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

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2022–0216; Airspace Docket No. 19–AAL–63]

RIN 2120–AA66

Amendment of United States Area Navigation (RNAV) Route T–230; St. Paul Island, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends United States Area Navigation (RNAV) route T–230 in the vicinity of St. Paul Island, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska.

DATES: Effective date 0901 UTC, August 10, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at www.regulations.gov using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours each day, 365 days each year.

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 expands the availability of RNAV in Alaska and improves the efficient flow of air traffic within the National Airspace System by lessening the dependency on ground-based navigation.

History

The FAA published a notice of proposed rulemaking for Docket No. FAA–2022–0216 in the **Federal Register** (87 FR 16667; March 24, 2022), proposing to amend RNAV route T–230 in the vicinity of St. Paul Island, AK, in support of a large and comprehensive T-route modernization project for the state of Alaska. Interested parties were invited to participate in this rulemaking effort by submitting comments on the proposal. No comments were received.

Incorporation by Reference

United States Area Navigation routes are published in paragraph 6011 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 amends the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends 14 CFR part 71 by amending RNAV route T–230 in the vicinity of St. Paul Island, AK, in support of a large and comprehensive T-route modernization project in the state of Alaska. The amendment is described below.

T–230: T–230 extends between the St. Paul Island, AK, Nondirectional Beacon/Distance Measuring Equipment (NDB/DME) and the Chinook, AK, NDB navigational aids. This action replaces the Chinook, AK, NDB route point with the King Salmon, AK, Very High Frequency (VHF) Omnidirectional Radar (VOR)/Tactical Air Navigational (VORTAC) navigational aid due to the pending decommissioning of the Chinook NDB. Additionally, the GARRS, AK, Fix is added in the route description and redefined as the GARRS, AK, waypoint (WP) due to the Fix being affected by the pending decommissioning of the Cape Newenham, AK, NDB used to define it and the WP being a turn point along the amended route. Finally, the latitude and longitude geographic coordinates for the St. Paul Island, AK, NDB/DME are updated to match the FAA National Airspace System Resource database information.

Regulatory Notices and Analyses

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

Environmental Review

The FAA has determined that this airspace action of amending RNAV route T–230 in the vicinity of St. Paul Island, AK, qualifies for categorical

exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points), and paragraph 5–6.5i, which categorically excludes from further environmental review the establishment of new or revised air traffic control procedures conducted at 3,000 feet or more above ground level (AGL); procedures conducted below 3,000 feet AGL that do not cause traffic to be routinely routed over noise sensitive areas; modifications to currently approved procedures

conducted below 3,000 feet AGL that do not significantly increase noise over noise sensitive areas; and increases in minimum altitudes and landing minima. As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact study.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

T-230 St. Paul Island, AK (SPY) to King Salmon, AK (AKN) [Amended]

St. Paul Island, AK (SPY)	NDB/DME	(Lat. 57°09'25.20" N, long. 170°13'58.77" W)
GARRS, AK	WP	(Lat. 58°19'05.80" N, long. 161°20'31.74" W)
Salmon, AK (AKN)	VORTAC	(Lat. 58°43'28.97" N, long. 156°45'08.45" W)

* * * * *

Issued in Washington, DC, on July 11, 2023.

Karen Chiodini,
Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023–15011 Filed 7–14–23; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 31498; Amdt. No. 573]

IFR Altitudes; Miscellaneous Amendments

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

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to

provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

DATES: Effective 0901 UTC, August 10, 2023.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg. 26, Room 217, Oklahoma City, OK 73099. Telephone: (405) 954–1139.

SUPPLEMENTARY INFORMATION: This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

The Rule

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The

The Amendment

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

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

■ 1. The authority citation for 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 6011 United States Area Navigation Routes.

* * * * *

reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

Conclusion

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 95

Airspace, Navigation (air).

Issued in Washington, DC, on July 7, 2023.

Thomas J. Nichols,

*Aviation Safety, Flight Standards Service,
Manager, Standards Section, Flight
Procedures & Airspace Group, Flight
Technologies and Procedures Division.*

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is

amended as follows effective at 0901 UTC, August 10, 2023.

PART 95—IFR ALTITUDES

■ 1. The authority citation for part 95 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, and 14 CFR 11.49(b)(2).

■ 2. Part 95 is amended to read as follows:

REVISIONS TO IFR ALTITUDES & CHANGEOVER POINT

[Amendment 573 effective date August 10, 2023]

From	To	MEA	
Color Routes			
§ 95.10 Amber Federal Airway A9 Is Amended To Delete			
CHENA, AK NDB	EVANSVILLE, AK NDB	5500	
EVANSVILLE, AK NDB	BROWERVILLE, AK NDB	* 10000	
* 9100—MOCA			
§ 95.6 Blue Federal Airway B38 Is Amended To Delete			
ELEPHANT, AK NDB	CHILL, AK FIX	7300	
CHILL, AK FIX	HAINES, AK NDB	9000	
§ 95.6 Blue Federal Airway B40 Is Amended To Delete			
HAINES, AK NDB	U.S. CANADIAN BORDER	* 10000	
* 9800—MOCA			
From	To	MEA	MAA
§ 95.3000 Low Altitude RNAV Routes			
§ 95.3331 RNAV Route T331 Is Amended by Adding			
FONIA, ND FIX	ERUVE, ND FIX	4200	17500
ERUVE, ND FIX	WELOG, ND FIX	* 5300	17500
* 3800—MOCA			
WELOG, ND FIX	MINOT, ND VOR/DME	* 4000	17500
* 3500—MOCA			
MINOT, ND VOR/DME	ORMIE, ND FIX	3500	17500
ORMIE, ND FIX	BALTA, ND WP	* 3600	17500
* 3000—MOCA			
BALTA, ND WP	CAREW, ND WP	3400	17500
CAREW, ND WP	SCULY, ND WP	* 4000	17500
* 3100—MOCA			
SCULY, ND WP	GICHI, ND WP	* 4000	17500
* 3000—MOCA			
GICHI, ND WP	BISCA, ND WP	* 3500	17500
* 3000—MOCA			
BISCA, ND WP	DITRE, ND FIX	2800	17500
DITRE, ND FIX	GRAND FORKS, ND VOR/DME	* 3300	17500
* 2300—MOCA			
GRAND FORKS, ND VOR/DME	ROPBO, MN FIX	2600	17500
ROPBO, MN FIX	UGACU, MN FIX	2700	17500
UGACU, MN FIX	THIEF RIVER FALLS, MN VOR/DME	3000	17500
THIEF RIVER FALLS, MN VOR/DME	ZALSO, MN FIX	* 3500	17500
* 2700—MOCA			
ZALSO, MN FIX	BLUOX, MN FIX	* 3300	17500
* 2800—MOCA			
BLUOX, MN FIX	GECRE, MN FIX	* 4500	17500
* 3100—MOCA			
GECRE, MN FIX	DULUTH, MN VORTAC	3200	17500
DULUTH, MN VORTAC	VURLY, MN FIX	3200	17500
VURLY, MN FIX	WEMAN, MN FIX	* 3300	17500
* 10000—MCA WEMAN, MN FIX, NE BND			
WEMAN, MN FIX	SUZLI, MN FIX	* 10000	17500
* 2900—MOCA			

From	To	MEA	MAA
SUZLI, MN FIX	HUDRU, MN FIX	* 10000	17500
* 2900—MOCA			
HUDRU, MN FIX	BYPOR, MN FIX	* 10000	17500
* 3100—MOCA			
BYPOR, MN FIX	MECNU, MN FIX	* 10000	17500
* 3400—MOCA			

Is Amended To Read in Part

ESSOH, CA WP	PALISADES, CA VOR/DME	11200	17500
PALISADES, CA VOR/DME	TRUCK, CA FIX	11200	17500

§ 95.3470 RNAV Route T470 Is Added To Read

ALKAL, ID FIX	KINZE, ID FIX	7400	17500
KINZE, ID FIX	VIPUC, ID FIX	* 7500	17500
* 8000—MCA VIPUC, ID FIX, E BND			
VIPUC, ID FIX	IDECA, WY FIX	* 12900	17500
* 11700—MCA IDECA, WY FIX, W BND			
IDECA, WY FIX	DEDNE, WY WP	9800	17500
DEDNE, WY WP	DEKKR, WY WP	10300	17500
DEKKR, WY WP	SWEAT, WY FIX	10400	17500
SWEAT, WY	FIX CHOMP, WY FIX	10200	17500

§ 95.3475 RNAV Route T475 Is Added To Read

BISMARCK, ND VOR/DME	ODUBY, ND FIX	3700	17500
ODUBY, ND FIX	CHACE, ND WP	* 4000	17500
* 3400—MOCA			
CHACE, ND WP	GICHI, ND WP	4000	17500
		*	

From	To	MEA

§ 95.6001 Victor Routes—U.S.**§ 95.6003 VOR Federal Airway V3 Is Amended To Delete**

OWENS, SC FIX	* VANCE, SC TACAN	2000
* 13000—MCA VANCE, SC TACAN, NE BND		
VANCE, SC TACAN	* FLORENCE, SC VORTAC	** 13000
* 12000—MCA FLORENCE, SC VORTAC, SW BND		
** 2000—GNSS MEA		
#VANCE R-047 UNUSABLE, USE FLORENCE R-224		

§ 95.6006 VOR Federal Airway V6 Is Amended To Read in Part

COLOM, CA FIX	PALISADES, CA VOR/DME	11200
PALISADES, CA VOR/DME	* MUSTANG, NV VORTAC	13000
* 11400—MCA MUSTANG, NV VORTAC, SW BND		

§ 95.6016 VOR Federal Airway V16 Is Amended To Delete

RICHMOND, VA VORTAC	* TAPPA, VA FIX	2000
* 5000—MCA TAPPA, VA FIX, NE BND		
TAPPA, VA FIX	PATUXENT, MD VORTAC	* 5000
* 1500—MOCA		
* 2000—GNSS MEA		
PATUXENT, MD VORTAC	* GARED, MD WP	** 4500
* 8000—MRA		
** 1500—MOCA		
** 4000—GNSS MEA		
GARED, MD WP	CHOPS, MD WP	* 4500
* 1500—MOCA		
* 4000—GNSS MEA		
CHOPS, MD WP	SMYRNA, DE VORTAC	* 2000
* 1500—MOCA		
CREAM, NY FIX	NORWICH, CT VOR/DME	2500
NORWICH, CT VOR/DME	WOONS, RI FIX	2500
WOONS, RI FIX	BOSTON, MA VOR/DME	2000

§ 95.6023 VOR Federal Airway V23 Is Amended To Read in Part

BEIRA, CA FIX	* SHATA, CA FIX.	
	NW BND	** 8000

From	To	MEA
* 8000—MCA SHATA, CA FIX, NW BND ** 5700—MOCA	SE BND	** 6500
§ 95.6033 VOR Federal Airway V33 Is Amended To Delete		
HARCUM, VA VORTAC * 10000—MCA COLIN, VA FIX, N BND ** 1600—MOCA ** 2000—GNSS MEA	* COLIN, VA FIX	** 4000
COLIN, VA FIX * 1800—MOCA * 2000—GNSS MEA	NOTTINGHAM, MD VORTAC	* 10000
§ 95.6035 VOR Federal Airway V35 Is Amended To Read in Part		
GLADE SPRING, VA VOR/DME	MACET, WV FIX	UNUSABLE
§ 95.6055 VOR Federal Airway V55 Is Amended To Read in Part		
GRAND FORKS, ND VOR/DME * 3600—MOCA	BEHQY, ND FIX	* 8000
BEHQY, ND FIX	BISMARCK, ND VOR/DME. SW BND NE BND	3900 8000
§ 95.6066 VOR Federal Airway V66 Is Amended To Read in Part		
RALEIGH/DURHAM, NC VORTAC MEYER, NC FIX	MEYER, NC FIX FRANKLIN, VA VORTAC	2600 UNUSABLE
§ 95.6093 VOR Federal Airway V93 Is Amended To Delete		
PATUXENT, MD VORTAC * 1700—MOCA	GRACO, MD FIX	* 2500
GRACO, MD FIX * 1600—MOCA	PALEO, MD FIX	* 10000
PALEO, MD FIX * 1700—MOCA	BALTIMORE, MD VORTAC	* 2200
§ 95.6157 VOR Federal Airway V157 Is Amended To Delete		
WAYCROSS, GA VORTAC #ALMA R-189 UNUSABLE USE WAYCROSS R-009.	ALMA, GA VORTAC	#2000
ALMA, GA VORTAC * 11000—MRA * 11000—MCA LOTTS, GA FIX, NE BND ** 2000—GNSS MEA	* LOTTS, GA FIX	** 10000
LOTTS, GA FIX * 1800—MOCA * 2000—GNSS MEA	ALLENDAL, SC VOR	* 11000
ALLENDAL, SC VOR * 13000—MCA VANCE, SC TACAN, NE BND ** 2000—GNSS MEA	* VANCE, SC TACAN	** 6000
VANCE, SC TACAN * 12000—MCA FLORENCE, SC VORTAC, SW BND ** 2000—GNSS MEA #VANCE R-047 UNUSABLE, USE FLORENCE R-224.	* FLORENCE, SC VORTAC	#** 13000
RICHMOND, VA VORTAC * 5000—MCA TAPPA, VA FIX, NE BND	* TAPPA, VA FIX	2000
TAPPA, VA FIX * 1500—MOCA * 2000—GNSS MEA	PATUXENT, MD VORTAC	* 5000
PATUXENT, MD VORTAC * 8000—MRA ** 1500—MOCA ** 4000—GNSS MEA	* GARED, MD WP	** 4500
GARED, MD WP * 1500—MOCA * 4000—GNSS MEA	CHOPS, MD WP	* 4500
CHOPS, MD WP * 1500—MOCA	SMYRNA, DE VORTAC	* 2000
SMYRNA, DE VORTAC * 1500—MOCA	WOODSTOWN, NJ VORTAC	* 1900
WOODSTOWN, NJ VORTAC	ROBBINSVILLE, NJ VORTAC	* 3000

From	To	MEA
*2100—MOCA		
§ 95.6169 VOR Federal Airway V169 Is Amended To Delete		
BISMARCK, ND VOR/DME	DEVILS LAKE, ND VOR/DME	4000
§ 95.6170 VOR Federal Airway V170 Is Amended To Delete		
DEVILS LAKE, ND VOR/DME	JAMESTOWN, ND VOR/DME	3500
§ 95.6171 VOR Federal Airway V171 Is Amended To Delete		
GRAND FORKS, ND VOR/DME	ROSEAU, MN VOR/DME	2900
§ 95.6213 VOR Federal Airway V213 Is Amended To Delete		
HOPEWELL, VA VORTAC	* TAPPA, VA FIX	2000
* 5000—MCA TAPPA, VA FIX, NE BND		
TAPPA, VA FIX	PATUXENT, MD VORTAC	* 5000
* 1500—MOCA		
* 2000—GNSS MEA		
PATUXENT, MD VORTAC	* GARED, MD WP	** 4500
* 8000—MRA		
** 1500—MOCA		
** 4000—GNSS MEA		
GARED, MD WP	CHOPS, MD WP	* 4500
* 1500—MOCA		
* 4000—GNSS MEA		
CHOPS, MD WP	SMYRNA, DE VORTAC	* 2000
* 1500—MOCA		
§ 95.6229 VOR Federal Airway V229 Is Amended To Delete		
PATUXENT, MD VORTAC	* GARED, MD WP	** 4500
* 8000—MRA		
** 1500—MOCA		
** 4000—GNSS MEA		
GARED, MD WP	DONIL, DE FIX	* 8000
* 1600—MOCA		
* 4000—GNSS MEA		
PANZE, NJ FIX	DIXIE, NJ FIX	2500
DIXIE, NJ FIX	KENNEDY, NY VOR/DME	* 2500
* 1700—MOCA		
KENNEDY, NY VOR/DME	KEEPM, NY FIX	2000
KEEPM, NY FIX	TRANZ, NY FIX	2000
TRANZ, NY FIX	PUGGS, NY WP	* 2500
* 2000—GNSS MEA		
PUGGS, NY WP	BRIDGEPORT, CT VOR/DME	* 2500
* 2000—GNSS MEA		
BRIDGEPORT, CT VOR/DME	HARTFORD, CT VOR/DME	2000
§ 95.6260 VOR Federal Airway V260 Is Amended To Delete		
CHARLESTON, WV VOR/DME	MONTS, WV WP	3400
MONTS, WV WP	RAINELLE, WV VOR	5100
RAINELLE, WV VOR	ROANOKE, VA VOR/DME	* 6000
* 5400—MOCA		
ROANOKE, VA VOR/DME	GOOZE, VA FIX	5000
GOOZE, VA FIX	LYNCHBURG, VA VOR/DME	
	W BND	* 5000
	E BND	* 3000
* 2900—MOCA		
LYNCHBURG, VA VOR/DME	FLAT ROCK, VA VORTAC	3000
HOPEWELL, VA VORTAC	WAIKS, VA FIX	3000
WAIKS, VA FIX	FRANKLIN, VA VORTAC	3000
FRANKLIN, VA VORTAC	COFIELD, NC VORTAC	1800
§ 95.6281 VOR Federal Airway V281 Is Amended by Adding		
MOSES LAKE, WA VOR/DME	PASCO, WA VOR/DME	4000
Is Amended To Delete		
PASCO, WA VOR/DME	MOSES LAKE, WA VOR/DME	4000

From	To	MEA
§ 95.6290 VOR Federal Airway V290 Is Amended by Adding		
SHANE, WV FIX	MONTEBELLO, VA VOR/DME	6500
Is Amended To Delete		
RAINELLE, WV VOR	* MONTEBELLO, VA VOR/DME	6500
* 6000—MCA MONTEBELLO, VA VOR/DME, SE BND		
§ 95.6308 VOR Federal Airway V308 Is Amended To Delete		
NOTTINGHAM, MD TACAN	* BILIT, MD WP	** 6000
* 6000—MCA BILIT, MD WP, W BND		
** 1600—MOCA		
** 2000—GNSS MEA		
BILIT, MD WP	WATERLOO, DE VOR/DME	* 2000
* 1500—MOCA		
WATERLOO, DE VOR/DME	SEA ISLE, NJ VORTAC	* 2000
* 1500—MOCA		
SEA ISLE, NJ VORTAC	AVALO, NJ FIX	* 4500
* 4000—GNSS MEA		
AVALO, NJ FIX	HARBO, NJ FIX	* 6000
* 4000—GNSS MEA		
HARBO, NJ FIX	* DRIFT, NJ FIX	** 7500
* 6000—MRA		
* 12000—MCA DRIFT, NJ FIX, NE BND		
** 3000—GNSS MEA		
DRIFT, NJ FIX	* MANTA, NJ FIX	** 12000
* 12000—MCA MANTA, NJ FIX, SW BND		
** 3000—GNSS MEA		
MANTA, NJ FIX	PLUME, NJ FIX	* 7000
* 2000—MOCA		
* 3000—GNSS MEA		
PLUME, NJ FIX	* KOPPY, NY FIX	** 4000
* 5000—MRA		
** 3000—MOCA		
** 3000—GNSS MEA		
KOPPY, NY FIX	BEADS, NY FIX	* 4000
* 3000—MOCA		
* 3000—GNSS MEA		
BEADS, NY FIX	HAMPTON, NY VORTAC	* 2500
* 1600—MOCA		
HAMPTON, NY VORTAC	GROTON, CT VOR/DME	2000
GROTON, CT VOR/DME	NORWICH, CT VOR/DME	2000
§ 95.6325 VOR Federal Airway V325 Is Amended To Read in Part		
DALAS, GA FIX	CARAN, GA FIX	* 6000
* 3700—MOCA		
* 5000—GNSS MEA		
§ 95.6330 VOR Federal Airway V330 Is Amended To Delete		
BOISE, ID VORTAC	CANEK, ID FIX.	
	NW BND	7000
	SE BND	9500
CANEK, ID FIX	ALKAL, ID FIX	* 9500
* 8500—MOCA		
ALKAL, ID FIX	TORIN, ID FIX.	
	E BND	* 8000
	W BND	* 9500
* 6700—MOCA		
TORIN, ID FIX	* KINZE, ID FIX	8000
* 8000—MCA KINZE, ID FIX, W BND		
§ 95.6338 VOR Federal Airway V338 Is Amended To Read in Part		
LINDEN, CA VOR/DME	* HANGTOWN, CA VOR/DME	5200
* 7200—MCA HANGTOWN, CA VOR/DME, N BND		
HANGTOWN, CA VOR/DME	PALISADES, CA VOR/DME	11200
§ 95.6392 VOR Federal Airway V392 Is Amended To Read in Part		
HAGAN, CA FIX	* AUDIO, CA FIX	** 6000
* 10000—MCA AUDIO, CA FIX, N BND		

From	To	MEA
** 4700—MOCA AUDIO, CA FIX * 7300—MOCA	CONYO, CA FIX	* 10000
§ 95.6430 VOR Federal Airway V430 Is Amended To Delete		
MINOT, ND VOR/DME	DEVILS LAKE, ND VOR/DME	3600
DEVILS LAKE, ND VOR/DME	GRAND FORKS, ND VOR/DME	3300
§ 95.6433 VOR Federal Airway V433 Is Amended To Delete		
NOTTINGHAM, MD TACAN	SWANN, MD FIX	UNUSABLE
SWANN, MD FIX	ODESA, MD FIX	UNUSABLE
ODESA, MD FIX	DUPONT, DE VORTAC	* 2000
* 2000—GNSS MEA		
* DUPONT R-233 UNUSABLE BEYOND 22NM		
§ 95.6438 VOR Federal Airway V438 Is Amended To Read in Part		
HAGERSTOWN, MD VOR	LUCKE, VA FIX	3800
§ 95.6444 VOR Federal Airway V444 Is Amended To Read in Part		
EMETT, ID FIX	* BOISE, ID VORTAC	5900
* 10400—MCA BOISE, ID VORTAC, E BND		
BOISE, ID VORTAC	AROWS, ID FIX.	
	W BND	8000
	E BND	17000
AROWS, ID FIX	SOLDE, ID FIX	* 17000
* 10300—MOCA		
* 10300—GNSS MEA		
SOLDE, ID FIX	* KINZE, ID FIX.	
	NW BND	17000
	SE BND	8200
* 15900—MCA KINZE, ID FIX, NW BND		
§ 95.6494 VOR Federal Airway V494 Is Amended To Read in Part		
HAGAN, CA FIX	* AUDIO, CA FIX	** 6000
* 7600—MCA AUDIO, CA FIX, NE BND		
** 4700—MOCA		
AUDIO, CA FIX	PALISADES, CA VOR/DME	11200
PALISADES, CA VOR/DME	* VIKES, NV FIX	12000
* 10700—MCA VIKES, NV FIX, SW BND		
§ 95.6500 VOR Federal Airway V500 Is Amended To Read in Part		
PARMO, ID FIX	* BOISE, ID VORTAC.	
	E BND	5400
	W BND	15000
* 10400—MCA BOISE, ID VORTAC, E BND		
BOISE, ID VORTAC	AROWS, ID FIX.	
	W BND	8000
	E BND	17000
AROWS, ID FIX	* REAPS, ID FIX	** 17000
* 15400—MCA REAPS, ID FIX, W BND		
** 10300—MOCA		
** 10300—GNSS MEA		
§ 95.6510 VOR Federal Airway V510 Is Amended To Read in Part		
BISMARCK, ND VOR/DME	BEHQY, ND FIX.	
	SW BND	3900
	NE BND	8000
§ 95.6532 VOR Federal Airway V532 Is Amended To Read in Part		
SALINA, KS VORTAC	LINCOLN, NE VORTAC	* 6000
* 3100—MOCA		
§ 95.6578 VOR Federal Airway V578 Is Amended To Delete		
PECAN, GA VOR/DME	TIFT MYERS, GA VOR	* 2500
* 2300—MOCA		
TIFT MYERS, GA VOR	ALMA, GA VORTAC	* 3000

