic development in conjunction with affordable housing and affordable homeownership.

III. Specific Information Requested

A. Facilitate CMF Alignment with Other Federal Affordable Housing Programs: With respect to the financing of affordable housing, CMF is often an integral part of project financing (the capital stack), along with capital generated or received through other federal programs. To help reduce Recipient reporting burden and to ease the administration of CMF Awards, the CDFI Fund is soliciting public input on areas where CMF can better align with other federal programs.

1. Using CMF with other federal programs in the same project(s): The CDFI Fund is considering an approach where certain CMF Affordable Housing projects (funded under designated federal housing programs and subject to certain rules and restrictions similar to those under the CMF Program) could be categorically presumed as eligible Affordable Housing Activities and be deemed as meeting CMF rules and requirements for Affordable Housing. For example, under this approach, projects funded with both CMF and the Low-Income Housing Tax Credit (LIHTC), and meeting all LIHTC requirements, could be assumed to meet all CMF requirements such as affordability or rent requirements.

(a) Should the CDFI Fund consider this approach as a way to align the CMF program with other significant federal affordable housing programs?

(b) What are the potential benefits and concerns in utilizing this approach for CMF?

(c) What federal programs are sources of capital frequently used in conjunction with CMF that should be considered if this approach were to be adopted, particularly those related to rental, homeownership, and/or rural housing?

[1] *https://www.cdfifund.gov/sites/cdfi/files/documents/interim-rule-fr-2016-02132.pdf.*

(d) What, if any, affordability, and property standards requirements currently in place for the CMF program would not be covered by using this approach, and should they be retained?

2. *CMF income limit definitions:* The definitions of Low-Income, Very Low-Income, or Extremely Low-Income in the CMF Interim Rule differ from some other federal housing programs.

(a) Are such differences impactful to the financing or management of CMF projects, and if so, how?

(b) Should the CDFI Fund change the definition of income groups to better align with other federal housing programs? If so, how should the CDFI Fund define income limits? Which definitions of income groups should be changed, and which programs should the CMF program align with?

3. *CMF income certification for LIHTC projects:* HERA addresses and provides guidance regarding the requirement for annual recertification of tenant incomes for properties financed under the LIHTC Program. Under this guidance, properties that are 100% low-income rent-restricted are no longer required to undertake ongoing recertification. See Housing and Economic Recovery Act of 2008, Public Law 110–289 (7/30/2008), 122 Stat. 2888, section 3010(a) (2007–2008)(codified at Public Law 110–289, 122 Stat. 2654 (2008)). The CMF Interim Rule at 12 CFR 1807.401(f) requires annual re-examination of tenant income.

(a) Would adopting a similar approach as outlined in IRC sec. 142(d)(3)(A) with respect to LIHTC income determinations result in a meaningful impact on the administration of the CMF program?

(b) If so, how can this approach be balanced against the possible risk of leasing a unit to a non-qualified Family and noncompliance with tenant income determination requirements (12 CFR 1807.401(f)) and over-income tenants (12 CFR 1807(g))?

B. CMF Commitment Deadline: Section 1339(c) of HERA stipulates that grants under the program must be Committed for use within two years after the allocation of the Award. As a way to ensure that funds are used in a timely manner, the CMF Interim Rule applies a two-year commitment of any Award to specific projects and further specifies that the commitment must be made in a written, legally binding agreement. The CDFI Fund is requesting input on alternate approaches.

One possible approach may be that the commitment deadline would be satisfied if, within two years, a Recipient committed the Award to one of the six Eligible Activities (*i.e.,* capitalize a Loan Loss Reserve, Revolving Loan Fund, Affordable Housing Fund or a fund for Economic Development Activities; or make Risk-Sharing Loans; or provide Loan Guarantees), coupled with a new requirement that a commitment to a specific project must be made within three years after the Effective Date of the Assistance Agreement.

1. What are some of the difficulties, if any, of meeting the current two-year commitment deadline under the CMF Interim Rule and why are they difficult?

2. In what way(s) would the proposed two-step approach make it easier for CMF Recipients to meet the Commitment Deadline?

3. What are some concerns or issues with this two-step approach?

4. Are there other alternative approaches to commitment that would satisfy the statutory two-year commitment deadline?

C. CMF Leverage Requirements and Calculation Rules: Leveraging the CMF Award to attract private and other public capital is an important component of the program. At a minimum, the CMF statute under HERA requires that the Award be leveraged ten times. There are three types of leverage under CMF: (a) Enterprise-Level, (b) Project-Level, and (c) Reinvestment-Level. CMF defines (a) Enterprise-Level as capital earned, borrowed, or raised by the Recipient or its Affiliates, which is designated for use and ultimately used to pay for Leveraged Costs but is not initially restricted for use for specific properties at the time it is earned, borrowed or raised; (b) Project-Level as capital used to pay Leveraged Costs that is restricted to a specific project when it is raised; and (c) Reinvestment-Level as the reallocation of repaid CMF Award and/or Enterprise-Level Capital into new eligible activities within the established Investment Period.

1. Should Reinvestment-Level leverage, which measures the reinvestment of both a CMF Award and Enterprise-Level leverage, be removed and only Enterprise-Level leverage and Project-Level leverage be considered to simplify the calculation of Leveraged Costs? Please explain the rationale for your answer.

2. If the Reinvestment-Level leverage is retained, should the calculation be changed to a multiplier and based only on the Award amount (*i.e.,* number of times the Award amount is repaid and reinvested in excess of the original Award amount), rather than a calculation of the reinvestment of a combination of the Program Income from the Award plus new Enterprise-Level leverage? Please explain the rationale for your answer.

3. What are some concerns or issues with either of these approaches discussed in items 1 and 2 above?

4. Are there any other ways the CDFI Fund might consider simplifying the calculation of how Recipients leverage their CMF Award? If yes, please describe.

D. CMF Program Income (PI) Rules: The nature of CMF as a financing program often results in Recipients earning Program Income (PI) from the repayment of loans and returns on equity investments. PI generated during the first five years of the CMF Award (the Investment Period) from the repayment of CMF funds from loans or equity must be reinvested under certain requirements specified in the Recipient's Assistance Agreement. Note that the questions below refer to the PI earned during the Investment Period and not PI earned thereafter, which is treated differently per the Assistance Agreement.

1. Currently, the Recipient's Assistance Agreement requires that PI be expended only on specified eligible activities in the Agreement. Should the use of PI earned on the CMF Award be expanded to include all CMF eligible activities as outlined at 12 CFR 1807.301? Please explain the rationale for your answer.

2. Should adding eligible activities specific only to PI, and not otherwise eligible under the program, be allowed? If yes, what additional eligible activities should be contemplated for the use of PI and why? If no, please explain the rationale for your answer.

3. Currently, projects funded with PI must be completed within 36 months of being Committed. Should the CDFI Fund modify the 36-month completion deadline as it relates to the use of PI? If so, what deadline if any, should be established? Please explain the rationale for your answer.

4. Should the CDFI Fund modify the requirement that any PI in excess of $100,000 be Committed to a project the following year? Please explain the rationale for your answer. If yes, what time period or threshold amount should be considered and why?

5. Under the CMF Assistance Agreement, CMF's 10-year affordability period applies to projects funded with PI.

(a) Should the long-term affordability period for projects funded with PI be shortened? Please explain the rationale for your answer.

(b) If yes, what period of time would be reasonable, balancing both the goals of increasing affordability and reducing administrative burden, and why?

E. CMF Clarification of Rules on Loan Loss Reserves and Loan Guarantees: Under CMF, Recipients may use their Award to establish Loan Loss Reserves or Loan Guarantees. Currently, CMF requirements related to Loan Loss Reserves and Loan Guarantees are limited. In order to ensure that these uses are properly addressed under the program:

1. What additional guidance and rules would be useful to Recipients and why?

2. Should there be a requirement for the establishment of escrows or restricted accounts for Loan Loss Reserves or Loan Guarantees? Please provide the rationale for your answer.

3. What coverage limits (*i.e.,* percentage of loan covered in the event of borrower default) would be considered sound and reasonable and why?

4. What factors should be considered for proper and effective use of Loan Loss Reserves or Loan Guarantees and why?

F. CMF Manufactured Housing Affordability Rules: Under CMF, manufactured housing that meets the federal Manufactured Home Construction and Safety Standards may be financed. Under the CMF Interim Rule at 12 CFR 1807.104, manufactured housing is defined as Single-family housing consisting of a combination of the manufactured housing and the lot, or a manufactured housing lot. Given the hybrid nature of manufactured housing Homeownership—where the unit is typically owned by an individual or Family, but the lot it sits on may be rented—the CDFI Fund is requesting input as to how best to measure the affordability of both the cost of the unit and the rental of the manufactured housing lot.

1. Currently, CMF only measures the cost of buying the manufactured housing unit. Should the cost of renting the lot also be considered as it relates to affordability? Please provide the rationale for your answer.

2. What are some ways to measure the affordability of both the price of the unit and the cost of renting the manufactured housing lot?