From	To	MEA
*2100—MOCA *2100—GNSS MEA ALMA, GA VORTAC *2600—MOCA *3000—GNSS MEA	SAVANNAH, GA VORTAC	*10000

§ 95.6579 VOR Federal Airway V579 Is Amended To Delete

ST PETERSBURG, FL VORTAC	BAYPO, FL FIX	2000
BAYPO, FL FIX	NITTS, FL FIX	*4000
*1500—MOCA		
NITTS, FL FIX	GATORS, FL VORTAC.	
	S BND	*4000
	N BND	*3000
*2100—MOCA		
GATORS, FL VORTAC	CROSS CITY, FL VORTAC	2000
CROSS CITY, FL VORTAC	VALDOSTA, GA VOR/DME	2000
VALDOSTA, GA VOR/DME	TIFT MYERS, GA VOR	2200
TIFT MYERS, GA VOR	VIENNA, GA VORTAC	2100

§ 95.6615 VOR Federal Airway V615 Is Amended To Read in Part

RALEIGH/DURHAM, NC VORTAC	MEYER, NC FIX	2600
MEYER, NC FIX	DUFFI, NC FIX	UNUSABLE

§ 95.6309 Alaska VOR Federal Airway V309 Is Amended To Read in Part

U.S. CANADIAN BORDER	ANNETTE ISLAND, AK VOR/DME	5000

§ 95.6481 Alaska VOR Federal Airway V481 Is Amended To Read in Part

GULKANA, AK VOR/DME	DOZEY, AK FIX	13000
DOZEY, AK FIX	PAXON, AK FIX	13000
PAXON, AK FIX	BIG DELTA, AK VORTAC	*13000
*11500—MOCA		
BIG DELTA, AK	VORTAC FORT YUKON, AK VORTAC	13000

§ 95.6489 Alaska VOR Federal Airway V489 Is Amended To Delete

GALENA, AK VOR/DME	HORSI, AK FIX.	
	E BND	*8000
	W BND	*4000
*4000—GNSS MEA		
HORSI, AK FIX	ROSII, AK WP.	
	NE BND	*6000
	SW BND	*8000
*4000—MOCA		
ROSII, AK	WP TANANA, AK VOR/DME.	
	NE BND	3400
	SW BND	6000

Airway segment		Changeover points	
From	To	Distance	From

§ 95.8003 VOR Federal Airway Changeover Points V157 Is Amended To Delete Changeover Points

ALMA, GA VORTAC	ALLENDAL, SC VOR	58	ALMA
VANCE, SC VORTAC	FLORENCE, SC VORTAC	21	VANCE
WOODSTOWN, NJ VORTAC	ROBBINSVILLE, NJ VORTAC	19	WOODSTOWN

V229 Is Amended To Delete Changeover Point

BRIDGEPORT, CT VOR/DME	HARTFORD, CT VOR/DME	19	BRIDGEPORT

V430 Is Amended To Delete Changeover Point

DEVILS LAKE, ND VOR/DME	MINOT, ND VOR/DME	40	DEVILS LAKE

[FR Doc. 2023-14944 Filed 7-14-23; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 165**

[Docket Number USCG-2023-0560]

RIN 1625-AA00

Safety Zone; Presque Isle Bay, Erie, PA**AGENCY:** Coast Guard, DHS.**ACTION:** Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 350-foot radius of the northern point of Dobbin's Landing on Presque Isle Bay, Lake Erie. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by fallout of the fireworks display. During the enforcement period, entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Buffalo.

DATES: This rule is effective from 8:45 through 9:45 p.m. on August 8, 2023.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2023-0560 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LT William Kelley, Waterways Management at Sector Buffalo, U.S. Coast Guard; telephone 716-843-9343, email D09-SMB-SECBuffalo-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:**I. Table of Abbreviations**

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

II. Background Information and Regulatory History

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

without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the event sponsor did not submit notice of the fireworks display to the Coast Guard with sufficient time remaining before the event to publish an NPRM. Delaying the effective date of this rule to wait for a comment period to run would be impracticable and contrary to the public interest by inhibiting the Coast Guard's ability to protect spectators and vessels from the hazards associated with this firework display.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. For the same reasons discussed in the preceding paragraph, waiting for a 30-day notice period to run would be impracticable and contrary to the public interest.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port (COTP) Buffalo has determined that fireworks over the water presents significant risks to public safety and property. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks display is taking place.

IV. Discussion of the Rule

This rule establishes a safety zone from 8:45 through 9:45 p.m. on August 8, 2023. The safety zone will cover all navigable waters of Presque Isle Bay, Lake Erie within a 350-foot radius of the fireworks launch site at 42°8'19.6008" N 80°5'29.2806" W. The duration of the zone is intended to protect personnel, vessels, and the marine environment from potential hazards created by fallout of the fireworks display. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a "significant regulatory action," under section 3(f) of Executive Order 12866, as amended by Executive Order 14094 (Modernizing Regulatory Review). Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on characteristics of the safety zone. The safety zone will encompass a 350-foot radius of land launched fireworks on Presque Isle Bay in Erie, PA lasting approximately one hour during the evening when vessel traffic is normally low. Moreover, the Coast Guard would issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

B. Impact on Small Entities

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

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

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

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

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023-01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST

5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone lasting approximately one hour that will prohibit entry within 350-foot radius of a land launched fireworks display. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T09-0560 to read as follows:

§ 165.T09-0560 Safety Zone; Lake Erie, Erie, PA.

(a) *Location.* The following area is a safety zone: All waters of Presque Isle Bay, from surface to bottom, encompassed by 350-foot radius around 42°8'19.6008" N 80°5'29.2806" W.

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer

designated by or assisting the Captain of the Port of Buffalo (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) In accordance with the general regulations in section § 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the COTP Buffalo or their designated representative.

(2) Vessel operators desiring to enter or operate within the safety zone must contact the COTP Buffalo or their designated representative to obtain permission to do so. The COTP Buffalo or their designated representative may be contacted via VHF Channel 16.

(d) *Enforcement period.* The regulated area described in paragraph (a) of this section is effective from 8:45 through 9:45 p.m. on August 8, 2023.

Dated: July 10, 2023.

M.I. Kuperman,

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

[FR Doc. 2023-15028 Filed 7-14-23; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2023-0516]

Safety Zones; Annual Events in the Captain of the Port Buffalo Zone

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulations.

SUMMARY: The Coast Guard will enforce a safety zone that encompasses certain navigable waters in the Cleveland Inner Harbor West Basin on Lake Erie, for the Whiskey Island Paddlefest in Cleveland, OH. This action is necessary and intended for the safety of life and property on navigable waters during this event. During the enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo or a designated representative.

DATES: The regulations in 33 CFR 165.939, Table (c)(1) will be enforced from 7:30 a.m. through 1:30 p.m. on August 19, 2023.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Lieutenant Jared Stevens, Waterways Management Division, U.S. Coast Guard Marine Safety Unit Cleveland; telephone 216-937-0124, email *D09-SMB-MSUCLEVELAND-WWM@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce Safety Zones; Annual Events in the Captain of the Port Buffalo Zone, as listed in 33 CFR 165.939, Table 165.939(c)(1) in Cleveland, OH on all U.S. waters from 41°29'59.5" N and 081°42'59.3" W to 41°30'4.4" N and 081°42'44.5" W to 41°30'17.3" N and 081°43'0.6" W to 41°30'9.4" N and 081°43'2.0" W to 41°29'54.9" N and 081°43'34.4" W to 41°30'0.1" N and 081°43'3.1" W and back to 41°29'59.5" N and 081°42'59.3" W (NAD 83) for the Whiskey Island Paddlefest in the Cleveland Inner Harbor West Basin, Lake Erie.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of Port Buffalo via channel 16, VHF-FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Buffalo or his designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notice of enforcement is issued under authority of 33 CFR 165.939 and 5 U.S.C. 552 (a). In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Buffalo determines that the safety zone need not be enforced for the full duration stated in this notice, they may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone. This notification is being issued by the Coast Guard Sector Buffalo Prevention Department Head at the direction of the Captain of the Port.

Dated: July 11, 2023.

Jeff B. Bybee,

Commander, U.S. Coast Guard, Sector Buffalo Prevention Department Head.

[FR Doc. 2023-15049 Filed 7-14-23; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF EDUCATION

34 CFR Chapter III

[Docket ID ED-2023-OESE-0038]

Final Priority and Requirements—Technical Assistance and Dissemination To Improve Services and Results for Children With Disabilities and the School Safety National Activities—National Technical Assistance Center on Positive Behavioral Interventions and Supports

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Final priority and requirements.

SUMMARY: The Department of Education (Department) announces a priority and requirements for the National Technical Assistance Center on Positive Behavioral Interventions and Supports (Center) under the Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities and the School Safety National Activities programs, Assistance Listing Number 84.326S. The final priority and requirements in this document are specific to the work funded out of the School Safety National Activities program and are designed to improve student safety and well-being. We may use this priority or one or more of these requirements in fiscal year (FY) 2023 and later years.

DATES: Effective August 16, 2023.

FOR FURTHER INFORMATION CONTACT: Renee Bradley, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: (202) 987-1128. Email: Renee.Bradley@ed.gov.

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:

Purpose of Program: The purpose of the Center is to enhance the capacity of States and local educational agencies (LEAs) to implement positive and safe school climates, and effectively support and respond to students' social, emotional, behavioral, and mental health needs to ensure participation and enhance learning, by implementing evidence-based practices (EBPs) within a multi-tiered system of support (MTSS) framework.

Note: The Center is jointly funded under the Individuals with Disabilities Education Act (IDEA) and the Elementary and Secondary Education Act (ESEA). By combining funds from two separate programs, the Department is able to make a

more comprehensive investment to address the purpose of the Center.

Program Authority: Section 4631(a)(1)(B) of the ESEA (20 U.S.C. 7281).

We published a notice of proposed priority and requirements (NPP) for this program in the **Federal Register** on March 13, 2023 (88 FR 15336). That document contained background information and our reasons for proposing the particular priority, including the requirements.

As discussed in the *Analysis of Comments and Changes* section of this document, we made minor changes to the priority. We made both substantive and editorial changes to the application requirements.

Public Comment: In response to our invitation in the NPP, 16 parties submitted comments addressing the priority, including the requirements.

Generally, we do not address technical and other minor changes, or suggested changes the law does not authorize us to make under the applicable statutory authority. In addition, we do not address general comments that raised concerns not directly related to the proposed priority and requirements.

Analysis of Comments and Changes: An analysis of the comments and of any changes in the priority and requirements since publication of the NPP follows. We group major issues according to subject.

General Comments:

Comment: All commenters expressed general support for the priority and requirements. Commenters supported the Department's efforts to implement EBPs within an MTSS/Positive Behavioral Interventions and Supports (PBIS) framework, supports for underserved students, and the provision of technical assistance (TA) to State educational agencies (SEAs) and local educational agencies (LEAs) to develop, expand, and sustain schoolwide MTSS frameworks and to build personnel capacity and expertise to promote safe, positive, predictable, and culturally and linguistically inclusive learning environments where students feel a sense of belonging.

In addition, a commenter appreciated the access to external expertise; a second commenter recognized the need for support of various subgroups and geographic areas; and a third commenter expressed support for the inclusion of rural schools in the priority.

Discussion: We appreciate the support for the program and for the specific emphasis on implementing EBPs within an MTSS/PBIS framework.

Changes: None.

Comments Addressing the Priority:

Comment: All commenters expressed general support for the priority. Some commenters suggested additions to the priority. One commenter recommended emphasizing in-service training opportunities for teachers and training for school administrators. A second commenter suggested revising the priority to incorporate student and parent input into all aspects of the initiative, including development, implementation, evaluation, and continuous quality improvement. A third commenter suggested prioritizing Tier 1 prevention programs to support building student social and emotional skills.

Discussion: We agree with the importance of providing training for administrators. We note that administrators are included under school-based and LEA personnel referenced throughout the priority as intended recipients of capacity-building services or users of Center products, and we have added a phrase to clarify their inclusion in the priority.

We agree with the importance of in-service training and coaching to ensure current teachers and staff have the necessary knowledge and skills for effective implementation, and we also believe that pre-service training could be an effective approach. We are revising the priority to specify in-service training, coaching, and pre-service training as methods that can be used to improve knowledge and skills.

We agree with the importance of including end user recipients of the services as critical partners in ensuring that TA activities are high-quality, relevant, and useful in improving outcomes for intended beneficiaries. We believe student and family engagement and collaboration are sufficiently incorporated through several application requirements, such as those in paragraphs (b)(5)(iv)(D) and (e)(4). In addition, family and student engagement and collaboration have been evident in prior iterations of this investment and we would expect the same in this iteration.

Finally, we also agree with the need to prioritize Tier 1 prevention to include building social and emotional skills. Because the purpose of this priority is to effectively support and respond to students' social, emotional, behavioral, and mental health needs, we do not believe additional changes are necessary.

Changes: We have revised expected outcome (b) to specifically reference pre- and in-service training and coaching and to clarify that

administrators and practitioners are included in the reference to school personnel.

Comments Addressing the Application Requirements:

Comment: One commenter strongly urged adding gender identity/LGBTQ+ status, limited English proficiency/ language status, and socio-economic status to application requirement (b)(1).

Discussion: We support including groups that have traditionally been underrepresented. We note that application requirement (d)(1) also lists the same categories of traditionally underrepresented groups.

Changes: We have added LGBTQI+, English learner, and socio-economic status to application requirement (b)(1). We have also revised application requirement (d)(1) to align with the language in (b)(1).

Comment: One commenter recommended revising application requirement (b)(5) to require applicants to describe how they will provide TA to families, especially underserved families, and to federally funded parent centers.

Discussion: We agree with the importance of providing TA directly to parents and families. The Department has several investments to support parents and families, including Parent Training and Information Centers, Community Parent Resource Centers, and Statewide Family Engagement Centers (For more information see: <https://www.parentcenterhub.org/find-your-center/> and <https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/school-choice-improvement-programs/statewide-family-engagement-centers-program>). In addition, application requirement (b)(5)(iv)(D) requires applicants to describe how they will work across the education system (e.g., SEAs, regional TA providers, LEAs, schools, families) to ensure adequate communication across levels as well as systems to support the use of PBIS. The Department believes this requirement sufficiently addresses the commenter's interest in supporting family and parent engagement. The Center will provide TA to SEAs and LEAs on enhancing efforts to engage and collaborate with families. The Center will also collaborate with and provide information to the federally funded parent grants.

Changes: None.

Comment: One commenter recommended referring to the perspectives of other Department investments in application requirement (e)(4).

Discussion: Under requirement (e)(4), applicants must demonstrate how the project will benefit from a diversity of perspectives, including a list of entities, "among others." The list in the requirement is not intended to be exhaustive. We believe the inclusion of "among others" is adequate to include other related Federal investments if the applicant so chooses. We believe that consideration of other perspectives, including other Department investments, should be discretionary, not mandatory, as SEAs and LEAs are the primary recipients of services for this investment.

Changes: None.

Comment: One commenter recommended we also require applicants to describe how they will develop resources and tools, and use dissemination strategies, that are easily accessible to practitioners.

Discussion: We agree with the importance of ensuring that resources and tools are developed and formatted specific to intended audiences and are relevant and useful to those served by the Center, but we do not think an additional application requirement is necessary. Applicants' proposals regarding the design and quality of their materials and services are addressed in application requirements (b)(5)(iii)(A), (b)(6), and (b)(7) and will be evaluated and scored by peer reviewers.

Changes: None.

Comment: One commenter requested that we emphasize universal TA and ensure that the TA Center is available to all States, districts, and schools.

Discussion: We agree that it is important for universal TA to be available to a broad audience. Application requirement (f)(4) requires a website and dissemination plan to ensure broad dissemination of resources, tools, and access to expertise. Building State and local capacity to expand access to experts is explicitly stated in the purpose of the priority and as a Center outcome (see expected outcome (b)). In past iterations of this investment, the "train the trainers" approach successfully built capacity for universal prevention and implementation practices, and applicants may consider this approach again as an activity to build SEA and LEA capacity.

Changes: None.

Comment: One commenter suggested expanding the diversity of perspectives on the 3+2 evaluation team to include parent centers, statewide family engagement centers, the center for parent information and resources, and regional parent technical assistance centers.

Discussion: We agree with including a diversity of perspectives throughout the Center's activities, including on the 3+2 review team, and recipients of services, such as parent centers, can provide an important perspective to the 3+2 review team. Because parent centers are only one type of service recipient, however, we believe it would be more appropriate to incorporate the broader category of "recipients of services" onto the review team and not limit the perspective to only parent centers but include a broader parent perspective as well as other recipient perspectives such as school leaders, teachers, LEA and SEA personnel, and students. We are revising the corresponding application requirement to include recipients of services, which includes the Federal parent centers.

Changes: Under *Fourth and Fifth Years of the Project*, in paragraph (a), we have expanded the participants on the 3+2 review team to include recipients of services.

Comment: Two commenters suggested being more specific on required collaborations, one requesting the inclusion of families and other Federal investments and one the inclusion of community organizations (backbone organizations).

Discussion: We agree that it is important that the Center collaborate with a range of stakeholders and partners to accomplish the outcomes of this investment.

Changes: We have added "families, community providers, and other Federal investments" to application requirement (b)(6)(ii).

Comment: One commenter recommended we include rural schools in application requirement (a)(1)(iii).

Discussion: Application requirement (a)(1)(iii) requires an applicant to present information on current implementation of MTSS/PBIS and its benefits for students, as part of a larger requirement in paragraph (a)(1) to demonstrate how the applicant's project will improve implementation and scaling of EBPs within an MTSS/PBIS framework and provide additional behavioral supports for students whose behavior impacts their ability to benefit from a high-quality education environment. We agree that it is important for the priority and requirements to address information about and benefits to rural schools, and note that rural schools are already included in the list of settings described in the priority. To address the commenter's feedback on providing information about rural schools in the application requirements, we are revising requirement (a)(1) to ensure

that applicants address how the proposed project will improve implementation of MTSS/PBIS frameworks across the variety of settings listed in the priority, which includes rural settings. We are making this change to (a)(1) generally, and not simply to (a)(1)(iii) as the commenter requested, because we believe all three sub-paragraphs would be strengthened by the requirement to address a variety of settings. The Department notes that in any year we use this priority, we can specify, in the notice inviting applications, which of the settings in the priority must be addressed by the applicants.

Changes: We have added language to requirement (a)(1) to include "other underserved students in the settings established in the priority."

Comment: One commenter recommended that we require applicants to provide evidence of their knowledge of rural schools and demonstrate their experience in implementing EBPs in rural schools.

Discussion: We agree that applicants must demonstrate knowledge of and experience in the required activities. As mentioned above, we revised requirement (a)(1) to ensure that applicants demonstrate how the proposed project will improve implementation of MTSS/PBIS frameworks across a variety of settings, including rural settings.

Additionally, application requirement (d)(2) requires applicants to address how their key personnel, consultants, and subcontractors have the qualifications and experience to carry out the proposed activities and achieve the project's intended outcomes. We believe the applicants' responses to these two requirements will provide reviewers with sufficient information to ensure that applicants are prepared to be successful implementing the project in a variety of settings, including rural areas. In addition, application requirement (b)(6)(ii) requires applicants to list collaborators. In the past, successful applicants for national TA centers have gathered a team of experts with a range of expertise to address the various requirements.

Changes: None.

Comment: One commenter requested the Department include rural areas and Tribal areas in application requirement (b)(5)(iv)(A).

Discussion: Application requirement (b)(5)(iv)(A) requires the applicant to identify the intended recipients of the Center's intensive, sustained TA, including "recipients from a variety of settings and geographic distribution." Because rural areas are specifically

included among the priority's implementation settings and throughout the requirements, as discussed above, we do not believe separate mention is necessary in this application requirement. We note that Tribal areas are not one of the specified implementation settings in the priority. In addition, in the course of considering this comment, we also noted the absence of implementation settings with a high percentage of English learners.

Changes: In the priority, we have added to the list of implementation settings federally supported elementary schools or secondary schools for Indian students and English learners, which allows them to be among the "recipients from a variety of settings" under requirement (b)(5)(iv)(A).

Comment: One commenter, while generally supporting the priority and requirements, expressed concern that some requirements will unintentionally create burdensome conditions that will preclude successful applications from rural and small LEAs.

Discussion: We appreciate the overall support for the priority but note that this investment is for a national TA Center to enhance the capacity of States and LEAs across the country. Any entity interested in applying for this grant will need to be able to meet the requirements to apply for and implement the grant.

Changes: None.

Comment: One commenter recommended clarifying the roles and responsibilities of the Office of Special Education Programs (OSEP) project officer, Office of Elementary and Secondary Education (OESE) staff, and the Center to Improve Program and Project Performance (CIPP) as referenced in application requirement (c)(1).