3. What additional guidance and rules would be useful as it relates to resident-owned manufactured housing communities?

4. Are there additional points of clarification related to manufactured housing that should be considered? If yes, please describe them.

G. CMF Funding for Assisted Living Facilities: CMF is a flexible program that affords Recipients the opportunity to finance a range of affordable housing types. As it relates to rental housing, projects are subject to a variety of regulatory requirements, including tenant income determinations and rent limitations. While affordable assisted living projects are eligible uses of the Award under the CMF Interim Rule, the hybrid nature of assisted living—where rent generally includes both the cost of housing and services—often conflicts with the existing CMF limitations and restrictions. For example, the combination of the cost of rent and the services that are typical in assisted living projects may result in rent levels that do not meet the affordability requirements under the CMF regulations.

1. What challenges currently exist in using CMF Award funding to finance and/or develop assisted living facilities?

2. If there are challenges, describe how CMF Program requirements may be modified to better accommodate the development of assisted living projects, while ensuring that projects remain targeted and affordable to those with incomes that are Low-Income and below? Are there other federal or state programs that could provide an example of best practices in this area? If yes, please describe them. For example, could the cost of housing be separated from the cost of services, to accommodate CMF requirements?

3. What additional guidance and rules related to separating costs would be useful?

4. What is the demand to fund this type of housing with CMF Awards?

5. Are there additional points of clarification related to funding affordable assisted living facilities that should be considered? If yes, please describe them.

H. CMF Affordable Homeownership Purchase Price Limitation Rules: The CMF Interim Rule sets the purchase price limitation for a Single-family home at 95% of the median purchase price for the area, as used in the HOME program (12 CFR 1807.402(a)(2)).

1. Should the CDFI Fund use a different index or indices to set purchase price limits for affordable owner-occupied housing? If yes, please identify and describe them.

2. Should utilizing underwriting criteria rather than sales price limits be an alternative? Please describe the rationale for your answer.

3. Are there any other specific barriers or limitations that may inadvertently discourage organizations from using CMF to support Homeownership activities? If yes, please describe them.

4. What are other changes to the CMF program that could foster greater use of CMF to support Homeownership activities?

I. CMF Economic Development Activities Compliance Requirements: CMF allows Recipients to use up to 30% of their Award for Economic Development Activities (EDA) in conjunction with Affordable Housing Activities (12 CFR 1807.302 (c)). These activities may include the development of community facilities, as well as the development/revitalization of commercial space. Under the current CMF Interim Rule, Economic Development Activities, unlike Affordable Housing, do not have a specific requirement that the EDA retain its eligible use for a minimum period. To ensure accountability, the CDFI Fund is considering requiring that EDA financed under a CMF Award maintain its eligible use for a minimum period of time.

1. Should CMF establish a minimum period of time that the EDA financed under a CMF Award maintain its eligible use? Please describe the rationale for your answer.

2. If yes, what would be a reasonable period of time, considering the Affordability Period for Affordable Housing is 10 years? Please describe the rationale for your answer.

J. Participation of Regulated CDFIs in the CMF Program: Regulated CDFIs including banks, credit unions, and cooperatives are eligible to apply under CMF. The CDFI Fund is seeking input on how to foster greater participation by these regulated financial institutions.

1. Are there any specific barriers or limitations that may inadvertently discourage regulated CDFIs' participation in CMF? If yes, please describe them.

2. What changes to CMF could foster greater participation from regulated CDFIs?

3. Should fostering greater participation from regulated CDFIs be a goal of CMF? Please describe the rationale for your answer.

Authority: 12 CFR 1807; Public Law 110–289.

Marcia Sigal,

Acting Director, Community Development Financial Institutions Fund.

[FR Doc. 2023–14407 Filed 7–6–23; 8:45 am]

BILLING CODE 4810–05–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons whose property and interests in property have been unblocked and who have been removed from the Specially Designated Nationals and Blocked Persons List (SDN List). Additionally, OFAC is publishing updates to the identifying information of one person currently included on the SDN List.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: 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 Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://ofac.treasury.gov*).

Notice of OFAC Actions

A. On June 29, 2023, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are unblocked and they have been removed from the SDN List.

Individuals

1. VILLA DE CIFUENTES, Carlina, c/o FUNDACION OKCOFFEE COLOMBIA, Bogota, Colombia; c/o FUNDACION PARA EL BIENESTAR Y EL PORVENIR, Medellin, Colombia; c/o ROBLE DE MINAS S.A., Medellin, Colombia; Calle 7D No. 43C–95, Medellin, Colombia; Calle 18B Sur No. 36–35 Apto. 603, Medellin, Colombia; Carrera 41 No. 6B Sur-9, Medellin, Colombia; DOB 30 Aug 1934; POB Yolombo, Antioquia, Colombia; Cedula No. 21342467 (Colombia) (individual) [SDNTK].

2. GIRALDO VELASCO, Hector Fabio, c/o CRIADERO SANTA GERTRUDIS S.A., Jamundi, Valle, Colombia; DOB 17 Mar 1965; Cedula No. 16711573 (Colombia) (individual) [SDNT].

3. CIFUENTES VILLA, Hildebrando Alexander (a.k.a. CIFUENTES VILLA, Alex), c/o ROBLE DE MINAS S.A., Medellin, Colombia; Calle 16C Sur No. 42–70, Medellin, Colombia; DOB 18 Jan 1968; POB Medellin, Colombia; Cedula No. 71695565 (Colombia); C.U.R.P. CIVH680118HNEFLL07 (Mexico) (individual) [SDNTK].

Entities

1. FUNDACION OKCOFFEE COLOMBIA; NIT # 900311507–1 (Colombia) [SDNTK].

2. FUNDACION PARA EL BIENESTAR Y EL PORVENIR (a.k.a. FUNPORVENIR), Calle 6 No. 32–39, Medellin, Colombia; NIT # 900310323–9 (Colombia) [SDNTK].

3. CRIADERO SANTA GERTRUDIS S.A., Callejon Zapatoca Km. 1 Via Jamundi, Jamundi, Valle, Colombia; NIT # 805014721–3 (Colombia) [SDNT].

4. ROBLE DE MINAS S.A.S. (f.k.a. ROBLE DE MINAS S.A.), Calle 18B Sur No. 36–35 Apto. 1603, Medellin, Colombia; Calle 75 Carrera 77E, Medellin, Colombia; NIT # 811043722–6 (Colombia) [SDNTK].

5. ALMACEN BATUL (a.k.a. ''BODEGA CAMPEON''), Calle 10A, No. 11A–41/45, Maicao, La Guajira, Colombia; NIT # 639000204–4 (Colombia); Matricula Mercantil No 36817 (Colombia) [SDNTK].

6. COMERCIAL ESTILO Y MODA, Calle 10A, No. 11A–41/45, Maicao, La Guajira, Colombia; NIT # 639000204–4 (Colombia) [SDNTK].

B. On June 29, 2023, OFAC updated the entry on the SDN List for the following person, whose property and interest in property subject to U.S. jurisdiction continue to be blocked pursuant to Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism.''

Individual

1. SALEH, Ali Mohamad (a.k.a. SALAH, Ali Mohammad; a.k.a. SALEH, Ali Mohamed; a.k.a. SALEH, Ali Mohammad; a.k.a. SALIH, Ali Abd-Al-Amir Muhammad; a.k.a. SALIH, Ali Muhammad; a.k.a. SALIH, Ali Muhammad Abd-Al-Amir); DOB 01 Jan 1974; POB Adchit, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Cedula No. 1124006380 (Colombia); Passport AJ911608 (Colombia); alt. Passport 2071362 (Lebanon); alt. Passport 1183967 (Lebanon) (individual) [SDNTK] [SDGT] (Linked To: ALMACEN BATUL; Linked To: COMERCIAL ESTILO Y MODA).

—to—

SALEH, Ali Mohamad (a.k.a. SALAH, Ali Mohammad; a.k.a. SALEH, Ali Mohamed; a.k.a. SALEH, Ali Mohammad; a.k.a. SALIH, Ali Abd-Al-Amir Muhammad; a.k.a. SALIH, Ali Muhammad; a.k.a. SALIH, Ali Muhammad Abd-Al-Amir); DOB 01 Jan 1974; POB Adchit, Lebanon; Additional Sanctions Information—Subject to Secondary Sanctions Pursuant to the Hizballah Financial Sanctions Regulations; Cedula No. 1124006380 (Colombia); Passport AJ911608 (Colombia); alt. Passport 2071362 (Lebanon); alt. Passport 1183967 (Lebanon) (individual) [SDGT].

Signed: June 30, 2023.

Gregory T. Gatjanis,

Associate Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2023–14319 Filed 7–6–23; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Requesting Comments on Form 2032

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning Form 2032, Contract Coverage Under Title II of the Social Security Act.

DATES: Written comments should be received on or before September 5, 2023 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–0137 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Jon Callahan, (737) 800–7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jon.r.callahan@irs.gov.*

SUPPLEMENTARY INFORMATION: The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: Form 2032—Contract Coverage Under Title II of the Social Security Act.