Discussion: This Center will address two absolute priorities. Absolute Priority 1 will be funded by OSEP and managed by the OSEP project officer. Absolute Priority 2 will be funded by OESE and managed by OESE staff. The OSEP project officer and OESE staff will collaborate to manage the overall investment. The CIPP Center, an OSEP-funded TA center, will provide TA to the Center funded under this competition to help the Center review and revise the project evaluation plan to ensure the plan is well designed and adequate to collect data needed to demonstrate progress in meeting the grant requirements. Application requirements include assurances that the applicant will collaborate with CIPP on an evaluation plan. Work with CIPP will be further described at the Center kickoff meeting post-award. In addition, applicants will be given an opportunity

to attend an informational webinar and will be given a contact at the Department for additional application information and questions.

Changes: None.

FINAL PRIORITY:

Technical Assistance—School Safety National Activities Program—National Technical Assistance Center on Positive Behavioral Interventions and Supports.

The purpose of this priority is to enhance the capacity of SEAs and LEAs to implement positive and safe school environments, and effectively support and respond to students' social, emotional, behavioral, and mental health needs to improve their learning, by implementing EBP¹ within an MTSS/PBIS framework in one or more of the following settings:

(i) Programs or schools serving high percentages of students from low-income families in the following settings:

- (1) Early learning programs.
- (2) Elementary schools.
- (3) Middle schools.
- (4) High schools.
- (5) Career and technical education programs.

(6) Rural schools.

(ii) Alternative schools and programs.

(iii) Juvenile justice system or correctional facilities.

(iv) Low-performing schools.

(v) Schools with a high student-to-mental health provider ratio.

(vi) Schools with high rates of chronic absenteeism, exclusionary discipline, referrals to the juvenile justice system, bullying/harassment, community and school violence, or substance abuse.

(vii) Schools in which students recently experienced a natural disaster, incident of violence, or traumatic event.

(viii) Schools with high percentages of students with disabilities or English learners.

(ix) Federally supported elementary schools or secondary schools for Indian students.

To meet this priority, the applicant must propose to achieve, at a minimum, one or more of the following expected outcomes:

(a) Improved systems and resources at the national, regional, State, and district levels to support, develop, align, and sustain local implementation of MTSS/PBIS efforts to organize EBPs to support positive school climates and respond to student social, emotional, behavioral, and mental health needs to improve access to and engagement in learning.

(b) Improved capacity of SEA and LEA personnel to support the knowledge and skills development of school personnel, including administrators and practitioners, through efforts such as pre-service and in-service training and coaching, to implement MTSS/PBIS as a framework to organize EBPs to support and respond to student needs, particularly those students from underserved and culturally and linguistically diverse backgrounds, and students whose behaviors may interfere with their ability to fully participate in, and benefit from, a high-quality learning environment.

(c) Increased use by SEAs, LEAs, and school-based personnel of reliable and valid tools and processes for enhancing and assessing the fidelity of implementation of an MTSS/PBIS framework and for measuring intended outcomes, including improvements in school climate; time spent on instruction; well-being and belonging; overall academic achievement; and reductions in absenteeism, discipline referrals, suspensions, expulsions, the use of restraints or seclusion, illegal use of drugs, and referrals to law enforcement.

(d) Improved implementation of an MTSS/PBIS framework and EBPs, and assessment of SEA or LEA recipients of grant programs that focus on improving positive school climates and implementing EBPs to support and respond to students' social, emotional, behavioral, and mental health needs.

(e) Enhanced response and recovery assistance, as requested by and in collaboration with the Department, for violent or traumatic incidents that impact school communities, including intensive individualized support to facilitate recovery of the learning environment.

(f) Increased body of knowledge and evidence to enhance implementation of PBIS and other emerging MTSS frameworks and EBPs to address the social, emotional, behavioral, and mental health needs of underserved students in the settings established in the priority.

Requirements:

The Department proposes the following eligibility and application requirements for this program. We may apply one or more of these requirements in any year in which the program is in effect.

Eligible Applicants: SEAs; State lead agencies under Part C of the IDEA; LEAs, including public charter schools that are considered LEAs under State law; institutions of higher education; other public agencies; private nonprofit

organizations; freely associated States and outlying areas; Indian Tribes or Tribal organizations; and for-profit organizations.

Application Requirements:

(a) Demonstrate how the proposed project will—

(1) Improve SEAs' and LEAs' implementation, scaling, and sustaining of EBPs within an MTSS/PBIS framework and policies that are designed to improve school climate and, as needed, provide additional behavioral supports for students whose behavior impacts their ability to fully participate in, and benefit from, a high-quality learning environment, including students with disabilities and other underserved students in the settings established in the priority. To meet this requirement, the applicant must—

(i) Present applicable State, regional, or local data demonstrating SEAs' and LEAs' needs related to (A) implementation of EBPs and policies to improve school climate, student well-being and belonging; and (B) increasing students' ability to fully participate in, and benefit from, a high-quality learning environment;

(ii) Demonstrate knowledge of current education issues and policy initiatives relating to MTSS/PBIS and school climate practices and policies and EBPs to effectively support and respond to student behavior that impacts learning; and

(iii) Present information about the current level of implementation of MTSS/PBIS, EBPs, policies, best practices, and benefits for all students, especially underserved students and those from culturally and linguistically diverse backgrounds; and

(2) Improve the implementation of EBPs within an MTSS/PBIS framework to effectively support and respond to student behaviors that impact access to and participation in learning.

(b) Demonstrate how the proposed project will—

(1) Ensure equal access and treatment for members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, disability, LGBTQI+, English learner, or socio-economic status. To meet this requirement, the applicant must describe how it will—

(i) Identify the TA and information needs of the intended recipients; and

(ii) Ensure that services and products meet the needs of the intended recipients of the TA;

(2) Achieve its goals, objectives, and intended outcomes. To meet this requirement, the applicant must provide—

¹ "Evidence-based practices" (EBPs) means, at a minimum, demonstrating a rationale (as defined in 34 CFR 77.1) based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes.

(i) Measurable intended project outcomes; and

(ii) The logic model² by which the proposed project will achieve its intended outcomes that depicts, at a minimum, the goals, activities, outputs, and intended outcomes of the proposed project;

(3) Use a conceptual framework to develop project plans and activities, describing any underlying concepts, assumptions, expectations, beliefs, or theories, as well as the presumed relationships or linkages among these variables, and any empirical support for this framework;

(4) Be based on current research and make use of EBPs. To meet this requirement, the applicant must describe—

(i) The current research on the assessment of the implementation of MTSS/PBIS frameworks and related EBPs;

(ii) The current research about adult learning principles and implementation science that will inform the proposed TA; and

(iii) How the proposed project will incorporate current and emerging research and practices in the development and delivery of its products and services;

(5) Develop products and provide services that are of high quality and sufficient intensity and duration to achieve the intended outcomes of the proposed project. To address this requirement, the applicant must describe—

(i) How it proposes to identify or develop the knowledge base of PBIS;

(ii) Its proposed approach to universal, general TA,³ which must identify the intended recipients, including the type and number of recipients, that will receive the products and services, a description of the products and services that the Center proposes to make available, and the

expected impact of those products and services under this approach;

(iii) Its proposed approach to targeted, specialized TA,⁴ which must identify—

(A) The intended recipients, including the type and number of recipients, that will receive the products and services, a description of the products and services that the Center proposes to make available, and the expected impact of those products and services under this approach; and

(B) Its proposed approach to measure the readiness of potential TA recipients to work with the project, assessing, at a minimum, their current systems, available resources, and ability to build capacity at the local level; and

(iv) Its proposed approach to intensive, sustained TA,⁵ which must identify—

(A) The intended recipients, including the type and number of recipients from a variety of settings and geographic distribution, that will receive the products and services designed to improve school climate;

(B) Its proposed approach to measure the readiness of the State- and local-level personnel to work with the project, including their commitment to the initiative, alignment of the initiative to their needs, current systems, available resources, and ability to build capacity at the local level;

(C) Its proposed plan for assisting SEAs, LEAs, local Part C agencies, charter management organizations, and private school organizations to build or enhance training systems that include professional development based on adult learning principles and coaching; and

(D) Its proposed plan for working with appropriate levels of the education system (e.g., SEAs, regional TA providers, LEAs, schools, families, community providers) to ensure that

there is communication between each level and that there are systems in place to support the use of PBIS;

(6) Develop products and implement services that maximize efficiency. To address this requirement, the applicant must describe—

(i) How the proposed project will use technology to achieve the intended project outcomes;

(ii) With whom the proposed project will collaborate, including families, community providers, and other Federal investments as appropriate, and the intended outcomes of this collaboration; and

(iii) How the proposed project will use non-project resources to achieve the intended project outcomes; and

(7) Develop a dissemination plan that describes how the project will systematically distribute information, products, and services to varied intended audiences, using a variety of dissemination strategies, to promote awareness and use of the Center's products and services.

(c) Include an evaluation plan for the project as described in the following paragraphs. The evaluation plan must describe measures of progress in implementation, including criteria for determining the extent to which the project's products and services have met the goals for reaching its target population; measures of intended outcomes or results of the project's activities in order to evaluate those activities; and how well the goals or objectives of the proposed project, as described in its logic model, have been met.

The applicant must provide an assurance that, in designing the evaluation plan, it will—

(1) Designate, with the approval of the Office of Special Education Programs (OSEP) project officer in consultation with Office of Elementary and Secondary Education (OESE) staff, a project liaison with sufficient dedicated time, experience in evaluation, and knowledge of the project to work in collaboration with the Center to Improve Program and Project Performance (CIPP),⁶ the project

² As defined in 34 CFR 77.1, "logic model" (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (i.e., the active "ingredients" that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

³ "Universal, general TA" means TA and information provided to independent users through their own initiative, resulting in minimal interaction with Center staff and including one-time, invited or offered conference presentations by Center staff. This category of TA also includes information or products, such as newsletters, guidebooks, or research syntheses, downloaded from the Center's website by independent users. Brief communications by Center staff with recipients, either by telephone or email, are also considered universal, general TA.

⁴ "Targeted, specialized TA" means TA services based on needs common to multiple recipients and not extensively individualized. A relationship is established between the TA recipient and one or more Center staff. This category of TA includes one-time, labor-intensive events, such as facilitating strategic planning or hosting regional or national conferences. It can also include episodic, less labor-intensive events that extend over a period of time, such as facilitating a series of conference calls on single or multiple topics that are designed around the needs of the recipients. Facilitating communities of practice can also be considered targeted, specialized TA.

⁵ "Intensive, sustained TA" means TA services often provided on-site and requiring a stable, ongoing relationship between the Center staff and the TA recipient. "TA services" are defined as negotiated series of activities designed to reach a valued outcome. This category of TA should result in changes to policy, program, practice, or operations that support increased recipient capacity or improved outcomes at one or more systems levels.

⁶ The major tasks of CIPP are to guide, coordinate, and oversee the design of formative evaluations for every large discretionary investment (i.e., those awarded \$500,000 or more per year and required to participate in the 3+2 process) in OSEP's Technical Assistance and Dissemination; Personnel Development; Parent Training and Information Centers; and Educational Technology, Media, and Materials programs. The efforts of CIPP are expected to enhance individual project evaluation plans by providing expert and unbiased TA in designing the evaluations with due consideration of the project's budget. CIPP does not function as a third-party evaluator.

director, and the OSEP project officer on the following tasks:

(i) Revise the logic model submitted in the application, as appropriate, to provide for a more comprehensive measurement of implementation and outcomes and to reflect any changes or clarifications to the model discussed at the kickoff meeting;

(ii) Refine the evaluation design and instrumentation proposed in the application, as appropriate, to be consistent with the revised logic model and using the most rigorous design suitable (e.g., prepare evaluation questions about significant program processes and outcomes; develop quantitative or qualitative data collections that permit both the collection of progress data, including fidelity of implementation, as appropriate, and the assessment of project outcomes; and identify analytic strategies); and

(iii) Revise the evaluation plan submitted in the application such that it clearly—

(A) Specifies the evaluation questions, measures, and associated instruments or sources for data appropriate to answer these questions, suggests analytic strategies for those data, provides a timeline for conducting the evaluation, and includes staff assignments for completing the evaluation activities;

(B) Delineates the data expected to be available by the end of the second project year for use during the project's evaluation (3+2 review) by OSEP for continued funding described under the heading Fourth and Fifth Years of the Project; and

(C) Can be used to assist the project director and the OSEP project officer in consultation with OESE staff, with the assistance of CIPP, as needed, to specify the project performance measures to be addressed in the project's annual performance report;

(2) Dedicate sufficient staff time and other resources during the first 6 months of the project to collaborate with CIPP staff, including regular meetings (e.g., weekly, biweekly, or monthly) with CIPP and the OSEP project officer, in order to accomplish the tasks described in paragraph (c)(1) of this section; and

(3) Dedicate sufficient funds in each budget year to cover the costs of carrying out the tasks described in paragraphs (c)(1) and (2) of this section and revising and implementing the evaluation plan. Please note in your budget narrative the funds dedicated for this activity.

(d) Demonstrate how—

(1) The proposed project will encourage applications for employment

from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, disability, LGBTQI+, English learner, or socioeconomic status, as appropriate;

(2) The proposed key project personnel, consultants, and subcontractors have the qualifications and experience to carry out the proposed activities and achieve the project's intended outcomes;

(3) The applicant and any key partners have adequate resources to carry out the proposed activities; and

(4) The proposed costs are reasonable in relation to the anticipated results and benefits.

(e) Demonstrate how—

(1) The proposed management plan will ensure that the project's intended outcomes will be achieved on time and within budget. To address this requirement, the applicant must describe—

(i) Clearly defined responsibilities for key project personnel, consultants, and subcontractors, as applicable; and

(ii) Timelines and milestones for accomplishing the project tasks;

(2) Key project personnel and any consultants and subcontractors will be allocated and how these allocations are appropriate and adequate to achieve the project's intended outcomes;

(3) The proposed management plan will ensure that the products and services provided are of high quality, relevant, and useful to recipients; and

(4) The proposed project will benefit from a diversity of perspectives, including those of families, educators, TA providers, researchers, and policymakers, among others, in its development and operation.

(f) Address the following application requirements. The applicant must—

(1) Include personnel-loading charts and timelines, as applicable, to illustrate the management plan described in the narrative;

(2) Include, in the budget, attendance at the following:

(i) A one and one-half day kickoff meeting in Washington, DC after receipt of the award, and an annual planning meeting in Washington, DC, with the OSEP project officer, OESE representative, and other relevant staff during each subsequent year of the project period.

Note: Within 30 days of receipt of the award, a post-award teleconference must be held between the OSEP project officer and the grantee's project director or other authorized representative;

(ii) A two- and one-half day project directors' conference in Washington, DC during each year of the project period;

(iii) Three annual two-day trips to attend Department briefings, Department-sponsored conferences, and other meetings, as requested by OSEP or OESE; and

(iv) A one-day intensive 3+2 review meeting in Washington, DC during the second year of the project period;

(3) Include, in the budget, a line item for an annual set-aside of 5 percent of the grant amount to support emerging needs that are consistent with the proposed project's intended outcomes, as those needs are identified in consultation with, and approved by, the OSEP project officer in consultation with OESE staff as appropriate. With approval from the OSEP project officer, the project must reallocate any remaining funds from this annual set-aside no later than the end of the third quarter of each budget period;

(4) Maintain a high-quality website, with an easy-to-navigate design, that meets government or industry-recognized standards for accessibility;

(5) Ensure that annual project progress toward meeting project goals is posted on the project website; and

(6) Include an assurance to assist OSEP with the transfer of pertinent resources and products and to maintain the continuity of services to States during the transition to a new award at the end of this award period, as appropriate.

Fourth and Fifth Years of the Project:

In deciding whether to continue funding the project for the fourth and fifth years, the Secretary will consider the requirements of 34 CFR 75.253(a), including—

(a) The recommendations of a 3+2 review team consisting of experts and recipients of services who have experience and knowledge in PBIS. This review will be conducted during a one-day intensive meeting that will be held during the last half of the second year of the project period;

(b) The timeliness with which, and how well, the requirements of the negotiated cooperative agreement have been or are being met by the project; and

(c) The quality, relevance, and usefulness of the project's products and services and the extent to which the project's products and services are aligned with the project's objectives and likely to result in the project achieving its intended outcomes.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

This document does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This document does *not* solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the **Federal Register**.

Executive Orders 12866, 13563, and 14094

Regulatory Impact Analysis

Under Executive Order 12866, the Office of Management and Budget (OMB) must determine whether this regulatory action is “significant” and, therefore, subject to the requirements of the Executive order and subject to review by OMB. Section 3(f) of Executive Order 12866, as amended by Executive Order 14094, defines a “significant regulatory action” as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$200 million or more (adjusted every 3 years by the Administrator of Office of Information and Regulatory Affairs (OIRA) for changes in gross domestic product); or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, territorial, or Tribal Governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise legal or policy issues for which centralized review would

meaningfully further the President’s priorities or the principles stated in the Executive order, as specifically authorized in a timely manner by the Administrator of OIRA in each case.

This final regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866 (as amended by Executive Order 14094). Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not a “major rule,” as defined by 5 U.S.C. 804(2).

We have also reviewed this final regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency—

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account—among other things and to the extent practicable—the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives—such as user fees or marketable permits—to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency “to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible.” The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include “identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes.”

We are issuing the final priority, including requirements, only on a reasoned determination that its benefits justify its costs. In choosing among

alternative regulatory approaches, we selected those approaches that maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action does not unduly interfere with State, local, and Tribal Governments in the exercise of their governmental functions.

In accordance with these Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department’s programs and activities.

Discussion of Potential Costs and Benefits

The Department believes that the costs associated with the final priority, including requirements, will be minimal, while the benefits are significant. The Department believes that this regulatory action does not impose significant costs on eligible entities. Participation in this program is voluntary, and the costs imposed on applicants by this regulatory action will be limited to paperwork burden related to preparing an application. The benefits of implementing the program to focus attention on an identified need to enhance the capacity of States and LEAs to implement positive and safe school climates, and effectively support and respond to students’ social, emotional, behavioral, and mental health needs to ensure participation and enhance learning, by implementing EBPs within an MTSS framework, will outweigh the costs incurred by applicants, and the costs of carrying out activities associated with the application will be paid for with program funds. For these reasons, we have determined that the costs of implementation will not be burdensome for eligible applicants, including small entities.

Regulatory Alternatives Considered

The Department believes that the priority, including requirements, is needed to administer the program effectively.

Paperwork Reduction Act of 1995

The final priority, including requirements, contains information collection requirements that are approved by OMB under control number 1820–0028; the final priority,

including requirements, does not affect the currently approved data collection.

Regulatory Flexibility Act

Certification: The Secretary certifies that this final regulatory action will not have a significant economic impact on a substantial number of small entities. The U.S. Small Business Administration (SBA) Size Standards define proprietary institutions as small businesses if they are independently owned and operated, are not dominant in their field of operation, and have total annual revenue below \$7,000,000. Nonprofit institutions are defined as small entities if they are independently owned and operated and not dominant in their field of operation. Public institutions are defined as small organizations if they are operated by a government overseeing a population below 50,000.

The small entities that this final regulatory action will affect are LEAs, including charter schools that operate as LEAs under State law; institutions of higher education; other public agencies; private nonprofit organizations; Indian Tribes or Tribal organizations; and for-profit organizations. We believe that the costs imposed on an applicant by this final priority, including requirements, will be limited to paperwork burden related to preparing an application and that the benefits of this final priority, including requirements, will outweigh any costs incurred by the applicant.

Participation in the TA Center grant program is voluntary. For this reason, the final priority, including requirements, imposes no burden on small entities unless they apply for funding under the program. We expect that in determining whether to apply for TA Center funds, an eligible entity will evaluate the requirements of preparing an application and any associated costs and weigh them against the benefits likely to be achieved by receiving a grant to establish and operate the TA Center. An eligible entity will most likely apply only if it determines that the likely benefits exceed the costs of preparing an application.

We believe that the final priority, including requirements, will not impose any additional burden on a small entity applying for a grant than the entity would face in the absence of this final action. That is, the length of the applications those entities would submit in the absence of this final regulatory action and the time needed to prepare an application will likely be the same.

This final regulatory action will not have a significant economic impact on a small entity once it receives a grant, because it will be able to meet the costs

of compliance using the funds provided under this program.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local Governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

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.

James F. Lane,

*Principal Deputy Assistant Secretary,
Delegated the Authority to Perform the
Functions and Duties of Assistant Secretary
for the Office of Elementary and Secondary
Education.*

[FR Doc. 2023-15162 Filed 7-13-23; 4:15 pm]

BILLING CODE 4000-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[GN Docket No. 16-142; FCC 23-53; FR ID 152588]

Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) makes changes to its Next Gen TV rules designed to preserve over-the-air (OTA) television viewers' access to the widest possible range of programming while also supporting television broadcasters' transition to the next generation of broadcast television technology. In the first part of this Order, the Commission establishes a licensing regime for Next Gen TV stations' multicast streams that are aired on host stations during the transition period. In the second part of this Order, the Commission retains the substantially similar rule and the requirement to comply with the ATSC A/322 standard.

DATES: Effective August 16, 2023, except for §§ 73.3801(f) and (i), 73.6029(f) and (i), and 74.782(g) and (j) which contain information collection requirements that are not effective until approved by the Office of Management and Budget (OMB). The Commission will publish a document in the **Federal Register** announcing the effective date for these sections. In addition, effective August 16, 2023, the stay on 47 CFR 73.682(f)(2)(iii) is lifted.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, (202) 418-7142. Direct press inquiries to Janice Wise at (202) 418-8165. For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, send an email to PRA@fcc.gov or contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Third Report and Order, in GN Docket No. 16-142; FCC 23-53, adopted on June 20, 2023 and released on June 23, 2023. The full text of this document is available electronically via the FCC's website at <https://docs.fcc.gov/public/attachments/FCC-23-53A1.pdf> or via the FCC's Electronic Comment Filing

System (ECFS) website at <https://www.fcc.gov/ecfs> (Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat). Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Synopsis

I. Introduction

1. In this Third Report and Order in the Next Generation Broadcast Television (ATSC 3.0 or Next Gen TV) docket, we make changes to our Next Gen TV rules designed to preserve over-the-air (OTA) television viewers' access to the widest possible range of programming while also supporting television broadcasters' transition to the next generation of broadcast television technology. These changes are based on the records collected in response to both the *Next Gen TV Multicast Licensing FNPRM*, 86 FR 70793 (Dec. 13, 2021), and the *Sunsets FNPRM*, 87 FR 40464 (Jul 7, 2022). We generally adopt our proposal in the *Next Gen TV Multicast Licensing FNPRM* to allow a Next Gen TV station¹ to seek modification of its license² to include certain of its non-primary video programming streams (multicast streams)³ that are aired on "host" stations⁴ during a transitional

¹ By "Next Gen TV" broadcaster or station, we mean a television broadcaster or station that has obtained Commission approval and commenced broadcasting its signal using the ATSC 3.0 standard in its local market. A station can deploy ATSC 3.0 service either by converting its own facility to ATSC 3.0 or by airing its ATSC 3.0 signal(s) on a station in its local market that has converted its facility to ATSC 3.0 (which we refer to as an ATSC 3.0 "host" station). For purposes of this Report and Order, a station's "own" channel or facility refers to the channel and facility on which it operated prior to its transition to ATSC 3.0 (even if it has already converted to operate in 3.0). We use this term to distinguish between operations on this facility and a station's operations as a guest on a host facility.

² While in this document we may refer to the licensing of multicast streams, we clarify that we are establishing a process to license a guest Next Gen TV station capacity on a host's channel for the purpose of airing one or more guest multicast streams. Consistent with the *Next Gen TV Multicast Licensing FNPRM*, each portion of a host channel that is being licensed by a guest station to air one or more programming streams will be separately authorized channels under the originating (guest) broadcaster's single, unified license.

³ For purposes of this Report and Order, "multicast" stream(s) refers to a TV broadcast station's non-primary video programming stream(s); that is, stream(s) other than the station's primary video programming stream.

⁴ A "host" station is one whose facilities are being used to transmit programming originated by another station (*i.e.*, "guest") as part of a local simulcasting arrangement.

period. In adopting this proposal, we follow the same licensing framework, and to a large extent the same regulatory regime, established for the simulcast of primary video programming streams on "host" station facilities.⁵ We also extend the sunsets of, and thus retain in effect until at least July 17, 2027, the substantially similar rule for simulcast streams and the requirement to comply with the ATSC A/322 standard on primary 3.0 streams.⁶

2. Given that Next Gen TV stations must, without any additional allocation of spectrum, continue serving ATSC 1.0 viewers while voluntarily transitioning to ATSC 3.0, we seek to take actions that will minimize viewer disruption as much as possible during this limited transition period. Specifically, this Report and Order seeks to facilitate and encourage partnerships that will minimize potential disruptions by permitting stations in a market to work together to preserve viewers' access to ATSC 1.0-formatted programming during the transition. We intend simultaneously to facilitate broadcasters' voluntary transition to ATSC 3.0, which can provide consumers with the benefit of new and innovative services, while protecting the vast majority of over-the-air TV viewers who continue to rely on 1.0 equipment.

3. In the accompanying Fourth Further Notice of Proposed Rulemaking (*RAND FNPRM*), published elsewhere in this issue of the **Federal Register**, we seek to further our understanding of the current marketplace for ATSC 3.0 Standard Essential Patents (SEPs) and the ability of third parties to develop products that rely upon them. We also seek comment on the impact on consumers if the Commission were to adopt, or not adopt, rules to require essential patent holders in 3.0 technology to commit to licensing them on reasonable and non-discriminatory (*RAND*) terms.

II. Background

4. In 2017, the Commission authorized television broadcasters to use the Next Gen TV transmission standard, also called "ATSC 3.0" or "3.0," on a voluntary, market-driven

⁵ We note that our rules do not prohibit the use of private contractual arrangements for partner stations to air their multicast streams. For regulatory compliance purposes, such streams would be considered multicast streams of the host partner station, not the originator (guest) station.

⁶ The Commission will initiate a review approximately one year before these rules are set to expire to seek comment on whether they should be extended based on marketplace conditions at that time.

basis.⁷ The Commission required that broadcasters voluntarily deploying ATSC 3.0 service must, with very limited exceptions,⁸ continue to air at least their primary streams using the current-generation TV transmission standard, also called "ATSC 1.0" or "1.0," to their viewers through "local simulcasting." Under the Commission's rules, Next Gen TV broadcasters are encouraged, but not required, to simulcast their 3.0 multicast streams in a 1.0 format.

5. The Commission found that the local simulcasting requirement is crucial to deploying Next Gen TV service in a manner that minimizes viewer disruption. The Next Gen TV standard is not backward-compatible with existing TV sets or receivers, which have only ATSC 1.0 and analog tuners. Accordingly, viewers will be unable to watch ATSC 3.0 transmissions on their existing televisions without additional equipment. Thus, it is critical that Next Gen TV broadcasters continue to provide service using the current ATSC 1.0 standard while the consumer equipment marketplace adopts televisions and converter devices compatible with the new 3.0 transmission standard. This is necessary in order to avoid forcing viewers to acquire expensive new equipment immediately or depriving them of their local television service during the transition. Because a TV station cannot, as a technical matter, simultaneously broadcast in both 1.0 and 3.0 format from the same facility on the same physical channel, local simulcasting must be effectuated through voluntary

⁷ Next Gen TV is the newest broadcast TV transmission standard, developed by the Advanced Television Systems Committee (ATSC), which promises to enable broadcasters to deliver an array of new video and non-video services and enhanced content features to consumers. ATSC 3.0 merges the capabilities of over-the-air (OTA) broadcasting with the broadband viewing and information delivery methods of the internet, using the same 6 MHz channels presently allocated for TV service. As 3.0 proponents have previously explained to the Commission, the greater spectral capacity of the new standard and its internet-Protocol delivery component will allow broadcasters to provide consumers with a higher quality television viewing experience, such as ultra-high-definition (UHD) picture resolutions and immersive audio. It also has the potential to enable broadcasters to reach viewers on both home and mobile screens. In addition, ATSC 3.0 will allow broadcasters to offer enhanced public safety capabilities, such as geo-targeting of emergency alerts to tailor information to particular communities and emergency alerting capable of waking up sleeping devices to warn consumers of imminent emergencies, as well as greater accessibility options, localized content, and interactive educational children's content.

⁸ LPTV and TV translator stations may deploy ATSC 3.0 service without providing an ATSC 1.0 simulcast signal. In addition, full power and Class A stations may request a waiver of the simulcast requirements.

partnerships that broadcasters seeking to provide Next Gen TV service enter into with other broadcasters in their local markets. A Next Gen TV station must partner with another television station (*i.e.*, a temporary “host” station) in its local market to either: (1) air an ATSC 3.0 channel at the temporary host’s facility, while using its original facility to continue to provide an ATSC 1.0 simulcast channel, or (2) air an ATSC 1.0 simulcast channel at the temporary host’s facility, while converting its original facility to the ATSC 3.0 standard in order to provide a 3.0 channel.⁹ A Next Gen TV station’s ATSC 1.0 “simulcast” must be “substantially similar” to that of the primary video programming stream on the ATSC 3.0 channel. Substantially similar “means that the programming must be the same except for advertisements, promotions for upcoming programs, and programming features that are based on the enhanced capabilities of ATSC 3.0.”

6. The process for considering applications to deploy ATSC 3.0 service includes coverage requirements for a Next Gen TV station’s ATSC 1.0 simulcast signal.¹⁰ The Commission sought to minimize disruption to viewers resulting from the voluntary deployment of ATSC 3.0 while recognizing that if a station moves its ATSC 1.0 signal to a partner simulcast host station with a different transmitter location, some OTA viewers may no longer be able to receive the station’s 1.0 signal. Among other obligations, the Commission requires the Next Gen TV station to select a partner 1.0 simulcast host station that is assigned to its same designated market area (DMA) and from which it will continue to provide ATSC 1.0 simulcast service to its entire community of license.¹¹

⁹ In either case, a Next Gen TV broadcaster must simulcast the primary video programming stream of its ATSC 3.0 channel in an ATSC 1.0 format, so that viewers will continue to receive ATSC 1.0 service. By the time the transition is complete, any temporary authority granted for local simulcasting will expire, and a station will once again be required to air all of its licensed programming on its own single channel. In June 2022, the Commission initiated a proceeding to consider the state of the transition and the Next Gen TV marketplace.

¹⁰ A Next Gen TV broadcaster must file an application and obtain Commission approval before a 1.0 simulcast channel or a 3.0 channel aired on a partner host station can go on the air, as well as before an existing 1.0 station can convert to 3.0 operation or back to 1.0 operation.

¹¹ Because Class A TV stations do not have a community of license, the Commission established a coverage requirement based on contour overlap and mileage. Some stations may not be formally assigned by Nielsen to DMAs. As stated in the *Next Gen TV First Report and Order*, “we will consider stations that are not assigned to a DMA by Nielsen

A. Multicast Licensing

7. According to the National Association of Broadcasters (NAB), as ATSC 3.0 deployment has progressed, broadcasters interested in transitioning to ATSC 3.0 while maintaining their current programming streams have faced challenges finding partner stations willing to host broadcasters’ multicast streams through private contractual agreements. Moreover, NAB states that Next Gen TV broadcasters want to “continue to serve audiences with multicast streams,” even though they are not required to do so. NAB contends that stations are hesitant to serve as hosts pursuant to private arrangements due to concerns about regulatory liability and whether such private multicast agreements are expressly permitted under the Commission’s ATSC 3.0 rules. Moreover, NAB observes that “a purely contractual approach [to ATSC 3.0 deployment-related sharing arrangements] would exclude noncommercial stations from participating in sharing arrangements to host commercial multicast streams” under section 399B of the of the Communications Act. In addition, NAB asserts that if broadcasters execute hosting agreements for their multicast streams that are not reflected on the license of the originating station, “the Commission might not retain enforcement authority” over the originating station with respect to that guest stream.¹²

8. Because our existing rules do not address a guest station’s licensing of a host station’s spectrum to air multicast streams, even with regard to the host that is airing the guest station’s primary stream, the Media Bureau implemented an interim process by which a Next Gen TV broadcaster that has converted or is seeking to convert its facility to 3.0 can seek special temporary authority (STA) to air 1.0 multicast streams on a host station. Just as under the current rules for primary guest streams, these STAs permit a guest multicast stream to be treated as if it originated from the Next Gen TV broadcaster’s facility, as opposed to the host station’s facility, for purposes of the Commission’s rules and the Communications Act. The STAs granted to date are valid for six months but may be renewed. This case-by-case process is resource-intensive for both the Commission and broadcasters, in

to be assigned to the DMA in which they are located.”

¹² The NAB asserts that these issues “could create complex contractual indemnification concerns that could complicate deployment,” particularly for NCE stations, “some of which are restricted or prohibited entirely from agreeing to indemnification.”

addition to making it difficult for potential viewers to track where streams are being hosted.

9. In November 2020, NAB filed a Petition for Declaratory Ruling and Petition for Rulemaking (Petition) asking the Commission to allow Next Gen TV stations to seek modification of their licenses to include certain of their multicast streams that are aired in a different service on host stations during the period of transition to 3.0. In response to the NAB Petition, we adopted the *Next Gen TV Multicast Licensing FNPRM*,¹³ which:

- Proposed to license a Next Gen TV broadcaster’s simulcast multicast stream(s) either together with its primary stream on the primary simulcast host or on different simulcast host(s). A “simulcast multicast stream” in the context of this proceeding is a multicast stream that is aired by a Next Gen TV station, in substantially similar fashion,¹⁴ in both 1.0 and 3.0 formats throughout the mandatory local simulcasting period.¹⁵

- Proposed to license a Next Gen TV broadcaster’s “non-simulcast” 1.0 multicast stream(s) either together with its primary stream on its primary 1.0 host or on different 1.0 simulcast host(s). A “non-simulcast 1.0 multicast stream” in the context of this proceeding is a multicast stream that is

¹³ Comments were due February 11, 2022 and reply comments were due March 14, 2022.

¹⁴ As with primary streams, “substantially similar” multicast streams must have the same programming, except for programming features that are based on the enhanced capabilities of ATSC 3.0, including targeted advertisements and promotions for upcoming programs. Such enhanced content or features that cannot reasonably be provided in ATSC 1.0 format include: “hyper-localized” content (*e.g.*, geo-targeted weather, targeted emergency alerts, and hyper-local news), programming features or improvements created for the 3.0 service (*e.g.*, emergency alert “wake up” ability and interactive programming features), enhanced formats made possible by 3.0 technology (*e.g.*, 4K or HDR), and any personalization of programming performed by the viewer and at the viewer’s discretion.

¹⁵ That is, we mean either (1) a 1.0 multicast guest stream aired on a host that is a simulcast of a 3.0 multicast stream aired by the Next Gen TV station, or (2) a 3.0 multicast guest stream aired on a host that is a simulcast of a 1.0 multicast stream aired by the Next Gen TV station. For example, in this situation, Station A converts to 3.0 and arranges for Station B (remaining in 1.0) to host Station A’s primary stream and one multicast stream in 1.0; Petitioner wants the multicast stream, like the primary stream, to be licensed to Station A, the originator of the streams. In addition, if Station A arranges for Station C (not the primary host) to host a second multicast stream in 1.0, that multicast stream would also be licensed to Station A. In these examples, Station A would itself be broadcasting both multicast streams in 3.0. Likewise, if a station remained in 1.0, it would be allowed to license its 3.0 multicast streams aired either by the primary host or a secondary host. In these situations, the multicast channels are being simulcast.

aired only in 1.0 format and not in 3.0 format.¹⁶

- Declined to consider NAB's proposal to license a Next Gen TV broadcaster's "non-simulcast" 3.0 multicast stream(s) either together with its primary stream on its primary 3.0 host or on different 3.0 host(s). A "non-simulcast 3.0 multicast stream" in the context of this proceeding is a multicast stream that is aired only in 3.0 format and not in 1.0 format.

- Proposed to allow, under certain circumstances, a Next Gen TV station to simulcast its primary stream programming both on its primary stream host and on a multicast stream carried by a different partner station in order to minimize the impact of service loss that would result if it were only able to air its primary stream on a single host.

The *Next Gen TV Multicast Licensing FNPRM* also considered whether to limit the amount of host capacity that may be used by a given Next Gen TV station, and, in particular, sought comment on NAB's proposal that: "In arranging for the hosting of its programming, no individual broadcaster shall partner with other stations to host, in the aggregate, more programming than such station could broadcast on its own facilities based on the then-current state of the art for television broadcasting as evidenced by other television stations then operating with the same standard." In response to the *Next Gen TV Multicast Licensing FNPRM*, we received comments, reply comments, and ex parte communications from 15 different parties, including 10 broadcast station groups and associations (including NAB) and two multichannel video programming distributor (MVPD) associations.

B. Sunsets

10. "Substantially Similar" Rule. In the *First Next Gen TV Report and Order*, 83 FR 4998 (Feb. 2, 2018), the Commission adopted a requirement that the programming aired on a Next Gen TV station's ATSC 1.0 simulcast channel be "substantially similar" to

that of the primary video programming stream on the ATSC 3.0 channel.¹⁷ This means that the programming must be the same, except for programming features that are based on the enhanced capabilities of ATSC 3.0 and promotions for upcoming programs. In adopting this approach, the Commission found it "will help ensure that viewers do not lose access to the broadcast programming they receive today, while still providing flexibility for broadcasters to innovate and experiment with new, innovative programming features using Next Gen TV technology." The Commission decided, however, that the substantially similar requirement would expire on July 17, 2023, unless the Commission takes action to extend it.¹⁸ In this regard, the Commission concluded that, while "this [substantially similar] requirement is necessary in the early stages of ATSC 3.0 deployment, it could unnecessarily impede Next Gen TV programming innovations as the deployment of ATSC 3.0 progresses." The Commission further stated that it "intend[ed] to monitor the ATSC 3.0 marketplace," and would "extend the substantially similar requirement if necessary." The substantially similar rule took effect on July 17, 2018, and is set to expire on July 17, 2023, unless extended by the Commission.¹⁹ The Commission affirmed this decision in 2020, but stated that, approximately one year before the requirement is set to expire, it would seek comment on whether the rule should be extended based on marketplace conditions at that time.

11. *Requirement to comply with the ATSC A/322 standard.* In authorizing use of the Next Gen TV broadcast transmission standard, the Commission in the *First Next Gen TV Report and Order* required compliance with only two parts of the ATSC 3.0 suite of standards: (1) ATSC A/321:2016 "System Discovery & Signaling" (A/321),²⁰ which is the standard used to communicate the RF signal type that the

ATSC 3.0 signal will use; and (2) A/322:2016 "Physical Layer Protocol" (A/322),²¹ which is the standard that defines the waveforms that ATSC 3.0 signals may take.²² In requiring compliance with A/322, the Commission observed that "device manufacturers and MVPDs may not be able to reliably predict what signal modulation a broadcaster is using unless broadcasters are required to follow A/322," at least with respect to their required primary programming stream. The Commission explained that "[t]his uncertainty could cause manufacturers to inadvertently build equipment that cannot receive Next Gen TV broadcasts or could render MVPDs unable to receive and retransmit the signals of Next Gen TV stations. These outcomes would harm consumers." The Commission, however, decided that it was not appropriate at the time "to require broadcasters to adhere to A/322 indefinitely," explaining that "the ATSC 3.0 standard could evolve, and stagnant Commission rules could prevent broadcasters from taking advantage of that evolution." The Commission thus determined that the requirement to comply with the A/322 standard would expire on March 6, 2023, absent Commission action to extend it. In establishing a sunset for A/322 compliance, the Commission sought to "balance [its] goals of protecting consumers while promoting innovation."²³ The Commission affirmed this decision in 2020, but stated that, approximately one year before the requirement is set to expire, it would seek comment on whether the rule should be extended based on marketplace conditions at that time.

12. In June 2022, we adopted a Third Further Notice of Proposed Rulemaking (*Sunsets FNPRM*) in the Next Gen TV docket considering and seeking comment on the state of the Next Gen TV transition and on the scheduled sunsets of the substantially similar rule and the requirement to comply with the ATSC A/322 standard. In response to the *Sunsets FNPRM*, the Commission received comments and reply comments from 32 different parties.

²¹ See ATSC A/322:2016 "Physical Layer Protocol" (2016), <https://atsc.org/wp-content/uploads/2016/10/A322-2016-Physical-Layer-Protocol.pdf>.

²² These two standards were incorporated by reference into the Commission's rules. The Commission applied the A/322 standard only to a Next Gen TV station's primary, free, OTA video programming stream.

²³ On March 6, 2023, the Commission temporarily extended this requirement pending further Commission action on the sunset.

¹⁶ For example, using Stations A, B, and C from the prior example, Station A (the 3.0 host) only has enough capacity to air its primary channel, Station B's primary channel, and Station C's primary channel in 3.0, but wants to continue to provide its multicast channels in 1.0 during the transition. In this situation, Stations B and C would each be hosting a multicast stream licensed to Station A, but neither multicast stream would be simulcast. Thus, by "non-simulcast 1.0 multicast stream," we refer to a multicast stream that was originated by a Next Gen TV station and aired in 1.0 format either on its own channel or a 1.0 host's channel, but that has no "substantially similar" stream being aired in 3.0 format by the originating station, whether on its own channel or on a 3.0 host's channel.

¹⁷ We refer to this as the substantially similar rule. The substantially similar rule is independent of the requirement for Next Gen TV broadcasters to simulcast in 1.0 format, a requirement that does not have a sunset date.

¹⁸ We emphasize that the underlying requirement that a Next Gen TV station must simulcast in 1.0 format does not have a sunset date. In addition, none of the other aspects of the local simulcasting rules are set to expire, including those governing simulcast arrangements and agreements; DMA and community of license coverage; and MVPD notices and consumer education.

¹⁹ The local simulcasting rules, sections 73.3801, 73.6029, and 74.782, took effect on July 17, 2018.

²⁰ See ATSC A/321:2016 "System Discovery & Signaling" (2016), <https://www.atsc.org/wp-content/uploads/2016/03/A321-2016-System-Discovery-and-Signaling.pdf>.

III. Discussion

13. In this Order, we largely adopt the rules proposed in the *Next Gen TV Multicast Licensing FNPRM*, establishing a licensing regime for Next Gen TV stations' multicast streams that are aired on host stations during the transition period. The rules we adopt facilitate and encourage Next Gen TV stations to preserve consumer access to multicast programming in 1.0 format during the voluntary ATSC 3.0 transition. They will provide the industry with regulatory certainty about the legal treatment of licensed multicast streams; clarify that the originating station (and not the host station) is responsible for regulatory compliance regarding a multicast stream being aired on a host station; give the Commission clear enforcement authority over the originating station in the event of a rule violation on the hosted multicast programming stream; and facilitate NCE stations' 3.0 deployment by allowing them to serve as hosts to commercial stations' multicast streams. We recognize that allowing Next Gen TV stations to seek modification of their licenses to include capacity on multiple host stations represents a notable departure from our present licensing regime. We also recognize that every such departure in aid of the voluntary NextGen TV transition, however minor it may appear, results in potential consumer harm and expense. For example, each time a stream is hosted on a different facility with a different noise-limited service contour (NLSC), some current viewers may lose a signal on which they may have come to rely, for the entire uncertain duration of the transition. By the same token, some viewers who were not previously in the coverage area may receive the signal for the first time. These viewers may come to rely on a signal that may be permanently lost at the end of the transition. Even in the case where a hosted stream covers the entire NLSC of the originating station, each time a change is made every single viewer must rescan each of their televisions and other receive devices to continue to receive that signal. In considering proposals like those in this proceeding, we therefore must weigh these inescapable harms, along with others unique to specific proposals, against the benefits that permitting additional flexibility in our licensing procedures may provide. In the case of the rules and flexibility adopted in this Order, we find that departing from our licensing regime is appropriate because it is limited to the temporary broadcast transition to 3.0 and to specific

situations for which there is a clear need. Where we have declined to adopt the flexibility sought by broadcasters, it is because the record does not demonstrate that the needs and benefits outweigh the harms.