OMB Number: 1545–0137.

Form Number: Form 2032.

Abstract: U.S. citizens and resident aliens employed abroad by foreign affiliates of American employers are exempt from social security taxes. Under Internal Revenue Code section 3121(l), American employers may file an agreement on Form 2032 to waive this exemption and obtain social security coverage for U.S. citizens and resident aliens employed abroad by their foreign affiliates. The American employers can later file Form 2032 to cover additional foreign affiliates as an amendment to their original agreement.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business or other for-profit organizations, and individuals or households.

Estimated Number of Responses: 26.

Estimated Time per Respondent: 6 hours, 4 minutes.

Estimated Total Annual Burden Hours: 158.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 30, 2023.

Jon R. Callahan,

Tax Analyst.

[FR Doc. 2023–14299 Filed 7–6–23; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Requesting Comments on TD 9035, Constructive Transfers and Transfers of Property to a Third Party on Behalf of a Spouse

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. The IRS is soliciting comments concerning the final regulations in Treasury Decision (TD) 9035, Constructive Transfers and Transfers of Property to a Third Party on Behalf of a Spouse.

DATES: Written comments should be received on or before September 5, 2023 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–1751 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Jon Callahan, (737) 800–7639, at Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *jon.r.callahan@irs.gov.*

SUPPLEMENTARY INFORMATION: The IRS is currently seeking comments concerning the following information collection tools, reporting, and record-keeping requirements:

Title: Constructive Transfers and Transfers of Property to a Third Party on Behalf of a Spouse.

OMB Number: 1545–1751.

Regulatory Number: TD 9035.

Abstract: Treasury Regulations section 1.1041–2 sets forth the required information that will permit spouses or former spouses to treat a redemption by a corporation of stock of one spouse or former spouse as a transfer of that stock to the other spouse or former spouse in exchange for the redemption proceeds and a redemption of the stock from the latter spouse or a former spouse in exchange for the redemption proceeds.

Current Actions: There is no change to the existing collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or households.

Estimated Number of Responses: 1,000.

Estimated Time per Respondent: 30 minutes.

Estimated Total Annual Burden Hours: 500.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: June 30, 2023.

Jon R. Callahan,

Tax Analyst.

[FR Doc. 2023–14300 Filed 7–6–23; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Internal Revenue Service (IRS) Information Collection Request

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection requests 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. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before August 7, 2023 to be assured of consideration.

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.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Melody Braswell by emailing *PRA@treasury.gov,* calling (202) 622–1035, or viewing the entire information collection request at *www.reginfo.gov*.

SUPPLEMENTARY INFORMATION:

Internal Revenue Service (IRS)

Title: Notice 2023–24 Credit for Production of Electricity from Advanced Nuclear Power Facilities.

OMB Number: 1545–2000.

Abstract: This notice obsoletes notice 2013–68, which superseded notice 2006–40, and provides the time and manner for certain taxpayer to apply for an allocation of the national megawatt capacity limitation under § 45J of the Internal Revenue Code. Additionally, this notice provides the election procedure for a qualified public entity to transfer the credit to an eligible project partner. The information collected for that procedure will be used to determine the portion of the § 45J credits to which an eligible project partner is entitled. An eligible project partner will use the election statement to claim the § 45J credits. The likely respondents are corporations and partnerships.

Current Actions: The title and burden estimates have changed from OMB previously approved submission.

Type of Review: Reinstatement with change of a previously approved collection.

Affected Public: Businesses and other for-profit organizations.

Estimated Number of Respondents: 80.

Estimated Time per Respondent: 5.07 hours.

Estimated Total Annual Burden Hours: 406.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

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

Melody Braswell,

Treasury PRA Clearance Officer.

[FR Doc. 2023–14373 Filed 7–6–23; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the proposed information collections listed below, in accordance with the Paperwork Reduction Act of 1995.

DATES: Written comments must be received on or before September 5, 2023.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions for reducing the burden, to Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8100, Washington, DC 20220, or email at *PRA@treasury.gov*.

FOR FURTHER INFORMATION CONTACT: Gregory Till, Deputy Assistant Secretary for Fiscal Operations and Policy, (202) 622–0570 or *gregory.till@treasury.gov*.

SUPPLEMENTARY INFORMATION:

Title: Notice to Account Holder for Garnishment of Accounts Containing Federal Benefit Payments.

OMB Control Number: 1505–0230.

Type of Review: Extension without change of currently approved collection.