14. First, we conclude that Next Gen TV stations may seek modification of their licenses to include one or more simulcast multicast streams on a host station or stations, whether that guest stream is a 1.0 or 3.0 simulcast ("simulcast" multicast streams). Second, we conclude that Next Gen TV stations that are broadcasting in 3.0 on their own channels may seek modification of their licenses to include one or more multicast streams aired only in 1.0 format on a host station or stations even if they are not simulcasting that stream in 3.0 ("non-simulcast" 1.0 multicast streams). To permit the licensing of multicast streams on a host, each of the originating station's guest multicast streams will be licensed as a temporary channel in the same manner as its primary stream is licensed on the primary host. That is, each of the originating station's guest multicast streams aired on a host will be considered to be an additional, separately authorized channel under the originating station's single, unified license. Third, we decline to address comments asking us to allow the licensing of 3.0 non-simulcast multicast streams (aired as guest streams on a 3.0 host station, as opposed to aired on a 3.0 station's own facility) because we specifically did not seek comment on this issue. Fourth, we limit the number of 1.0 guest streams that may be included in the license of a single Next Gen TV station to those which it would have the capacity to transmit over its own facility in 1.0. Fifth we allow, in certain circumstances, a Next Gen TV station to simulcast its primary stream programming both on its primary stream host and on a multicast stream carried by a different partner station in order to minimize the impact of 1.0 primary service loss that would result if originating station were only able to air its primary stream on a single host. Sixth, we extend the "ownership waiver" that applies in the primary stream context to ensure that hosted multicast streams do not implicate our broadcaster attribution rules, while reiterating that any changes in our rules governing multicast streams, including any changes adopted in the ongoing ownership proceeding, will apply equally to hosted multicast streams. Seventh, we decline to license same service (or "lateral") hosting

arrangements. Eighth, we conclude that we will generally apply the same ATSC 3.0 transition rules to licensed multicast streams as we do to primary simulcast streams. Ninth, we conclude that our multicast licensing rules will apply until the Commission eliminates the mandatory local simulcasting requirement. Finally, we extend the sunset dates for the substantially similar rule for simulcast streams and the requirement to comply with the ATSC A/322 standard on primary 3.0 streams.

A. Simulcast Multicast Streams

15. We adopt our unopposed tentative conclusion to allow a Next Gen TV broadcaster to seek modification of its license to include its simulcast multicast stream(s), whether they are hosted together with its primary stream on the primary simulcast host or on different simulcast host(s). That is, a Next Gen TV station may seek modification of its license to include one or more of its multicast streams, hosted by one or more partner stations, whenever the Next Gen TV station is airing that multicast stream in "substantially similar" fashion in both 1.0 and 3.0 formats and otherwise complying with the capacity, coverage, and other requirements discussed below. Broadcasters support this proposal,²⁴ and no commenter raised any concerns about permitting the licensing of simulcast multicast streams. We adopt our tentative conclusion that any "simulcast" multicast streams must be "substantially similar" as that term is

²⁴ As explained in the *Next Gen TV Multicast Licensing FNPRM*, the Commission did not address the issue of multicast licensing when adopting its initial rules. Instead, by default, multicast arrangements were left to private contractual arrangements and more recently to the STA process. We thus reject ONE Media's characterization of our existing rules. We clarify that the existing rules (relating to a Next Gen TV station's primary stream aired on a host) authorize only the use of the amount of capacity on a host's channel that is necessary for airing the guest's primary stream. The Commission did not previously authorize a guest station's use of host capacity for airing anything other than the guest's primary stream. We further clarify that we are authorizing a guest station to use host capacity only for the specific purpose of airing specific programming streams, each of which must be identified in the license application. We also thus reject ONE Media's position that "a guest station can use its capacity on the licensed host channel(s) for whatever programming or data services it wants." To be clear, guest stations (1.0 or 3.0) may never *license* host capacity for ancillary or supplemental services (also called Broadcast Internet services), although we note they may *lease* excess capacity from a host for such purposes through a private contractual arrangement. Moreover, guest stations on a 3.0 host, of course, may air 3.0 features even if separately provided from the programming stream (e.g., advanced emergency alerts), as such features are not ancillary or supplemental services but rather enhanced programming features.

defined in our rules and will apply this requirement for as long as it applies to primary simulcasts. In order to be considered a “simulcast,” a 1.0 multicast stream must be paired, one to one, with an identified 3.0 multicast stream.²⁵ We find that permitting the licensing of simulcast multicast streams best meets our dual goals of facilitating the transition to 3.0 and protecting current 1.0 viewers for the reasons discussed above, including by allowing NCE stations to host commercial multicast streams without violating section 399B. We again emphasize, however, that like local simulcasting arrangements for primary streams, hosting arrangements for multicast streams are temporary ones made to facilitate the station’s transition to 3.0 service. Any service temporarily provided by such a multicast stream beyond the station’s NLSC is incidental and may not be considered for securing any rights or benefits, now or in the future.²⁶

B. Non-Simulcast 1.0 Multicast Streams

16. We also adopt our tentative conclusion and will allow a Next Gen TV broadcaster to seek modification of its license to include its 1.0 non-simulcast multicast streams, whether they are hosted together with its primary stream on the primary simulcast host or on different simulcast host(s).²⁷ That is, a Next Gen TV station broadcasting in 3.0 on its own channel may seek modification of its license to include one or more 1.0 multicast streams aired on a 1.0 host or hosts, even when it is *not* simulcasting that multicast stream on a paired stream in a 3.0 format, so long as it is otherwise complying with the capacity, coverage,

and other requirements discussed below.²⁸ Broadcaster commenters support allowing the licensing of 1.0 non-simulcast multicast streams,²⁹ while MVPD commenters do not oppose such licensing, provided it is subject to reasonable limitations.³⁰ Like the licensing of 1.0 simulcast multicast streams, we find that permitting the licensing of 1.0 non-simulcast multicast streams will help preserve existing service and will achieve the goals discussed above, including by allowing NCE stations to host commercial multicast streams without violating section 399B.³¹ We agree with broadcasters that allowing multicast licensing for 1.0 non-simulcast multicast streams will benefit consumers by preserving viewer access to 1.0 multicast streams, particularly in situations where broadcasters that have transitioned to 3.0 on their own channels lack capacity to air their multicast streams on their 3.0 facilities. As observed in the *Next Gen TV Multicast Licensing FNPRM*, at this early stage of the transition ATSC 3.0 capacity will be limited. During the initial roll-out of 3.0 service, we expect markets will generally start with one or two ATSC 3.0 “lighthouse” stations, leaving capacity on 3.0 lighthouse stations mostly—if not entirely—for Next Gen TV stations’ primary streams. We agree with broadcasters that denying them this flexibility would likely lead them to stop broadcasting some 1.0 multicast streams altogether. We therefore find that, by extending our multicast licensing approach to non-simulcast 1.0 multicast streams, we will not only encourage Next Gen TV broadcasters to

preserve the multicast streams viewers watch today, but also facilitate their transition to 3.0 by making it easier for them to continue serving their existing viewers even while 3.0 spectrum is limited. While we expect that capacity constraints will be the primary reason for this relief, given the strong public interest in facilitating broadcasters’ preservation of the best possible 1.0 service during the transition period, and our limit on the amount of host capacity that may be licensed, we see no reason to require broadcasters to demonstrate 3.0 capacity constraints in order to license 1.0 non-simulcast multicast streams.³² Finally, we again emphasize that hosting arrangements for multicast streams are temporary ones made to facilitate the transition to 3.0 service.

C. Non-Simulcast 3.0 Multicast Streams

17. Our current rules do not provide for the licensing of 3.0 non-simulcast multicast streams aired as guest streams on a 3.0 host station.³³ In the *Next Gen TV Multicast Licensing FNPRM*, we specifically declined to seek comment on NAB’s proposal asking us to allow a Next Gen TV station (that continues to broadcast in 1.0 on its own channel) to seek modification of its license to include 3.0 multicast (guest) streams aired on a 3.0 host station, even if it is not simulcasting those multicast streams in a 1.0 format. Thus, we do not address the comments we nevertheless received on this issue. We note, however, that under our existing rules, a Next Gen TV station may air 3.0 non-simulcast multicast streams on its own 3.0 facility. This is because, under our existing rules, a Next Gen TV broadcaster does not have to simulcast its multicast streams in 1.0 and does not need separate license authorization to air its own multicast streams on its own 3.0 facility.³⁴

D. Limits on Licensing of Host Capacity

18. In response to our request for comment on ensuring that a Next Gen TV broadcaster does not use the interim flexibility proposed in this FNPRM to aggregate capacity beyond that which is

²⁵ Multicast streams serving to deliver a primary stream’s signal in order to minimize 1.0 primary stream service loss are the sole exception to this requirement.

²⁶ At the conclusion of the transition, each Next Gen TV station will resume service exclusively from its own facility, serving its existing NLSC. Because any service beyond this area will be temporary, such service will not be considered by the Commission in other contexts (e.g., must carry demands, market modifications, petitions for rulemaking to change a community of license, etc.).

²⁷ BitPath asked that we permit the licensing of multicast streams on different hosts with identical programming when necessary in order to preserve service. We do not adopt a specific rule addressing such streams, but we note that all guest multicast streams must serve the originating station’s community of license, and each of a station’s hosted streams will be considered when determining its compliance with the limitations on host capacity. In order to provide flexibility to preserve existing multicast streams, we also decline to restrict the number of 1.0 hosts with which a station may partner, so long as it does not exceed its licensed capacity and complies with the coverage requirements discussed below for each of its streams.

²⁸ Non-simulcast 1.0 multicast streams licensed pursuant to our rules are not required to comply with 47 CFR 73.3801(b), 73.6029(b), and 74.782(b) (the “Simulcasting Requirement”).

²⁹ Broadcaster commenters uniformly and enthusiastically support the licensing of non-simulcast streams and, to the extent the Commission adopts any limits, they support NAB’s proposed host capacity limit.

³⁰ MVPDs do not oppose the licensing of non-simulcast streams, provided there are reasonable limits on the number and types of multicast streams a Next Gen TV station may license on a host station.

³¹ Section 399B of the Communications Act provides that “[n]o public broadcast station may make its facilities available to any person for the broadcasting of any advertisement.” 47 U.S.C. 399B(b)(2). Under a private arrangement, an NCE station would be prohibited from hosting the simulcast programming of a commercial station because the stream would be aired on the “facilities” of the NCE licensee. However, under a licensed approach, the “facilities” are no longer exclusively the facilities of the NCE station, as each station has a right to use the facilities pursuant to its separate license and contractual rights. A commercial stream aired on a partner NCE station will be separately licensed and authorized to use the host’s channel, therefore permitting an NCE station to serve as a host to a commercial stream.

³² We thus reject NCTA’s suggestion that we require a broadcaster to demonstrate 3.0 capacity constraints as a prerequisite to receiving authorization for non-simulcast 1.0 streams. We find that concerns regarding the need for limits on any one broadcaster’s use of spectrum will be adequately addressed by the capacity constraints that we adopt below.

³³ Because at this time our rules do not allow Next Gen TV stations to license host capacity for 3.0 non-simulcast multicast streams, we do not address the issue of a 3.0 host capacity limit.

³⁴ Consequently, a Next Gen TV station that converts its own facility to 3.0 could air a “demo” multicast stream without simulcasting such stream in 1.0.

legally permissible today, we find that it is appropriate to limit a Next Gen TV station's 1.0 host capacity to that which it could deploy on its own 1.0 channel and adopt a modified version of NAB's proposal in order to effectuate this limit.³⁵ Specifically, a Next Gen TV station that has converted its own facility to 3.0 must not license more capacity on partner host stations, in the aggregate, than the station could use if it were still operating its own facility in 1.0. A Next Gen TV station must demonstrate compliance with this rule in its license application and may do so by either: (1) showing that it is seeking hosting only for streams it was broadcasting on its own 1.0 facility prior to its transition to 3.0; or (2) by providing an example of another 1.0 station that is carrying or has carried the same or a similar programming lineup to that which it seeks to provide on host stations and at the same resolutions. To enable the Commission and other interested parties to evaluate compliance with the host capacity limit, a Next Gen TV station applicant will be required to provide information regarding each of its licensed streams. Stations may also be asked to submit additional information to the Commission upon request.

19. We agree with commenters asserting that a reasonable limit on the amount of host capacity that may be licensed by an individual Next Gen TV (guest) station is appropriate. As these commenters suggest, this is needed in order to ensure that no station abuses the flexibility permitted by 1.0 non-simulcast multicasting to aggregate capacity beyond that which is physically possible or legally permissible when broadcasting from a single facility. We believe this is necessary because it is not our intention to upend the entire structure of

broadcast television licenses for this transition period, and we are conscious of the consumer confusion that may be inadvertently caused by the coverage changes inherent in a multiple-host approach. We see no reason, as a matter of spectrum policy, to permit stations to use more capacity on hosts than they could on their own stations. Indeed, no commenter argues that a single station *should* have the ability to aggregate host capacity beyond that which it could use if it were still operating on its own facility in 1.0.³⁶ Broadcaster commenters merely argue that the likelihood of such aggregation is small, asserting that there will be less total 1.0 capacity in a given market when a station transitions and such capacity will only further diminish as more stations in the market transition. We believe it is appropriate for our rules to ensure this eventuality does not occur even if the likelihood is low, especially in light of the fact that reduced available capacity would only amplify any concerns about harms to competition and diversity of viewpoints if one station were to occupy more capacity through hosts than its license would otherwise permit. Accordingly, it is our intention that the capacity limitation operate hand in hand with our rule permitting licensing of 1.0 non-simulcast multicast streams.

20. We agree with NAB that any capacity restriction we adopt should limit stations to the capacity they could have used if they were still broadcasting in 1.0 on their own facilities, without restricting their ability to add or change programming streams during the transition. Accordingly, we decline to adopt alternative proposals to the extent they seek to address issues beyond that scope.³⁷ To this end, we adopt the substance of NAB's proposal, modifying it only to require that stations demonstrate compliance by submitting a limited amount of specific information at the time of application, rather than in response to complaints. In the *Next Gen*

TV Multicast Licensing FNPRM, the Commission expressed concern about the specific language of NAB's proposal, stating that "an effective rule . . . would need to be objective, simple for stakeholders to understand and apply, and amenable to enforcement." MVPD commenters agree with this concern and suggest an objective capacity limit based on a set number of streams, whether a generally applicable limit or one based on the number of streams the station provided prior to its transition to 3.0. Upon review of the record, we are persuaded that such alternatives would be overly restrictive and that the best metric will be the number and resolution of streams actually airing (or that previously actually aired) on specific 1.0 facilities.

21. We agree with ATVA that ensuring compliance with capacity limits associated with a single 1.0 station does not require the Commission to engage in a technical bit-by-bit analysis of a broadcaster's service. Rather, we conclude that reviewing basic information about each proposed stream (particularly its network affiliation and resolution) and considering an appropriate capacity comparison (either the prior capacity of the station itself or the reference point of another 1.0 station with a similar lineup at the same resolutions and on the same type of facility (individual or shared)) will suffice to enable the Commission to ensure a particular broadcaster is not expanding its capacity beyond that which it could use pursuant to the Commission's traditional 1.0 licensing regime.³⁸ We find that it is reasonable to require Next Gen TV station applicants to provide this information, which is largely consistent with the information currently required in the Legal STA process, and therefore reject NAB's proposal that Next Gen TV station applicants provide only a certification without further information at the time of application.

22. We reject NAB's contention that it would be more appropriate for the burden of discovering excessive use of capacity to be on MVPDs and that comparison information should be provided by stations only in response to complaints.³⁹ As justification for this approach, NAB asserts that providing

³⁵ We also sought comment on a specific NAB proposal to address this concern, limiting the scope of hosting arrangements by requiring that "[i]n arranging for the hosting of its programming, no individual broadcaster shall partner with other stations to host, in the aggregate, more programming than such station could broadcast on its own facilities based on the then-current state of the art for television broadcasting as evidenced by other television stations then operating with the same standard." Even at the time of proposing this language, however, NAB noted that it did not consider such a limitation necessary. We note that one 6 MHz channel provides a station with approximately 19.4 Mbps of capacity. Although the *FNPRM* referred to "spectrum aggregation," we agree with NAB that this concern is more accurately described as *capacity* aggregation and that this concept, and our implementation of NAB's proposal, also encompasses many of the concerns discussed in the *FNPRM* about "programming aggregation." As noted in the Ownership Issues section, some concerns about "programming aggregation" are better addressed in the quadrennial proceeding.

³⁶ We also reject APTS' proposal to exempt NCE stations from the host capacity limit. We find our rationale for establishing the host capacity limit applies to both commercial and NCE stations.

³⁷ For example, while our rule addresses NCTA's call for "meaningful and enforceable limits on the hosting of multicast streams," we believe the group's concerns about the impact on multicast signal carriage are better resolved in the context of private retransmission consent negotiations or, if appropriate, the carriage complaint process. Also, Edge Networks (Evoca) commented "[t]he Commission should address anticompetitive practices of broadcasters who use their control of content to restrict new market entry and video competition." Evoca has clarified, however, that its recommendations regarding retransmission consent in its initial comments were not intended to be proposals for rulemaking.

³⁸ This approach also captures the "state of the art," as contemplated by NAB's proposed rule language, by allowing stations to compare themselves to the most advanced peer stations both at the outset of 3.0 service and whenever they make changes to their lineup.

³⁹ Because we do not rely on claims of harm to cable companies in our decision, we do not address NAB's objections to those claims.

the capacity information in the absence of a complaint would be a waste of both Commission and broadcaster resources. We disagree. This capacity information—asking whether the proposed lineup could fit within a 1.0 channel by comparing it to a similar one that has actually aired—is necessary to make an informed objection to a proposed use of host capacity. Further, we fail to see how providing this information requires materially more resources than NAB's certification proposal. Any *ex ante* certification of the type proposed by NAB would require the applicant to certify that it has a reasonable belief that all of the proposed streams could be simultaneously broadcast by the station on its own 1.0 facility if it had one. This reasonable belief presumably would need to be based upon the collection of the same information we are asking the broadcaster to provide. And we are persuaded by NAB that broadcasters will necessarily base such a belief on the actual experience of specific stations, rather than on any sort of detailed technical analysis. Therefore, requiring that stations preemptively share the same public information that would be the basis of their certification—that is, whether the same or a similar lineup has ever previously aired—is reasonable and would not “waste” broadcaster resources. Furthermore, we believe this requirement provides greater certainty to broadcasters than a complaint process, because the showing submitted will demonstrate compliance with the rule.⁴⁰ Moreover, as discussed below, providing the required information about a station's operations during the transition period will provide much needed transparency for the public and stakeholders.

E. Use of Multicast Streams To Minimize 1.0 Primary Stream Service Loss

23. We adopt rules providing that, in certain circumstances, a Next Gen TV station may simulcast its primary stream programming both on its primary stream host and on a multicast stream carried by a different partner station in order to minimize the impact of 1.0 primary service loss that would result if an originating station were only able to air its primary stream on a single host.⁴¹

⁴⁰ We note that, while NAB identifies these as “examples” of ways to demonstrate compliance, neither they nor any other commenter have proposed any other way for a station to demonstrate “that it could successfully transmit all hosted programming on a single ATSC 1.0 facility.”

⁴¹ While the Bureau will consider proposals that would use more than one multicast stream (airing

We also adopt our tentative conclusion that such streams will be considered a “simulcast multicast stream” and count toward the host capacity limit established herein. Accordingly, we adopt our tentative conclusion that a multicast stream that is a second (or additional) simulcast of a primary stream must be “substantially similar” to the 3.0 primary stream.⁴² Broadcasters largely support this proposal,⁴³ and no commenter objected to it.⁴⁴ We agree with broadcasters that preserving 1.0 primary service is critically important during the transition period and that this relief supports that goal.

24. We therefore affirm the earlier Bureau decision approving this method of mitigating 1.0 service loss and bring such streams within the transition licensing regime discussed herein without the need for case-specific STAs.⁴⁵ We expect this situation will arise only when an applicant intends to broadcast in 3.0 on its own channel and is unable to find a partner 1.0 host that could, on its own, provide coverage of its primary stream to 95 percent of the applicant's 1.0 service area.

primary programming), such proposals will require the public interest showing under the non-expedited processing standard. We expect this situation will arise only when such streams are aired on low-power TV 1.0 hosts.

⁴² Indeed, by definition as a second (or additional) simulcast of a 3.0 primary stream, we expect this stream will be identical to the simulcast of the primary stream (which, by rule, must be substantially similar to the 3.0 primary stream). See 47 CFR 73.3801(b)(1), 73.6029(b)(1), 74.782(b)(1). In addition, we adopt our tentative conclusion that this multicast stream, like all hosted streams, will count toward the host capacity limit established in this Order.

⁴³ We note that ONE Media and ATBA contend that this proposal does not go far enough and that we should afford such an application expedited processing. We reject this proposal. Considering whether the use of a multicast stream to supplement the primary stream is appropriate requires consideration on a case-by-case basis. The non-expedited process allows the Bureau to collect additional information that will be used to ensure the proposed use is in the public interest.

⁴⁴ Although the WNUV STA called this stream a “supplemental primary ATSC 1.0 simulcast stream,” we decline to use this term and emphasize that, contrary to the argument advanced by ONE Media, such a stream is a *multicast* stream and *not* an additional *primary* stream. As a multicast stream, this signal has no carriage rights. Furthermore, as noted above, any service provided by such a multicast stream beyond the station's NLSC is incidental and may not be considered for securing any rights or benefits, now or in the future. For example, we will reject a request by a broadcaster to modify its market to add communities based on the service of this multicast stream.

⁴⁵ As noted in that decision, applicants whose applications are reviewed under the non-expedited processing standard are required to minimize the impact of the expected service loss, but the Commission did not require a specific method for doing so.

Applications seeking to use a multicast stream to supplement the service provided by their primary stream will be considered by the Media Bureau under the process for non-expedited applications.⁴⁶

25. Contrary to our tentative conclusion in the *Next Gen TV Multicast Licensing FNPRM*, we do not limit this relief only to NCE stations or commercial stations airing multicast streams on NCE partner hosts.⁴⁷ The *Next Gen TV Multicast Licensing FNPRM* asked whether this approach would be an acceptable method for mitigating ATSC 1.0 service loss for any other types or groups of applicants. No commenter opposed extending this relief to other types or groups of applicants and we are persuaded by broadcasters' comments that other similarly situated stations may be able to show that their use of multicast streams to minimize service loss of the primary 1.0 stream is in the public interest.⁴⁸ We therefore allow any Next Gen TV station to apply for this relief under the non-expedited process, but emphasize that all applicants must demonstrate why this relief is in the public interest and outweighs any potential harms. As discussed in the *Next Gen TV Multicast Licensing FNPRM*, we recognize that each programming stream devoted to

⁴⁶ In the *Next Gen TV Report and Order*, the Commission established a presumption that it would favor grant of an application demonstrating that the station would provide ATSC 1.0 simulcast service to at least 95 percent of the predicted population within the station's original NLSC and afford “expedited processing” to such applications. A Next Gen TV applicant whose ATSC 1.0 simulcast signal will not satisfy this 95 percent threshold (“non-expedited applicant”) will be considered on a case-by-case basis and must provide the following information: (1) whether there is another possible simulcast partner(s) in the market that would result in less 1.0 service loss to existing viewers and, if so, why the Next Gen TV broadcaster chose to partner with a station creating a larger service loss; (2) what steps, if any, the station plans to take to minimize the impact of the 1.0 service loss (e.g., providing ATSC 3.0 dongles, set-top boxes, or gateway devices to viewers in the loss area); and (3) the public interest benefits of the simulcast arrangement and a showing of why the station believes the benefit(s) of granting the application outweigh the harm(s).