Description: Certain Federal benefits are exempt from garnishment orders. In order to give force and effect to Federal anti-garnishment statutes, financial institutions, and child support enforcement agencies must maintain records of actions taken in handling garnishments and provide notices to financial account holders.

Form Number: None.

Affected Public: Business or other for-profit institutions, State and local governments.

Estimated Number of Respondents: 487,750.

Frequency of Response: Once.

Estimated Total Number of Annual Responses: 487,750.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 76,688 hours.

Request for Comments: Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

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

Melody Braswell,

Treasury PRA Clearance Officer.

[FR Doc. 2023–14372 Filed 7–6–23; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0546]

Agency Information Collection Activity Under OMB Review: Gravesite Reservation Questionnaire

AGENCY: National Cemetery Administration (NCA), Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: NCA, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before September 5, 2023.

ADDRESSES: Submit written comments on the collection of information through

Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Brian Hurley, National Cemetery Administration (42E), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *Brian.Hurley1@va.gov.* Please refer to ''OMB Control No. 2900–0546'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0546'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, NCA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of NCA's functions, including whether the information will have practical utility; (2) the accuracy of NCA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: 38 U.S.C. 2402.

Title: Gravesite Reservation Questionnaire.

OMB Control Number: 2900–0546.

Type of Review: Extension of a currently approved collection.

Abstract: The information is needed to determine if individuals holding gravesite set-asides wish to retain their set-aside or their wish to relinquish it. 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.

Affected Public: Individuals or Households.

Estimated Annual Burden: 4,167 hours.

Estimated Average Burden per Respondent: 10 minutes each.

Frequency of Response: One-time.

Estimated Number of Respondents: 25,000.

By direction of the Secretary.

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt) Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2023–14420 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0567]

Agency Information Collection Activity Under OMB Review: Presidential Memorial Certificate Form

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the National Cemetery Administration (NCA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by clicking on the following link *www.reginfo.gov/public/do/PRAMain,* select ''Currently under Review—Open for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0567.''

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0567'' in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: 38 U.S.C. 112.

Title: Presidential Memorial Certificate Form, VA Form 40–0247.

OMB Control Number: 2900–0567.

Type of Review: Extension of a currently approved collection.

Abstract: The Presidential Memorial Certificate (PMC) is an engraved paper certificate, signed by a current U.S. President, to honor the memory of deceased Veterans who are eligible for burial in a national cemetery. VA Form 40–0247 information collection is required to properly inscribe and address for delivery of the PMC. Supporting military or discharge documents are also needed to verify that the veteran's character of service and duty status meet program eligibility and legal requirements.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 88 FR 29179, May 5, 2023.

Affected Public: Individuals or households.

Estimated Annual Burden: 6,250 hours.

Estimated Average Burden per Respondent: 3 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 125,000.

By direction of the Secretary.

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt.) Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2023–14283 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0571]

Agency Information Collection Activity: (Customer Satisfaction Surveys)

AGENCY: National Cemetery Administration (NCA), Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the National Cemetery Administration (NCA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by clicking on the following link *www.reginfo.gov/public/do/PRAMain, select* ''Currently under Review—Open

for Public Comments'', then search the list for the information collection by Title or ''OMB Control No. 2900–0571.''

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0571'' in any correspondence.

SUPPLEMENTARY INFORMATION: *Authority:* 44 U.S.C. 3501–3521.

Title: Customer Satisfaction Surveys.

OMB Control Number: 2900–0571.

Type of Review: Revision of a currently approved collection.

Abstract: Improving Customer Service through Effective Performance Management, NCA will conduct surveys to determine the level of satisfaction with existing services among their customers. The surveys will solicit voluntary opinions and are not intended to collect information required to obtain or maintain eligibility for a VA program or benefit. Baseline data obtained through these information collections are used to validate customer service standards.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information published at 88 FR 29180, May 5, 2023.

Affected Public: Individuals and households interring Veterans or eligible dependents, and funeral directors facilitating such interments.

Total Estimated Annual Burden: 26,158 hours.

Frequency of Response: Annually.

Total Estimated Number of Respondents: 56,650.

I. National Cemetery Mail Surveys

a. National Cemeteries Next of Kin/Family Member and Funeral Director Satisfaction Surveys

Estimated Annual Burden: 14,500 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 29,000.

b. State or Tribal Veterans Cemeteries Funeral Director Satisfaction Surveys

Estimated Annual Burden: 2,000 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 4,000.

c. State or Tribal Veterans Cemeteries Next of Kin/Family Member Satisfaction Surveys

Estimated Annual Burden: 7,500 hours.