⁴⁷ In proposing this approach, we supported the Bureau's prior decision, which found that “permitting NCE stations to participate in the ATSC 3.0 rollout arrangements in this manner is critical to the success of the transition,” in large part because NCE stations make up over 20% of all full power broadcasters.

⁴⁸ Pearl contends that “this [relief] is a particularly good solution for various scenarios, such as: small markets that are spectrum constrained; geographically large markets with a small population, like the Butte-Bozeman DMA in Montana; and markets where some broadcasters rely on a single full power station to serve the market and other broadcasters have multiple stations serving the same market, such as La Crosse-Eau Claire in Wisconsin or Birmingham, Alabama.”

simulcasting a primary stream is one fewer that could be devoted to multicast programming, potentially reducing the diversity of programming available to viewers in order to ensure the widest availability of the most popular programming. We also note that a station airing its primary stream programming on two hosts could be reaching many viewers previously outside its 1.0 footprint. Thus, the Bureau must consider whether the benefits of a given proposal outweigh any harms, including any impacts on localism, diversity of programming offerings, and/or viewer confusion. Finally, we emphasize that service temporarily provided by a multicast stream that is used as a second simulcast of a primary stream will not give rise to any rights for the broadcaster or impose any obligations on MVPDs, and may not be considered for purposes of securing any rights or benefits, now or in the future.

F. Ownership Issues

26. Consistent with our decision with regard to hosted primary streams of NextGen TV stations, hosting multicast streams on a temporary host station's facility will not result in attribution under our broadcast ownership rules or for any other requirements related to television stations attribution (e.g., filing ownership reports). In the *Next Gen TV Multicast Licensing FNPRM*, we asked whether the temporary nature of the exemption and our desire to minimize viewer disruption while facilitating the 3.0 transition made the hosting of multicast streams similar enough to the hosting of primary streams to warrant the same approach. We are persuaded by the record that they do. Broadcaster commenters support this approach, maintaining that the hosting of multicast streams would further the same objectives as primary stream hosting. Consistent with the need articulated by broadcasters, we emphasize that the new flexibility we grant herein is intended to serve the purpose of minimizing viewer disruption, and we find that the clear benefits of such an approach for viewers outweigh any potential for abuse under our ownership rules that some commenters have raised. This decision does not change the Commission's broadcast ownership rules in any substantive way and certainly does not alter the number of stations a broadcaster can own in a particular market. As discussed in the *Next Gen TV Multicast Licensing FNPRM*, ATVA and others have raised concerns in the 2018 Quadrennial Review proceeding about the practical impact of the

ownership rules in light of the growing practice of placing Big-four network programming on multicast streams. We find that those concerns are best addressed in the Quadrennial Review context, not least because any decision made in that proceeding with respect to Big-four network affiliations will apply to all licensed multicast streams, hosted or otherwise.

G. Same-Service (or "Lateral") Hosting

27. We adopt our tentative conclusion declining at this time to license same service (or "lateral") hosting arrangements, though we are open to considering such arrangements in limited circumstances. Same-service (or "lateral") 1.0 hosting refers to a situation in which a Next Gen TV station still operating its own facility in 1.0 and serving as a 1.0 host for another Next Gen TV station that converted its facility to 3.0 seeks to relocate one or more of its own multicast streams to another 1.0 host station. We are not convinced that a general rule as proposed that would permit this practice is necessary to minimize viewer disruption during the transition. Even advocates for a rule concede that the hypothetical problems it could resolve would occur only rarely. Given the lack of any demonstrated need to allow such arrangements in all markets, we refrain from adopting a general rule at this time. Nonetheless, as discussed below, we will entertain requests for special temporary authority to permit 1.0 same-service hosting and may revisit this decision once we have more experience with situations in which such flexibility may be necessary to enable a market to transition.⁴⁹

28. BitPath and other commenters contemplate scenarios in which multiple Next Gen TV stations across a market would shift streams from station to station in order to facilitate their move toward 3.0. For example, broadcasters in the New York DMA (the New York City market) have argued that multiple stations engaging in same-service hosting is a business necessity in order to maximize the number of stations willing to transition simultaneously. On the current record, however, there is no evidence that same-service hosting is technically necessary to make any market's transition possible. Indeed, there has only been one instance in which a Next Gen TV broadcaster sought Commission approval to keep its facility in 1.0 while shifting some 1.0 programming to a

host. That station and that market, however, were ultimately able to begin the transition without any "lateral" hosting, and the station also retained enough capacity that it has since added yet another 1.0 stream to its lineup.

29. Furthermore, there is potential for abuse in a lateral hosting scenario, particularly given the continuing uncertainty around the ultimate duration of the transition. For instance, preventing the aggregation of excess capacity in such a scenario would require a more complex capacity limitation rule than is supported by our record. This is particularly true given the need to consider not just programming but any ancillary and supplementary services being provided over a station's own facility. In the absence of such protections, a station relying on same-service hosts could potentially use significantly more capacity than is permitted under its license, even while complying with the capacity limit rule adopted today. The record simply does not demonstrate that creating such potential for confusion and abuse is justified by any countervailing need.

30. We will, however, consider requests for special temporary authority in those rare circumstances in which relief may be necessary to ensure that a market can transition effectively. We expect that addressing any potential issues using this process will allow us to monitor the changing state of the market as the transition moves forward and to collect more information about any situations that arise in which there is a technical need for this type of "lateral" flexibility. Indeed, the STA process provided valuable, real-world information that helped inform our decisions in this item. Finally, broadcasters have argued in this proceeding that the appropriate measure of how much programming a 1.0 station is capable of airing is whether any 1.0 station is airing or has previously aired the same or a similar programming lineup at the same resolutions. We agree and we direct Media Bureau staff to review and process any potential STA requests (and the inherent potential of any such requests to expand broadcasters' capacity as described above) in light of this "historical" approach, which we have adopted elsewhere in this Order to limit capacity in the multicast hosting context.⁵⁰

⁴⁹ We recognize that most broadcasters strongly support lateral hosting, seeking maximum flexibility under our licensing regime.

⁵⁰ Such requests must clearly identify any programming that would be discontinued in the absence of an STA and explain why there is no reasonable alternative to the requested reliance on a same-service host and how viewer impacts will be minimized (e.g., is the same stream available to

Furthermore, as noted above, same-service hosting is limited to a host station's multicast stream (*i.e.*, a host station's own primary stream is not eligible for lateral hosting). And while the Media Bureau will have flexibility to review the particular circumstances of each case, we expect that staff will consider the potential impact on over-the-air availability of programming that has significant viewership (*e.g.*, the stream is ranked in the top 4 in the market or would cause viewers to lose their only source of noncommercial or major network programming) or specifically provides children's programming in the station's service area.

H. Rules Applicable to Multicast Streams Aired on a Host Station

31. With respect to the other ATSC 3.0 transition rules, except as detailed in this Order, we will apply the same rules to simulcast and non-simulcast licensed multicast streams as we currently apply to primary simulcast streams, consistent with our tentative conclusions.⁵¹ These rules are intended to protect consumers from service disruption, especially the loss of access to the 1.0 television programming they currently watch, without restricting broadcasters' ability to choose to participate in the voluntary, market-driven transition to ATSC 3.0. We believe these proposals best balance the goal of preserving maximum availability of multicast streams with the reality that broadcasters could simply decline to air multicast streams if our rules are too burdensome.

32. *Coverage rules.* As proposed in the *Next Gen TV Multicast Licensing FNPRM*, we will apply the DMA and community of license coverage requirements to all multicast streams but will not consider those streams when determining whether a station qualifies for expedited processing. Thus, 1.0 multicast streams aired on a host channel must continue to cover the

guest station's entire community of license and the host station must be assigned to the same DMA as the originating station.⁵² For 3.0 multicast streams aired on a host channel, as with 3.0 primary streams aired on a host channel, only the DMA requirement applies.⁵³ When determining whether a station seeking to transition is eligible for expedited processing, however, we will continue to ask only whether the primary stream will remain available in 1.0 to at least 95% of a station's current OTA audience.⁵⁴

33. Although commenters generally do not oppose this approach, some commenters support variations to it. A small number of broadcasters suggest that the rule should require only a host in the same DMA without a requirement regarding the community of license. They express concern that it will be challenging in the future for stations to find host partners that can fully cover their community of license. ATVA, on the other hand, contends that no station should receive expedited processing unless all of its multicast streams meet the 95% coverage threshold or if the station pledges to deliver signals to MVPDs. We reject these proposals. With respect to both of these concerns, we emphasize that retaining a station's 1.0 service to its community of license remains our priority under current marketplace conditions. We will review each application—including any unique characteristics of the market involved—as it arises.

34. Finally, as proposed in the *Next Gen TV Multicast Licensing FNPRM*, for children's programming on a multicast stream to count toward the originating station's children's television Core Programming requirement, the multicast stream must either be carried on the same host as the originating station's primary stream or on a host that serves at least 95% of the predicted population served by the applicant's pre-transition 1.0 signal. Commenters do not oppose this proposal, although the Broadcasting Alliance proposed that we combine hosts of multiple "copies" of a multicast stream to determine whether that stream

is reaching 95% of the relevant population. While we do not bar stations from airing identical content on multiple hosted multicast streams, we decline to adopt this alternative on the grounds that it would incentivize inefficient use of limited 1.0 capacity.

35. *Licensing.* As proposed in the *Next Gen TV Multicast Licensing FNPRM*, we will apply our licensing process for primary simulcast streams to guest multicast streams aired on a host station.⁵⁵ No commenter opposes this proposal. Thus, upon grant of an application, each of an originating station's multicast streams aired as a guest stream on a host will be licensed as an additional temporary channel of the originating broadcaster. We also adopt our unopposed tentative conclusion that commonly owned stations are not required to enter into written agreements for the hosting of either primary or multicast streams, consistent with the process the Bureau uses for handling the hosting of primary streams on commonly owned stations.

36. *Form 2100.* We adopt the *Next Gen TV Multicast Licensing FNPRM's* proposal to modify our Next Gen TV license application form (FCC Form 2100) to accommodate multicast licensing by collecting information similar to that already collected in the STA process.⁵⁶ Broadcasters generally support a requirement to file the same information they currently provide when seeking to transition, though other commenters suggest the filing should be more extensive. NAB asserts that licensees should not have to file any information at all about multicast streams. We reject NAB's argument. We note that our rules do not prohibit the use of private contractual arrangements for partner stations to air their multicast streams. For regulatory compliance purposes, such streams would be considered multicast streams of the host partner station, not the originator station. To the extent stations seek instead to modify their license to include multicast streams hosted by partner stations, both the Commission and the public need visibility into the basic terms of that hosting relationship. Such transparency will ensure compliance with our rules, particularly compliance with the host capacity limit (*see* section III.D, above.). We therefore

viewers in any loss area from another station in the same or adjacent market). STAs will be granted for a period of 180 days and must be subsequently renewed.

⁵¹ The rules at issue are those found in §§ 73.3801, 73.6029, and 74.782 of the Commission's rules (each entitled "Television Simulcasting"). These include simulcast arrangements and agreements (47 CFR 73.3801(a) and (e), 73.6029(a) and (e), 74.782(a) and (f)); the simulcasting requirement (47 CFR 73.3801(b), 73.6029(b), 74.782(b)); contour, DMA, and community of license coverage requirements (47 CFR 73.3801(d) and (f)(5)–(6), 73.6029(d) and (f)(5)–(6), 74.782(e) and (g)(5)–(6)); MVPD notice requirements (47 CFR 73.3801(h), 73.6029(h), 74.782(i)); consumer education provisions (47 CFR 73.3801(g), 73.6029(g), 74.782(h)); and licensing procedures (47 CFR 73.3801(f)(2), 73.6029(f)(2), 74.782(g)(2)). No commenters specifically addressed these requirements.

⁵² As proposed in the *Next Gen TV Multicast Licensing FNPRM* and noted below in the paragraphs discussing updates to Form 2100, Next Gen TV applications must note the predicted percentage of population within the station's NLSC that will be served by each multicast stream host.

⁵³ No commenter specifically addressed this proposal.

⁵⁴ In the *Next Gen TV Report and Order*, the Commission established a presumption that it would favor grant of an application demonstrating that the station would provide ATSC 1.0 simulcast service to at least 95 percent of the predicted population within the station's original NLSC and afford "expedited processing" to such applications.

⁵⁵ Under these rules, a Next Gen TV station could seek to obtain separate authorizations for each host station used to air any programming stream and would no longer be limited to the two authorizations contemplated in the *Next Gen TV First Report and Order*.

⁵⁶ We direct the Media Bureau to revise Form 2100 as needed to implement these changes, and to process applications filed using Form 2100.

will require certain additional information as an addendum to Form 2100 if stations seek to include hosted multicast streams within their license. We also clarify and slightly modify the requirements of our rules governing Form 2100 to reflect the possibility of reliance on multiple hosts.

37. Specifically, applicants must prepare an exhibit identifying each proposed hosted stream and provide the following information about each stream, as broadcast:

- the host station;
- channel number (RF and virtual);
- network affiliation (or type of programming if unaffiliated);
- resolution (e.g., 1080i, 720p, 480p, or 480i);
- the predicted percentage of population within the noise limited service contour served by the station's original ATSC 1.0 signal that will be served by the host, with a contour overlay map identifying areas of service loss and, in the case of 1.0 streams, coverage of the originating station's community of license; and
- whether the stream will be simulcast, and if so, the "paired" stream in the other service.

Finally, the exhibit must either state that the applicant will be airing the same programming that it is airing in 1.0 at the time of the application or identify the station that has aired or is airing the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared), as well as that station's lineup (with resolutions). This exhibit must be placed on the applicant's public website or in the applicant's online public inspection file if the station does not have a dedicated website,⁵⁷ with a link provided in the application. This information is consistent both with that currently collected in STA applications and the approach identified in the *Next Gen TV Multicast Licensing FNPRM*.⁵⁸ As with broadcast licenses generally, modifications to this license application or its accompanying exhibit (with respect to the primary or multicast

streams) must be preceded by the filing and approval of a new application. Changes to the affiliation or content of a stream, or the elimination of a stream, however, do not implicate the concerns raised in this proceeding if they would not result in the use of additional capacity and if information about the change is easily available to the public. Therefore, in order to streamline this process for both broadcasters and the Commission, such changes may be implemented without prior Commission approval. They need only be reflected in a timely update to the exhibit that the applicant makes available on its public website or in the applicant's online public inspection file and in an email notice to the Chief of the Media Bureau's Video Division.

38. *Timing.* As proposed in the *Next Gen TV Multicast Licensing FNPRM*, the rules adopted in this Order will apply until and unless the Commission eliminates the mandatory local simulcasting requirement. Commenters generally support this approach, which will preserve existing 1.0 viewership while giving broadcasters the flexibility to transition to 3.0. MVPD commenters support the proposed timing with respect to simulcast multicast streams, but propose that the rule permitting non-simulcast 1.0 multicast streams should sunset after five years. Broadcasters oppose this proposal, arguing it is contrary to the public interest. We agree that establishing a prescribed sunset for the non-simulcast multicast licensing rules adopted in this Order could lead to a sudden reduction in the availability of 1.0 programming, harming consumers. We therefore decline to adopt a sunset of the non-simulcast multicast and will continue to encourage broadcasters to maximize their 1.0 service throughout the transition in order to minimize the disruption to consumers.

I. Substantially Similar Rule

39. Based on the existing record, we retain the substantially similar rule at this time and extend the sunset date to July 17, 2027.⁵⁹ In the *Sunsets FNPRM*, we sought comment on whether we should retain the substantially similar rule or permit it to sunset in July, 2023. After consideration of the state of the transition reflected in the record of this proceeding, we find this rule continues to be necessary at this time for the same reasons it was adopted, to protect consumers by ensuring that OTA viewers who rely on 1.0 are able to

continue watching the same programming they watch today, as well as any new programming offerings on a broadcaster's primary channel that can be reasonably provided in 1.0 format.⁶⁰ Based on the current record, we find that broadcasters' market incentives alone are insufficient to protect OTA viewers from potential loss of 1.0 service. Furthermore, we find that there has not yet been a sufficient shift in the marketplace that would justify elimination or modification of the substantially similar rule. Moreover, we see no evidence on the record that the substantially similar rule is currently impeding, or is likely in the near future to impede, the provision of innovative 3.0 features and content. The rule as it stands affords significant flexibility for broadcasters to innovate and experiment with new programming features using 3.0 technology because it does not require broadcasters to duplicate enhanced content or features that cannot reasonably be provided in the 1.0 format. Furthermore, broadcasters provide no reason why programming aired on the 3.0 primary stream that can reasonably be provided in 1.0 format should not be provided in such format. On the other hand, eliminating the substantially similar rule at this time, in light of the current state of the transition, poses a risk of harm to OTA viewers who rely on 1.0, particularly vulnerable consumers, who without the rule could be forced to either purchase new 3.0 equipment or lose access to stations' primary programming.

40. The purpose of the substantially similar rule is to give effect to the underlying requirement to "simulcast" 3.0 programming in 1.0, protecting 1.0 viewers from losing access to a Next Gen TV station's programming when that station transitions its facility to 3.0. While the underlying simulcast requirement that a Next Gen TV broadcaster must continue to air a primary 1.0 signal (when deploying that signal in 3.0) ensures 1.0 viewers

⁵⁷ See <https://publicfiles.fcc.gov/>. If a station has neither a public website nor an online public inspection file, it will be considered in compliance with this requirement if it publishes the exhibit in a local newspaper identified in its application. Any changes to the exhibit will require publication of the revised exhibit.

⁵⁸ While the *Next Gen TV Multicast Licensing FNPRM* did not specifically mention identification of the "pair" of each simulcast stream (that is, the specific stream in the other service that is carrying substantially similar programming), we believe the need for this information logically arises from the question about whether a stream will be simulcast in situations where there is more than one simulcast stream.

⁵⁹ We note that the requirement to simulcast in 1.0 is intended to be temporary and will be eliminated when the transition to 3.0 is complete.

⁶⁰ The Commission has explained that it will not apply the substantially similar rule to certain enhanced capabilities that cannot reasonably be provided in ATSC 1.0 format. These capabilities include "hyper-localized" content (e.g., geo-targeted weather, targeted emergency alerts, and hyper-local news), programming features or improvements created for the 3.0 service (e.g., emergency alert "wake up" ability and interactive programming features), enhanced formats made possible by 3.0 technology (e.g., 4K or HDR), and any personalization of programming performed by the viewer and at the viewer's discretion. While some of these capabilities may be theoretically possible within the ATSC 1.0 framework, they are not currently part of the ATSC 1.0 standards, are unlikely to be included in current consumer equipment, and as such cannot reasonably be provided via ATSC 1.0.

continue to receive one free OTA TV signal during the transition, the substantially similar rule ensures that 1.0 viewers actually receive the same primary programming as that aired on the 3.0 channel, including new programming to the extent that such programming can reasonably be provided in 1.0 format. Thus, these rules work in tandem to ensure that viewers are protected during the transition period. As the Commission explained in the 2017 *First Next Gen TV Report and Order*, “it is important not only to require that television broadcasters continue to broadcast in the current ATSC 1.0 standard while ATSC 3.0 is being deployed, but also that they continue to air in ATSC 1.0 format the programming that viewers most want and expect to receive. We seek to ensure that broadcasters air their most popular, widely-viewed programming on their 1.0 simulcast channels so that viewers are not forced to purchase 3.0 capable equipment simply to continue to receive this programming rather than because they find the ATSC 3.0 technology particularly attractive.”

41. The record of this proceeding does not provide a basis for us to conclude that the substantially similar rule is no longer needed at this time for the same purposes it was originally adopted. Without the substantially similar rule, Next Gen TV broadcasters would be free to air the most desirable programming, including popular existing programming and new program offerings that could reasonably be provided in 1.0 format, only on their 3.0 primary programming stream. This could create two different tiers of free, OTA television service, which we find would not be in the public interest.⁶¹ We agree with NCTA

and PK/OTI that this would “plac[e] viewers at risk of losing access to popular programming should they be unwilling or unable to pay for this new [3.0] equipment.” In particular, PL/OTI notes that lower-income consumers could be especially vulnerable. Furthermore, at this stage of the transition, we agree that many consumers may find there to be a lack of affordable 3.0 TV equipment.⁶²

42. We find that broadcasters’ market incentives alone cannot be relied upon to ensure that all 1.0 viewers are able to continue to access stations’ primary programming without incurring significant costs; this is particularly of concern with respect to vulnerable consumers who are often slow to adopt new technology.⁶³ We recognize that broadcasters may have strong incentives to offer substantially similar simulcast programming early in the transition. Broadcasters contend that the market will protect all viewers, but as discussed below these assertions often come with qualifications and caveats. Broadcasters have willingly made significant investments in ATSC 3.0 technology, claiming it is necessary to remain competitive in the video marketplace. Thus, while they do have incentives to provide their most popular programming to all of their viewers, they also have incentives to promote their ATSC 3.0 offerings. We recognize that broadcasters do incur some costs by offering programming in both 1.0 and 3.0 to ensure uninterrupted service to current OTA viewers. If the transition progresses and the number of OTA viewers who rely on 1.0 declines, broadcaster incentives to serve 1.0 viewers may weaken as the benefits shrink relative to those costs. These weakened incentives would be a direct result of the success of the transition as

more and more OTA viewers migrate to 3.0. Some broadcasters state that they have every incentive to “maximize” viewership, but those arguments more correctly appear to focus on maximizing profits, which will not necessarily support the needs of OTA 1.0 viewers for the length of the transition, particularly when that audience is split between two different services.⁶⁴ Broadcaster commenters acknowledge that even these incentives hold only “while the vast majority of viewers continue to watch [1.0 signals].” Given our decision herein to extend the sunset date, the Commission can consider the status of incentives based on the viewership at the time the requirement is set to expire. The current record demonstrates that the substantially similar element of the simulcast rule remains important to the transition at this time, in order to provide certainty to those who continue to rely on 1.0.