Estimated Average Burden per Respondent: 30 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 15,000

II. Program/Specialized Service Survey

a. VA Memorial Products Next of Kin/Family Member and Funeral Director Satisfaction Surveys

Estimated Annual Burden: 1,500 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 6,000.

III. National Cemetery Focus Groups

a. Focus Groups With Next of Kin

Estimated Annual Burden: 150 hours.

Estimated Average Burden per Respondent: 3 hours.

Frequency of Response: Annually.

Estimated Number of Respondents: 50.

b. Focus Groups With Funeral Directors

Estimated Annual Burden: 150 hours.

Estimated Average Burden per Respondent: 3 hours.

Frequency of Response: Annually.

Estimated Number of Respondents: 50.

c. Focus Groups with Veteran Service Organizations

Estimated Annual Burden: 150 hours.

Estimated Average Burden per Respondent: 3 hours.

Frequency of Response: Annually.

Estimated Number of Respondents: 50.

IV. National Cemetery Visitor Comment Cards (Local Use)

Estimated Annual Burden: 208 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 2,500.

By direction of the Secretary.

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt.) Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2023–14292 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0663]

Agency Information Collection Activity: PayVA (Pay Now Enter Info Page)

AGENCY: Debt Management Center, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Debt Management Center (DMC), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before September 5, 2023.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Morgen Egesdal, Debt Management Center (189), Department of Veterans Affairs, 1 Federal Drive, Fort Snelling, Minnesota 55111 or email to *morgen.egesdal@va.gov.* Please refer to ''OMB Control No. 2900–0663'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0663'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, DMC invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of DMC's functions, including whether the information will have practical utility; (2) the accuracy of DMC's estimate of

the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: Public Law 104–13; Public Law 107–347; 31 U.S.C. 3711; 38 U.S.C. 501; 38 U.S.C. 5314.

Title: PayVA (Pay Now Enter Info Page).

OMB Control Number: 2900–0663.

Type of Review: Extension of a currently approved collection.

Abstract: PayVA (Pay Now Enter Info Page—*pay.va.gov*) is used by the VA Debt Management Center (DMC) to verify debts that are active at DMC before the indebted person makes a payment. PayVA collects basic debt information from the respondent, and redirects them to *pay.gov* (a Department of Treasury website) for online payments. PayVA then collects responses from *pay.gov* to verify payment.

Affected Public: Individuals and households.

Estimated Annual Burden: 31,261 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: Daily.

Estimated Number of Respondents: 187,567.

By direction of the Secretary.

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt.) Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2023–14341 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974: Matching Program

AGENCY: Department of Veterans Affairs.

ACTION: Notice of a New Computer Matching Program.

SUMMARY: Notice is hereby given that the Department of Veterans Affairs (VA) intends to conduct a recurring computer matching program. This will match personnel records of the Department of Defense (DoD) with VA records of benefit recipients under the Montgomery GI Bill—Active Duty, Montgomery GI Bill—Selected Reserve, and the Post-9/11 GI Bill. The goal of these matches is to identify the eligibility status of Veterans, servicemembers, and reservists who have applied for or who are receiving education benefit payments under the Montgomery GI Bill—Active Duty, Montgomery GI Bill—Selected Reserve, and the Post-9/11 GI Bill. The purpose of the match is to enable VA to verify that individuals meet the conditions of military service and eligibility criteria for payment of benefits determined by VA under the Montgomery GI Bill—Active Duty, Montgomery GI Bill—Selected Reserve, and Post-9/11 GI Bill.

DATES: Comments on this match 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 new agreement 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. This matching program will be valid for 18 months from the effective date of this notice.

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 CMA VBA/DoD MGIB and Post 9/11 and SORN 58VA21/22/28. Comments received will be available at regulations.gov for public viewing, inspection or copies.

FOR FURTHER INFORMATION CONTACT: Eric Patterson, Legislative Strategy, Development and Implementation Chief, Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461–9830.

SUPPLEMENTARY INFORMATION: The authority to conduct this match is found in 38 U.S.C. 3684A(a)(1). The records covered include eligibility records extracted from DoD personnel files and benefit records that VA establishes for all individuals who have applied for and/or are receiving, or have received education benefit payments under the Montgomery GI Bill—Active Duty, Montgomery GI Bill—Selected Reserve, and the Post-9/11 GI Bill. These benefit records are contained in a VA system of records identified as 58VA21/22/28 entitled: Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records—VA, first published in the **Federal Register** at 41 FR 9294 (March 3, 1976), and last amended at 84 FR 61858 (Nov. 8, 2021), with other amendments as cited therein.