43. Furthermore, most broadcasters are not committing to make new programming available to all viewers. Indeed, many seem to indicate that, if the substantially similar rule were eliminated, they would provide new, 3.0-exclusive programming on their primary streams even if such programming could reasonably be provided in 1.0 format.⁶⁵ We recognize that broadcasters are incurring costs by simulcasting and are eager to complete the transition to pursue higher OTA viewership and new revenue opportunities (via broadcast internet services) in the long term. Thus, it is not surprising that broadcasters are already contemplating “trade-offs” like the “loss or degradation of 1.0 programming” in the near future absent regulatory requirements to the contrary. Given the above, and based on the current record, we are not convinced market incentives alone will protect viewers who rely on 1.0. Moreover, we remind broadcasters that, as trustees of the public airwaves, they have a statutory obligation to serve the public interest, even where market

⁶¹ In recognition of the capacity constraints imposed by the transition, the Commission has already given broadcasters flexibility with respect to the resolution and coverage of 1.0 primary streams, and the availability of 1.0 multicast streams. In contrast to these situations, 1.0 capacity constraints do not prevent the provision of substantially similar programming, particularly since Next Gen TV broadcasters are not required to simulcast programming that cannot reasonably be aired in 1.0 format. NAB contends the Commission’s discussion of the potential development of two tiers of programming ignores that “[t]here already are two tiers of programming service: pay and free.” NAB asserts that “the Commission does not require other actors in the communications marketplace, including those with which broadcasters compete, to intentionally slow the pace of innovation when they upgrade their technology to avoid creating different tiers of service.” NAB further states that “[b]roadcasters are the only entities the Commission regulates that are required to provide a free service.” We remind broadcasters that, as trustees of the public airwaves, they are required by statute to serve the “public interest, convenience, and necessity.” 47 U.S.C. 309(k)(1). Next Gen TV stations may have only one

primary programming stream, which they are required to simulcast in 1.0. Finally, we note that broadcasters are not the only regulatees with public interest obligations. For example, cable operators and satellite carriers are required to carry qualified broadcast stations that request mandatory carriage. 47 U.S.C. 338, 534, 535. Also, satellite carriers are required to reserve a percentage of channel capacity for noncommercial educational or informational programming. 47 U.S.C. 335(b)(1); and cable operators are required to set aside channel capacity for commercial use by unaffiliated video programmers. 47 U.S.C. 532.

⁶² The record indicates, as of August 8, 2022, there were approximately 120 models of television sets with 3.0 tuners available in the United States from four manufacturers, but these are mid- to high-end TV sets. According to Pearl, the lowest cost 3.0 TV set is available to consumers at retail for \$549.00. The lowest cost separate 3.0 receiver (gateway device) is available at retail for \$199.

⁶³ We note that if it were true that broadcasters have no incentive to favor their 3.0 offerings, then our rule would simply codify broadcasters’ commitment and would not impede any innovations.

⁶⁴ There is no evidence in the record regarding the financial impact on broadcasters of losing a declining number of 1.0 OTA viewers, particularly older and lower income viewers who may not be favored by advertisers. We also note that many broadcasters receive significant revenue from retransmission consent fees, which would not seem to be directly impacted by any loss in OTA viewership.

⁶⁵ As discussed below, to the extent such 3.0 content cannot reasonably be provided in 1.0, broadcasters are free to provide such programming only in 3.0 under the current rule. However, if such content can reasonably be provided in 1.0, then it illustrates the benefits of the current rule for viewers.

incentives might temporarily push in a contrary direction.⁶⁶

44. Furthermore, we find that the substantially similar rule is not presently impeding innovation in broadcast programming. Broadcasters assert that the rule is preventing them from innovating with 3.0 content and features. However, nothing in the current record supports this.⁶⁷ The current rule expressly allows broadcasters to innovate and experiment with new, innovative Next Gen TV programming features, including on their primary streams.⁶⁸ Broadcasters identify only two specific examples of potential innovation hampered by the rule, neither of which withstands scrutiny. First, Pearl seems to suggest that the rule prevents broadcasters from airing

“a ‘barker’ or demo channel of 3.0 programming, showcasing the new technology and demonstrating how viewers can unlock the many advanced features that ATSC 3.0 makes possible.” We observe that a “demo channel” would presumably not be a station’s primary stream.⁶⁹ As for a multicast stream, we reiterate our clarification that any Next Gen TV station that converts its own facility to 3.0 (including a 3.0 host) could air a “demo” multicast stream, including content from its guest partners and other stations in the market, without simulcasting such a stream in 1.0.⁷⁰

⁶⁶ See 47 U.S.C. 309(a) (requiring the Commission to determine, in the case of applications for licenses, “whether the public interest, convenience, and necessity will be served by granting such application”); 47 U.S.C. 307(b) (requiring the Commission to “make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same”).

⁶⁷ Next Gen TV broadcasters do not have to duplicate enhanced content or features that cannot reasonably be provided in the 1.0 format. As stated above, this includes: “hyper-localized” content (e.g., geo-targeted weather, targeted emergency alerts, and hyper-local news), programming features or improvements created for the 3.0 service (e.g., emergency alert “wake up” ability and interactive programming features), enhanced formats made possible by 3.0 technology (e.g., 4K or HDR), and any personalization of programming performed by the viewer and at the viewer’s discretion.

⁶⁸ Stations broadcasting in 3.0 over their own facilities can experiment with innovative 3.0 multicast streams that are not subject to simulcast requirements.

⁶⁹ We note, however, that “demo” programming aired on a primary stream would likely be covered by the rule’s exception for “advertisements, promotions for upcoming programs, and programming features that are based on the enhanced capabilities of ATSC 3.0.”

⁷⁰ To the extent that 3.0 guests can show good cause why they need to license a “demo” channel on a host (rather than having the host air such demo channel), we will consider limited waiver requests to license such non-simulcast 3.0 multicast guest streams.

Second, Graham seems to suggest that the rule prevents broadcasters from airing “alternate interactive programming or expanded local programming” only in 3.0. It is unclear what Graham means by “expanded local programming” as a unique 3.0 feature, but the substantially similar rule expressly permits “hyper-local news” and “interactive program features.” To the extent any “expanded local programming” provided on a primary stream could reasonably be provided in 1.0 format, we agree such programming must be simulcast in substantially similar fashion in 1.0 format to comply with the rule. However, to the extent programming can reasonably be provided in 1.0 format, we fail to see how such programming could be considered innovative programming reliant on the enhanced capabilities of 3.0 technology.

45. As a result of the current status of the transition reflected in the record, we conclude that the sunset of the substantially similar rule is unnecessary at this time. We note, however, that the pace of the transition has necessarily been impacted by the recent pandemic. As the transition continues and the consumer equipment market evolves, the impact of eliminating or modifying the substantially similar requirement may change. We therefore find that it would be appropriate to revisit this issue in the future once the transition has had more time to advance.

Moreover, we anticipate that the Commission’s recently announced “Future of TV” public-private initiative, which will be led by the National Association of Broadcasters (NAB), will provide additional information on the pace and nature of the transition. These insights, including any proposals discussed by partnership stakeholders in this initiative, can help inform any potential changes to the substantially similar requirement. Accordingly, we adopt a new sunset date of July 17, 2027. Given the ongoing transition, we believe at this time that this is an appropriate sunset period.⁷¹ This date will allow for the opportunity of material changes to the transition such

⁷¹ While, at present, a small number of converter devices that work with the television sets in viewers’ homes are available for purchase, we expect more will come to market in coming years and that the price should come down. For example, another 3.0-to-1.0 set-top-box has recently been announced by ADTH, which would be the lowest priced converter device to date. According to ADTH, its “NEXTGEN TV Box” is scheduled to ship in July 2023. It costs \$119.99, but it is available for pre-order at the discounted price of \$79.99 for a limited time. The Commission can consider the availability and cost of such devices in subsequent reviews of the substantially similar rule.

that a subsequent review is warranted. Consistent with the previous sunset, the Commission will initiate a review approximately one year before the requirement is set to expire to seek comment on whether it should be extended based on marketplace conditions at that time. This balanced approach will provide 1.0 viewers with needed certainty while giving broadcasters an additional opportunity to demonstrate that the substantially similar requirement should be eliminated or modified.

J. Requirement To Comply With the ATSC A/322 Standard

46. Based on the existing record, we retain the A/322 requirement at this time and extend the sunset date to July 17, 2027. In the *Sunsets FNPRM*, we sought comment on whether we should retain the requirement that Next Gen TV broadcasters’ primary video programming stream must comply with the ATSC A/322 standard and, if so, for how long. In response to the record, we find the A/322 requirement remains necessary to protect consumers and other stakeholders. We further find that the rule does not presently impede broadcasters’ ability to innovate. As discussed below, the record shows that the standard itself provides broadcasters with significant flexibility, and the requirement to comply with the standard applies only to a broadcaster’s primary programming streams. Consistent with the rule, broadcasters have ample opportunity to innovate with other broadcast streams, as well as with non-broadcast 3.0 services (also known as Broadcast Internet).

47. We find that the A/322 requirement remains essential at this time for protecting both innovators and investors in the 3.0 space, allowing stakeholders to develop and purchase equipment with confidence. As Pearl TV notes, the rule gives “key certainty” to television receiver manufacturers, affording them the confidence to build Next Gen TV equipment and bring it to market knowing that it will reliably work with 3.0 signals now and in the future. It likewise protects consumer investments in 3.0 technology by ensuring that 3.0 TV sets and other 3.0 equipment they purchase are, and will remain, compatible with primary 3.0 signals. We agree with LG that “[c]onsumers have purchased ATSC 3.0-enabled equipment with the good faith expectation that it will be able to properly receive and decode an ATSC 3.0 signal not just at the time of purchase, but for years to come.” For similar reasons, the rule will also benefit MVPDs as they begin to receive

and retransmit 3.0 broadcast signals to their subscribers. Indeed, broadcasters themselves benefit from the certainty the rule provides, by knowing that every viewer in their markets who purchases a 3.0 set will be able to receive their primary programming. Compliance with A/322 may also help prevent harmful interference to and by broadcasters, which benefits every stakeholder and consumer. Given these benefits, almost all commenters support retention of the A/322 rule. We agree with LG that “if a broadcaster used a standard other than A/322 for transmission of its primary broadcast stream, consumers would be unable to obtain the broadcaster’s programming because support for that bespoke standard would not be incorporated into the consumers’ devices.”

48. Furthermore, the record does not demonstrate any current or likely harms arising from the rule at this time. The only commenter to oppose even an extension of the requirement, One Media, identifies no harms associated with this specific rule and makes no effort to grapple with its benefits. Instead, One Media contends that broadcasters should not have “to keep coming back to seek government approval each time the standard changes” and should not have “standards codified into their services’ rules” but should instead simply be required to avoid interference. With respect to the first concern, the Commission has and will independently monitor the evolution of the ATSC 3.0 standard and will act to update our rules as necessary and appropriate, as we do in this Order. As for One Media’s general objection to codified standards, adoption of A/322 into our rules will ensure that broadcasters are serving the public interest, for the reasons above.

49. Ultimately, we find that the current record does not support sunseting the A/322 standard at this time. The rule currently provides needed protection to consumers, while also affording significant flexibility to broadcasters. Nevertheless, we agree with commenters that urge the Commission to continue to monitor the marketplace and the standard as they develop.⁷² Accordingly, in order to align this review with that of the

substantially similar requirement, we adopt a new sunset date of July 17, 2027. As noted above, the Commission will initiate a review approximately one year before the requirement is set to expire to seek comment on whether it should be extended based on marketplace conditions at that time. This balanced approach will provide needed certainty while also providing an additional opportunity to demonstrate that the A/322 standard should be eliminated or modified.

50. *Digital Equity and Inclusion.* The Commission, as part of its continuing effort to advance digital equity for all,⁷³ including people of color, people with disabilities, people who live in rural or Tribal areas, and others who are or have been historically underserved, marginalized, or adversely affected by persistent poverty or inequality, invites comment on any equity-related considerations⁷⁴ and benefits (if any) that may be associated with the proposals and issues discussed herein. Specifically, we seek comment on how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility, as well the scope of the Commission’s relevant legal authority.

IV. Procedural Matters

A. Final Regulatory Flexibility Analysis (FRFA)

51. As required by the Regulatory Flexibility Act of 1980 (RFA),⁷⁵ as amended, an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the Second Further Notice of Proposed Rulemaking (FNPRM) and Third FNPRM in this

⁷³ Section 1 of the Communications Act of 1934 as amended provides that the FCC “regulat[es] interstate and foreign commerce in communication by wire and radio so as to make [such service] available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex.” 47 U.S.C. 151.

⁷⁴ The term “equity” is used here consistent with Executive Order 13985 as the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. See Exec. Order No. 13985, 86 FR 7009, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021).

⁷⁵ See 5 U.S.C. 603. The RFA, see 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law 104–121, Title II, 110 Stat. 857 (1996).

proceeding. The Federal Communications Commission (Commission) sought written public comment on the proposals in the FNPRMs, including comment on the IRFAs. The Commission received no comments in response to either IRFA. This present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.⁷⁶

1. Need for, and Objectives of, the Third Report and Order

52. In the first *Next Gen TV Report and Order*, the Commission authorized television broadcasters to use the Next Gen TV transmission standard, also called “ATSC 3.0” or “3.0,” on a voluntary, market-driven basis. ATSC 3.0 is the new TV transmission standard developed by the Advanced Television Systems Committee as the world’s first Internet Protocol (IP)-based broadcast transmission platform. The Commission determined in the *Next Gen TV Report and Order* that broadcasters that deploy ATSC 3.0 generally must continue to deliver current-generation digital television (DTV) service, using the ATSC 1.0 transmission standard, also called “ATSC 1.0” or “1.0,” to their viewers through local simulcasting. Specifically, the Commission required full power and Class A TV stations deploying ATSC 3.0 service to simulcast the primary video programming stream of their ATSC 3.0 channel in an ATSC 1.0 format.

53. The Commission determined in the *Next Gen TV Report and Order* that the local simulcasting requirement is crucial to the deployment of Next Gen TV service in order to minimize viewer disruption. The Next Gen TV standard is not backward-compatible with existing TV sets or receivers, which have only ATSC 1.0 and analog tuners. This means that consumers will not be able to view ATSC 3.0 transmissions on their existing televisions without additional equipment. Thus, it is critical that Next Gen TV broadcasters continue to provide service using the current ATSC 1.0 standard while the marketplace adopts devices compatible with the new 3.0 transmission standard in order to avoid either forcing viewers to acquire new equipment or depriving them of television service. A TV station cannot, as a technical matter, broadcast in both 1.0 and 3.0 format from the same facility. Therefore, local simulcasting will be effectuated through voluntary partnerships that broadcasters that wish to provide Next Gen TV service must enter into with other broadcasters in their local markets. Next Gen TV broadcasters must partner with another

⁷² The *Sunsets FNPRM* sought comment on whether to update our rules to incorporate the 2021 version of the A/322 standard. Commenters on this issue support updating our rules, but pointed out that a more recent version of A/322 was published by ATSC in March 2022. However, since the comment period closed, there have been two more updates to A/322, and we have not received any comments about this new version. Therefore, we decline to update our rules at this time and will seek comment on this issue in a future proceeding.

⁷⁶ See 5 U.S.C. 604.

television station (*i.e.*, a temporary “host” station) in their local market to either: (1) air an ATSC 3.0 channel at the temporary host’s facility, while using their original facility to continue to provide an ATSC 1.0 simulcast channel, or (2) air an ATSC 1.0 simulcast channel at the temporary host’s facility, while converting their original facility to the ATSC 3.0 standard in order to provide a 3.0 channel.

54. In this *Third Report and Order*, we adopt changes to our ATSC 3.0 (3.0 or Next Gen TV) rules considered in both the Second FNPRM (or *Multicast Licensing FNPRM*) and Third FNPRM (or *Sunsets FNPRM*). In the first part of this Order, the Commission generally adopts the rules proposed in the *Next Gen TV Multicast Licensing FNPRM*, establishing a licensing regime for Next Gen TV stations’ multicast streams that are aired on host stations during the transition period. These rules facilitate and encourage Next Gen TV stations to preserve consumer access to multicast programming in 1.0 format during the voluntary ATSC 3.0 transition. They will provide the industry with regulatory certainty about the legal treatment of licensed multicast streams; clarify that the originating station (and not the host station) is responsible for regulatory compliance regarding a multicast stream being aired on a host station; give the Commission clear enforcement authority over the originating station in the event of a rule violation on the hosted multicast programming stream; and facilitate NCE stations’ 3.0 deployment by allowing them to serve as hosts to commercial stations’ multicast streams. The Commission recognizes that allowing Next Gen TV stations to seek modification of their license to include capacity on multiple host stations represents a significant departure from its present licensing regime. The Commission finds that doing so is appropriate because it is limited to the temporary broadcast transition to 3.0 and to specific situations for which there is a clear need.

55. In the second part of this Order, the Commission retains the substantially similar rule and requirement to comply with the ATSC A/322 standard until July 17, 2027. The substantially similar rule requires that the programming aired on a Next Gen TV station’s ATSC 1.0 simulcast channel be “substantially similar” to that of the primary video programming stream on the ATSC 3.0 channel.⁷⁷ This

means that the programming must be the same, except for programming features that are based on the enhanced capabilities of ATSC 3.0 and promotions for upcoming programs.⁷⁸ In this Order, the Commission finds that this rule remains necessary to protect consumers by ensuring that over-the-air (OTA) viewers who rely on 1.0 are able to continue watching the same programming they watch today, as well as any new programming offerings on a broadcaster’s primary channel that can be reasonably provided in 1.0 format. The Commission finds that there has not yet been a sufficient shift in the marketplace that would justify elimination or modification of the substantially similar rule. The requirement to comply with the ATSC A/322 standard, which applies only to Next Gen TV broadcasters’ primary video programming stream, provides certainty to consumers, television receiver manufacturers, and MVPDs that 3.0 TV sets or other 3.0 TV equipment will be able to receive all 3.0 primary broadcast signals. In this Order, the Commission finds that this rule remains necessary at this time to protect consumers and other stakeholders.

2. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

56. There were no comments filed that specifically addressed the rules and policies proposed in the IRFA of either the Second or Third FNPRM.

3. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

57. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments.⁷⁹

58. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

simulcast in 1.0 format, a requirement that does not have a sunset date.

⁷⁸ Such enhanced content or features that cannot reasonably be provided in ATSC 1.0 format include: targeted advertisements, “hyper-localized” content (*e.g.*, geo-targeted weather, targeted emergency alerts, and hyper-local news), programming features or improvements created for the 3.0 service (*e.g.*, emergency alert “wake up” ability and interactive programming features), enhanced formats made possible by 3.0 technology (*e.g.*, 4K or HDR), and any personalization of programming performed by the viewer and at the viewer’s discretion.

⁷⁹ 5 U.S.C. 604(a)(3).

4. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

59. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the rules adopted herein.⁸⁰ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”⁸¹ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.⁸² A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.⁸³ Below, we provide a description of such small entities, as well as an estimate of the number of such small entities, where feasible.

60. *Television Broadcasting.* This industry is comprised of “establishments primarily engaged in broadcasting images together with sound.” These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public. These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA small business size standard for this industry classifies businesses having \$41.5 million or less in annual receipts as small. 2017 U.S. Census Bureau data indicate that 744 firms in this industry operated for the entire year. Of that number, 657 firms had revenue of less than \$25,000,000.⁸⁴ Based on this data we estimate that the majority of television broadcasters are small entities

⁸⁰ 5 U.S.C. 603(b)(3).

⁸¹ *Id.* 601(6).

⁸² *Id.* 601(3) (incorporating by reference the definition of “small-business concern” in 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the *Federal Register*.” 5 U.S.C. 601(3).

⁸³ 15 U.S.C. 632.

⁸⁴ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably.

⁷⁷ The substantially similar rule is independent of the requirement for Next Gen TV broadcasters to

under the SBA small business size standard.

61. As of December 31, 2022, there were 1,375 licensed commercial television stations. Of this total, 1,282 stations (or 93.2%) had revenues of \$41.5 million or less in 2021, according to Commission staff review of the BIAKelsey Media Access Pro Online Television Database (MAPro) on January 13, 2023, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates as of December 31, 2022, there were 383 licensed noncommercial educational (NCE) television stations, 383 Class A TV stations, 1,912 LPTV stations and 3,122 TV translator stations. The Commission, however, does not compile and otherwise does not have access to financial information for these television broadcast stations that would permit it to determine how many of these stations qualify as small entities under the SBA small business size standard. Nevertheless, given the SBA's large annual receipts threshold for this industry and the nature of these television station licensees, we presume that all of these entities qualify as small entities under the above SBA small business size standard.

62. *Wired Telecommunications Carriers*. The U.S. Census Bureau defines this industry as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry. Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.⁸⁵

⁸⁵ Fixed Local Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, and Other Local Service Providers. Local Resellers fall into another U.S. Census Bureau industry group and therefore

63. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.⁸⁶ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 5,183 providers that reported they were engaged in the provision of fixed local services. Of these providers, the Commission estimates that 4,737 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

64. *Cable Companies and Systems (Rate Regulation)*. The Commission has developed its own small business size standard for the purpose of cable rate regulation. Under the Commission's rules, a "small cable company" is one serving 400,000 or fewer subscribers nationwide. Based on industry data, there are about 420 cable companies in the U.S. Of these, only seven have more than 400,000 subscribers. In addition, under the Commission's rules, a "small system" is a cable system serving 15,000 or fewer subscribers. Based on industry data, there are about 4,139 cable systems (headends) in the U.S. Of these, about 639 have more than 15,000 subscribers. Accordingly, the Commission estimates that the majority of cable companies and cable systems are small.

65. *Cable System Operators (Telecom Act Standard)*. The Communications Act of 1934, as amended, contains a size standard for a "small cable operator," which is "a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000." For purposes of the Telecom Act Standard, the Commission determined that a cable system operator that serves fewer than 677,000 subscribers, either directly or through affiliates, will meet the definition of a small cable operator based on the cable subscriber count established in a 2001 Public Notice. Based on industry data, only six cable system operators have more than

data for these providers is not included in this industry.

⁸⁶ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

677,000 subscribers. Accordingly, the Commission estimates that the majority of cable system operators are small under this size standard. We note however, that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million.⁸⁷ Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

66. *Direct Broadcast Satellite ("DBS") Service*. DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic "dish" antenna at the subscriber's location. DBS is included in the Wired Telecommunications Carriers industry which comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services.⁸⁸ By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.

67. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that 3,054 firms operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250

⁸⁷ The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority's finding that the operator does not qualify as a small cable operator.