This information is required by paragraph 6c of the ''Guidelines on the Conduct of Matching Programs'' issued by OMB (54 FR 25818), as amended by OMB Circular A–130, 65 FR 77677 (2000), interpreting the provisions of the Privacy Act pertaining to computer matching, as well as those computer matching portions of a revision of OMB Circular No. A–108, Federal Responsibilities for Review, Reporting, and Publication under the Privacy Act (December 23, 2016). The current matching agreement with the Department of Defense (DoD) expires May 25, 2023. The legal authority to conduct this match is 38 U.S.C. 5106, which requires any Federal department or agency to provide VA such information as VA requests for the purposes of determining eligibility for benefits, or verifying other information with respect to payment of benefits. A copy of the notice has been provided to both Houses of Congress and OMB. The matching program is subject to their review.

Participating Agencies: This computer match is between the Department of Veterans Affairs (VA) and the Department of Defense (DoD).

Authority For Conducting the Matching Program: The authority to conduct this match is the Privacy Act, 5 U.S.C. 552a and 38 U.S.C. 3684A(a)(1).

Purpose(s): This agreement establishes the conditions under which the Department of Defense (DoD) agrees to disclose information regarding eligibility to education benefits under the Montgomery GI Bill, Montgomery GI Bill—Selected Reserve and the Post-9/11 GI Bill to the Department of Veterans Affairs (VA). The purpose of this computer matching program between VA and DoD is to verify that individuals meet the conditions of military service and eligibility criteria for payment of benefits determined by VA under three enacted programs.

Categories of Individuals: Veterans, Servicemembers, Reservists and Dependents.

Categories of Records: Department of Defense (DoD), as the source agency, will provide to VA the eligibility records on DoD individuals consisting of data elements which contains specific data relating to the requirements for eligibility including data on member contribution amounts, service periods, and transfer of entitlement. VA will match on attributes, including Social Security Number (SSN), DoD Electronic Data Interchange Personal Identifier (EDIPI—or VA_ID), Date-of-Birth, Last Name, and File Identification Number.

System(s) of Records: These benefit records are contained in a VA system of records identified as 58VA21/22/28 entitled: Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records—VA, first published in the **Federal Register** at 41 FR 9294 (March 3, 1976), and last amended at 84 FR 61858 (Nov. 8, 2021) and DoD updated their Defense Enrollment Eligibility Reporting Systems (DEERS) in the **Federal Register** at 84 FR 55293 on October 16, 2019 and corrected at 84 FR 65975 on December 2, 2019.) with other amendments as cited therein.

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. John Oswalt, Chief Privacy Officer and Chair of the Data Integrity Board, Department of Veterans Affairs approved this document on June 26, 2023 for publication.

Dated: June 29, 2023.

Amy L. Rose,

Government Information Specialist, VA Privacy Service, Office of Compliance, Risk and Remediation, Office of Information and Technology, Department of Veterans Affairs.

[FR Doc. 2023–14194 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0559]

Agency Information Collection Activity: (Grant Funded Cemetery Data Sheet and Cemetery Grant Documents)

AGENCY: National Cemetery Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The National Cemetery Administration (NCA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information of the VA Forms required of a State or Tribal Organization seeking a grant for the establishment, expansion, or improvement of a State of Tribal veterans cemetery for preapplication.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before September 5, 2023.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Brian Hurley, National Cemetery Administration (42E), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *Brian.Hurley1@va.gov.* Please refer to ''OMB Control No. 2900–0559'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0559'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, NCA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of NCA's functions, including whether the information will have practical utility; (2) the accuracy of NCA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: 25 U.S.C. 450b(1); 38 U.S.C. 501; 38 U.S.C. 2408; 38 U.S.C. 2411; 38 CFR 39.31.

Title: Grant Funded Cemetery Data, VA Form 40–0241 and Cemetery Grant Documents, 40–0895 Series.

OMB Control Number: 2900–0559.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 40–0241 and Cemetery Grant Documents, 40–0895 Series, are required to provide data regarding the number of interments conducted at VA Grant Funded Veterans cemeteries and support grant preapplication each year. This data is necessary for budget, oversight and compliance purposes associated with exiting and establishment of new State and Tribal government Veteran cemeteries.

Affected Public: State, Local and Tribal Governments.

Estimated Annual Burden: 296 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annual.

Estimated Number of Respondents: 292.

By direction of the Secretary.

Dorothy Glasgow,

VA PRA Clearance Officer, (Alt.), Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2023–14424 Filed 7–6–23; 8:45 am]

BILLING CODE 8320–01–P

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