⁸⁸ Included in this industry are: broadband internet service providers (e.g., cable, DSL); local telephone carriers (wired); cable television distribution services; long-distance telephone carriers (wired); closed-circuit television (CCTV) services; VoIP service providers, using own operated wired telecommunications infrastructure; direct-to-home satellite system (DTH) services; telecommunications carriers (wired); satellite television distribution systems; and multichannel multipoint distribution services (MMDS).

employees.⁸⁹ Based on this data, the majority of firms in this industry can be considered small under the SBA small business size standard. According to Commission data however, only two entities provide DBS service—DIRECTV (owned by AT&T) and DISH Network, which require a great deal of capital for operation. DIRECTV and DISH Network both exceed the SBA size standard for classification as a small business. Therefore, we must conclude based on internally developed Commission data, in general DBS service is provided only by large firms.

68. *Satellite Master Antenna Television (SMATV) Systems, also known as Private Cable Operators (PCOs).* SMATV systems or PCOs are video distribution facilities that use closed transmission paths without using any public right-of-way. They acquire video programming and distribute it via terrestrial wiring in urban and suburban multiple dwelling units such as apartments and condominiums, and commercial multiple tenant units such as hotels and office buildings. SMATV systems or PCOs are included in the Wired Telecommunications Carriers' industry which includes wireline telecommunications businesses. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.⁹⁰ Thus under the SBA size standard, the majority of firms in this industry can be considered small.

69. *Home Satellite Dish (HSD) Service.* HSD or the large dish segment of the satellite industry is the original satellite-to-home service offered to consumers and involves the home reception of signals transmitted by satellites operating generally in the C-band frequency. Unlike DBS, which uses small dishes, HSD antennas are between four and eight feet in diameter and can receive a wide range of unscrambled (free) programming and scrambled programming purchased from program packagers that are licensed to facilitate subscribers' receipt of video programming. Because HSD provides subscription services, HSD falls within the industry category of Wired Telecommunications Carriers. The SBA small business size standard for Wired

Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.⁹¹ Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

70. *Open Video Systems.* The open video system (OVS) framework was established in 1996 and is one of four statutorily recognized options for the provision of video programming services by local exchange carriers. The OVS framework provides opportunities for the distribution of video programming other than through cable systems. OVS operators provide subscription services and therefore fall within the SBA small business size standard for the cable services industry, which is "Wired Telecommunications Carriers." The SBA small business size standard for this industry classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.⁹² Thus, under the SBA size standard the majority of firms in this industry can be considered small. Additionally, we note that the Commission has certified some OVS operators who are now providing service and broadband service providers (BSPs) are currently the only significant holders of OVS certifications or local OVS franchises. The Commission does not have financial or employment information for the entities authorized to provide OVS however, the Commission believes some of the OVS operators may qualify as small entities.

71. *Broadband Radio Service and Educational Broadband Service.* Broadband Radio Service systems, previously referred to as Multipoint Distribution Service (MDS) and Multichannel Multipoint Distribution Service (MMDS) systems, and "wireless cable,"⁹³ transmit video programming to subscribers and provide two-way high speed data operations using the microwave frequencies of the Broadband Radio Service (BRS) and Educational Broadband Service (EBS)

(previously referred to as the Instructional Television Fixed Service (ITFS)). Wireless cable operators that use spectrum in the BRS often supplemented with leased channels from the EBS, provide a competitive alternative to wired cable and other multichannel video programming distributors. Wireless cable programming to subscribers resembles cable television, but instead of coaxial cable, wireless cable uses microwave channels.⁹⁴

72. In light of the use of wireless frequencies by BRS and EBS services, the closest industry with a SBA small business size standard applicable to these services is Wireless Telecommunications Carriers (*except Satellite*). The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated in this industry for the entire year. Of this number, 2,837 firms employed fewer than 250 employees.⁹⁵ Thus under the SBA size standard, the Commission estimates that a majority of licensees in this industry can be considered small.

73. According to Commission data as December 2021, there were approximately 5,869 active BRS and EBS licenses. The Commission's small business size standards with respect to BRS involves eligibility for bidding credits and installment payments in the auction of licenses for these services. For the auction of BRS licenses, the Commission adopted criteria for three groups of small businesses. A very small business is an entity that, together with its affiliates and controlling interests, has average annual gross revenues exceed \$3 million and did not exceed \$15 million for the preceding three years, a small business is an entity that, together with its affiliates and controlling interests, has average gross revenues exceed \$15 million and did not exceed \$40 million for the preceding three years, and an entrepreneur is an entity that, together with its affiliates and controlling interests, has average gross revenues not exceeding \$3 million

⁹⁴ Generally, a wireless cable system may be described as a microwave station transmitting on a combination of BRS and EBS channels to numerous receivers with antennas, such as single-family residences, apartment complexes, hotels, educational institutions, business entities and governmental offices. The range of the transmission depends upon the transmitter power, the type of receiving antenna and the existence of a line-of-sight path between the transmitter or signal booster and the receiving antenna.

⁹⁵ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁸⁹ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁹⁰ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁹¹ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁹² The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁹³ The use of the term "wireless cable" does not imply that it constitutes cable television for statutory or regulatory purposes.

for the preceding three years. Of the ten winning bidders for BRS licenses, two bidders claiming the small business status won 4 licenses, one bidder claiming the very small business status won three licenses and two bidders claiming entrepreneur status won six licenses. One of the winning bidders claiming a small business status classification in the BRS license auction has an active licenses as of December 2021.

74. The Commission's small business size standards for EBS define a small business as an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$55 million for the preceding five (5) years, and a very small business is an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$20 million for the preceding five (5) years. In frequency bands where licenses were subject to auction, the Commission notes that as a general matter, the number of winning bidders that qualify as small businesses at the close of an auction does not necessarily represent the number of small businesses currently in service. Further, the Commission does not generally track subsequent business size unless, in the context of assignments or transfers, unjust enrichment issues are implicated. Additionally, since the Commission does not collect data on the number of employees for licensees providing these services, at this time we are not able to estimate the number of licensees with active licenses that would qualify as small under the SBA's small business size standard.

75. *Incumbent Local Exchange Carriers (Incumbent LECs)*. Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.⁹⁶ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of

December 31, 2020, there were 1,227 providers that reported they were incumbent local exchange service providers. Of these providers, the Commission estimates that 929 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

76. *Competitive Local Exchange Carriers (LECs)*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers.⁹⁷ Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.⁹⁸ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 3,956 providers that reported they were competitive local exchange service providers. Of these providers, the Commission estimates that 3,808 providers have 1,500 or fewer employees. Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

77. *Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing*. This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications equipment. Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment. The SBA small business size standard for this industry

classifies businesses having 1,250 employees or less as small. U.S. Census Bureau data for 2017 show that there were 656 firms in this industry that operated for the entire year. Of this number, 624 firms had fewer than 250 employees.⁹⁹ Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

78. *Audio and Video Equipment Manufacturing*. This industry comprises establishments primarily engaged in electronic audio and video equipment for home entertainment, motor vehicles, and public address and musical instrument amplification. Examples of products made by these establishments are video cassette recorders, televisions, stereo equipment, speaker systems, household-type video cameras, jukeboxes, and amplifiers for musical instruments and public address systems. The SBA small business size standard for this industry classifies firms with 750 employees or less as small. According to 2017 U.S. Census Bureau data, 464 firms in this industry operated that year. Of this number, 399 firms operated with less than 250 employees.¹⁰⁰ Based on this data and the associated SBA size standard, we conclude that the majority of firms in this industry are small.

5. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

79. The Order modifies our Next Gen TV licensing processes to include additional reporting, recordkeeping, and other compliance for small entities that seek to include hosted multicast streams within their license. While the Commission is not in a position to determine whether small entities will have to hire professionals to comply with our decisions and cannot quantify the cost of compliance for small entities, as discussed in the Order, the approaches we have taken to implement the requirements for Next Gen TV multicasting have minimal cost implications for impacted entities.

80. As discussed in section A of this FRFA, this Order establishes a licensing

⁹⁹ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁰⁰ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that the U.S. Census Bureau withheld publication of the number of firms that operated for the entire year and the number of firms that operated with 5 to 9 employees, to avoid disclosing data for individual companies (see Cell Notes for "Firms operated for the entire year" and "Firms operated for the entire year with 5 to 9 employees"). Therefore, the number of firms with employees that meet the SBA size standard would be higher than noted herein.

⁹⁶ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

⁹⁷ Competitive Local Exchange Service Providers include the following types of providers: Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

⁹⁸ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

regime for Next Gen TV stations' *multicast* streams that are aired on host stations (as guest streams) during the transition period. The Order applies the licensing process for primary simulcast streams to guest multicast streams. Thus, Next Gen TV broadcasters that choose to deploy ATSC 3.0 service and seek to license guest multicast streams aired on a host station are subject to certain reporting, recordkeeping, or other compliance requirements.

81. A Next Gen TV broadcaster seeking to license one or more guest multicast streams aired on a host station (multicast license applicant) is subject to the host capacity limit (discussed in section III.D. of this Order). That is, a Next Gen TV station may not use more 1.0 host capacity than it could have used if it were still broadcasting in 1.0 on its own facilities. A multicast license applicant is also subject to most requirements applicable to primary streams, including rules concerning signal coverage, simulcast agreements, MVPD notice and on-air consumer notice requirements for each guest multicast stream (discussed in section III.H. of this Order).

82. All multicast license applicants, including small entities, must file an application (Form 2100) to modify its license with the Commission and receive prior Commission approval. This requires the applicant must prepare an exhibit identifying each guest stream and provide the following information about each stream, as broadcast: the host station; channel number (RF and virtual); network affiliation (or type of programming if unaffiliated); resolution (e.g., 1080i, 720p, 480p, or 480i); the predicted percentage of population within the noise limited service contour served by the station's original ATSC 1.0 signal that will be served by the host, with a contour overlay map identifying areas of service loss and, in the case of 1.0 streams, coverage of the originating station's community of license; and whether the stream will be simulcast, and if so, the "paired" stream in the other service. Finally, the exhibit must either state that the applicant will be airing the same programming that it is airing in 1.0 at the time of the application or identify the station that has aired or is airing the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared), as well as that station's lineup (with resolutions). This exhibit must be placed on the applicant's public website, with a link provided in the application.

83. The Order also retains for another four years two existing compliance

requirements for all stations, including small entities, and eliminates the sunset dates for these requirements. The Order retains the "substantially similar" rule (see section III.I. of this Order). This rule requires that the programming aired on a Next Gen TV station's ATSC 1.0 simulcast channel be "substantially similar" to that of the primary video programming stream on the ATSC 3.0 channel. This means that the programming must be the same, except for programming features that are based on the enhanced capabilities of ATSC 3.0, including targeted advertisements, and promotions for upcoming programs. This rule will now expire in 2027 absent Commission action. The Order retains the requirement to comply with the ATSC A/322 standard ("Physical Layer Protocol") (A/322) (see section III.J of this Order), which is the standard that defines the waveforms that ATSC 3.0 signals may take. The requirement to comply with A/322 will now expire in 2027 absent Commission action.

6. Steps Taken To Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered

84. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives (among others): "(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities."¹⁰¹

85. The Commission has authorized television broadcasters to use the Next Gen TV (ATSC 3.0) standard on a voluntary, market-driven basis. As observed in the Final Regulatory Flexibility Analysis of the 2017 *First Next Gen TV Report and Order*, this means that broadcasters decide whether (and if so when) to deploy ATSC 3.0 service and bear the costs associated with such deployment. All broadcasters, including small entities, will need to undertake any costs or burdens associated with ATSC 3.0 service should they choose to do so.

86. The rules concerning multicast licensing provide increased flexibility to broadcasters without imposing additional obligations. By expanding the ability of broadcasters to place licensed

streams on additional host partners, the rules may allow small broadcast entities transitioning to ATSC 3.0 to experience positive economic impacts through partnerships with unaffiliated third parties. NCE television stations in particular, both large and small, will experience positive benefits from the rules, which could improve their ability to participate in the transition to Next Gen TV. Although we intended to limit certain simulcast multicast stream relief only to NCE stations or commercial stations airing multicast streams on NCE partner hosts, we will instead allow any Next Gen TV station to apply for this relief under the non-expedited process, but emphasize that all applicants, including small entities, must demonstrate why this relief is in the public interest and outweighs any potential harms. In addition, the multicast licensing approach minimizes administrative burdens for all broadcasters, including small broadcasters. The rules streamline the current process whereby broadcasters request special temporary authority on a case-by-case basis. We also considered concerns regarding the potential abuse of these rules in that the multicast streams may allow stations to evade local ownership rules. Consistent with our previous decisions, hosting multicast streams on a temporary host station's facility will not result in any additional requirements for small entities related to television stations attribution (e.g., filing ownership reports). In finding that it is appropriate to limit a Next Gen TV station's 1.0 host capacity to that which it could deploy on its own 1.0 channel, we determined that other alternatives related to proposed capacity limits would be overly restrictive to all stations, including small entities, and that the best metric will be the number and resolution of streams actually airing (or that previously actually aired) on specific 1.0 facilities. In retaining the rules that require stations, including small entities, to broadcast substantially similar programming to their primary streams, we rejected the alternatives presented by broadcasters that argued that market incentives would ensure OTA viewers have access to this programming.

7. Report to Congress

87. The Commission will send a copy of the Third Report and Order, including this FRFA, in a report to be sent to Congress pursuant to the Congressional Review Act.¹⁰² In

¹⁰¹ 5 U.S.C. 603(c)(1)–(c)(4).

¹⁰² See 5 U.S.C. 801(a)(1)(A).

addition, the Commission will send a copy of the Third Report and Order, including this FRFA, to the Chief Counsel for Advocacy of the SBA. The Order and FRFA (or summaries thereof) will also be published in the **Federal Register**.¹⁰³

B. Final PRA Analysis

88. This document contains new information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA).¹⁰⁴ The requirements will be submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies will be invited to comment on the information collection requirements contained in this proceeding. The Commission will publish a separate document in the **Federal Register** at a later date seeking these comments. In addition, we note that pursuant to the Small Business Paperwork Relief Act of 2002 (SBPRA),¹⁰⁵ we will seek specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees.

C. Congressional Review Act

89. The Bureau has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs that these rules are non-major under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of this Third Report and Order to Congress and the Government Accountability office, pursuant to 5 U.S.C. 801(a)(1)(A).

V. Ordering Clauses

90. *It is ordered*, pursuant to the authority found in sections 1, 4, 7, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 157, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535, this Third Report and Order *is hereby adopted*, effective thirty (30) days after the date of publication in the **Federal Register**.

91. *It is further ordered* that the Commission's rules *are hereby amended* as set forth in Appendix B of the Third

Report and Order and *will become effective* 30 days after publication in the **Federal Register**, except for 47 CFR 73.3801, 73.6029, and 74.782 which contain new or modified information collection requirements that require approval by the OMB under the PRA and which shall become effective after the Commission publishes a notice in the **Federal Register** announcing OMB approval and the effective date of the rules.

92. *It is further ordered* that, pursuant to 47 U.S.C. 155(c), the Chief, Media Bureau, is granted delegated authority for the purpose of amending FCC Form 2100 as necessary to implement the licensing process adopted herein.

93. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Third Report and Order, including the Initial and Final Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

94. *It is further ordered*, that pursuant to section 801(a)(1)(A) of the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), the Commission *shall send* a copy of this Third Report and Order to Congress and to the Government Accountability Office.

List of Subjects in 47 CFR Parts 73 and 74

Communications equipment,
Television.

Federal Communications Commission.

Marlene Dortch,
Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 73 and 74 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

§ 73.682 [Amended]

■ 2. Amend § 73.682 by:

■ a. Lifting the stay on paragraph (f)(2)(iii) published on April 5, 2023 (88 FR 20076).

■ b. In paragraph (f)(2)(iii), removing the date “March 6, 2023” and adding, in its place, “July 17, 2027”.

■ c. Removing Note 2 to § 73.682.

■ 3. Amend § 73.3801 by:

■ a. In paragraph (b)(3), by removing the date “July 17, 2023” and adding in its place “July 17, 2027”;

■ b. Revising paragraphs (f)(5) and (6); and

■ c. Adding paragraph (i).

The revisions and addition read as follows:

§ 73.3801 Full power television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(f) * * *

(5) *Expedited processing.* An application filed in accordance with the streamlined process in paragraph (f)(3) of this section will receive expedited processing provided, for stations requesting to air an ATSC 1.0 primary signal on the facilities of a host station, that station will provide ATSC 1.0 service to at least 95 percent of the predicted population within the noise limited service contour of its original ATSC 1.0 facility.

(6) *Required information.* (i) An application in paragraph (f)(2) of this section must include the following information:

(A) The station or stations serving as the host or hosts, identified by call sign and facility identification number, if applicable;

(B) The technical facilities of each host station, if applicable;

(C) The DMA of the originating broadcaster's facility and the DMA of each host station, if applicable;

(D) A web link to the exhibit described in paragraph (i) of this section, if applicable; and

(E) Any other information deemed necessary by the Commission to process the application.

(ii) If an application in paragraph (f)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station or stations, the broadcaster must, in addition to the information in paragraph (f)(6)(i) of this section, also indicate on the application:

(A) The predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal;

(B) The predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal that will lose the station's ATSC 1.0 service as a result of the hosting arrangement or arrangements, including identifying areas of service loss by providing a contour overlap map; and

(C) Whether the ATSC 1.0 primary stream simulcast signal aired on the host station will serve at least 95 percent of the population in paragraph (f)(6)(ii)(A) of this section.

* * * * *

¹⁰³ See *id.* 604(b).

¹⁰⁴ The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, 109 Stat. 163 (1995) (codified in Chapter 35 of title 44 U.S.C.).

¹⁰⁵ The Small Business Paperwork Relief Act of 2002 (SBPRA), Public Law 107–198, 116 Stat. 729 (2002) (codified in Chapter 35 of title 44 U.S.C.). See 44 U.S.C. 3506(c)(4).

(i) *Multicast streams.* A Next Gen TV station is not required to license, under paragraph (f) of this section, a “guest” multicast programming stream that it originates and which is aired on a host station. If it chooses to do so, it and each of its licensed guest multicast streams must comply with the requirements of this section (including those otherwise applicable only to primary streams), except for paragraph (f)(5) of this section and as otherwise provided in this paragraph. For purposes of this section, a “multicast” stream refers to a video programming stream other than the primary video programming stream.

(1) *1.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 1.0 multicast stream(s) aired on one or more ATSC 1.0 hosts pursuant to paragraph (f) of this section. Non-simulcast streams are not required to comply with paragraph (b) of this section.

(i) *Host capacity limit.* A Next Gen TV station that has converted its own facility to 3.0 must not license more capacity on one or more partner host stations, in the aggregate, than the station could use if it were still operating on its own facility in 1.0. It must demonstrate compliance with this limit in its license application exhibit.

(ii) [Reserved]

(2) *3.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 3.0 multicast stream(s) aired on one or more ATSC 3.0 hosts pursuant to paragraph (f) of this section.

(3) *Children’s television.* A Next Gen TV station may rely on a multicast stream it is airing via a host partner to comply with the Commission’s children’s television programming requirement in § 73.671. Such a stream must either be carried on the same host as the Next Gen TV station’s primary stream, or on a host that serves at least 95 percent of the predicted population served by the Next Gen TV station’s pre-transition 1.0 signal.

(4) *Application exhibit required.* A Next Gen TV station seeking to license hosted multicast streams must prepare and host on its public website (or its Online Public Inspection File if the station does not have a dedicated website) the exhibit referenced in paragraph (f)(6)(i)(D) of this section. The exhibit must contain the following:

(i) For each hosted stream: channel number (RF and virtual); network affiliation (or type of programming if unaffiliated); resolution (e.g., 1080i, 720p, 480p, or 480i); whether the stream will be simulcast; and if so, the identity of the paired stream in the other service; and

(ii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the host capacity limit. It may do so by either showing that it is seeking hosting only for streams it was broadcasting on its own 1.0 facility prior to its transition to 3.0, or identifying another 1.0 station that is carrying or has carried the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared);

(iii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the coverage requirement for guest multicast streams, including by providing a contour map showing the guest multicast stream will continue to serve the station’s community of license; and

(iv) *Changes to the exhibit.* Changes to the affiliation or content of a stream that would not result in the use of additional capacity, the elimination of a stream, or non-substantive corrections may be made at the discretion of the applicant but must be reflected in a timely update to the existing public exhibit and an emailed notice to the Chief of the Media Bureau’s Video Division or their designee. No other changes, including to the location of the exhibit itself, may be made without the filing and approval of a new application.

■ 4. Amend § 73.6029 by:

■ a. In paragraph (b)(3), remove the date “July 17, 2023” and add, in its place, “July 17, 2027”;

■ b. Revising paragraphs (f)(5) and (6); and

■ c. Adding paragraph (i).

The revisions and addition read as follows:

§ 73.6029 Class A television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(f) * * *

(5) *Expedited processing.* An application filed in accordance with the streamlined process in paragraph (f)(3) of this section will receive expedited processing provided, for stations requesting to air an ATSC 1.0 primary signal on the facilities of a host station, that station will provide ATSC 1.0 service to at least 95 percent of the predicted population within the noise limited service contour of its original ATSC 1.0 facility.

(6) *Required information.* (i) An application in paragraph (f)(2) of this section must include the following information:

(A) The station or stations serving as the host or hosts, identified by call sign and facility identification number, if applicable;

(B) The technical facilities of each host station, if applicable;

(C) The DMA of the originating broadcaster’s facility and the DMA of each host station, if applicable;

(D) A web link to the exhibit described in paragraph (i) of this section, if applicable; and

(E) Any other information deemed necessary by the Commission to process the application.

(ii) If an application in paragraph (f)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station or stations, the broadcaster must, in addition to the information in paragraph (f)(6)(i) of this section, also indicate on the application:

(A) The predicted population within the noise limited service contour served by the station’s original ATSC 1.0 signal;

(B) The predicted population within the noise limited service contour served by the station’s original ATSC 1.0 signal that will lose the station’s ATSC 1.0 service as a result of the hosting arrangement or arrangements, including identifying areas of service loss by providing a contour overlap map; and

(C) Whether the ATSC 1.0 primary stream simulcast signal aired on the host station will serve at least 95 percent of the population in paragraph (f)(6)(ii)(A) of this section.

* * * * *

(i) *Multicast streams.* A Next Gen TV station is not required to license, under paragraph (f) of this section, a “guest” multicast programming stream that it originates and which is aired on a host station. If it chooses to do so, it and each of its licensed guest multicast streams must comply with the requirements of this section (including those otherwise applicable only to primary streams), except for paragraph (f)(5) of this section and as otherwise provided in this paragraph. For purposes of this section, a “multicast” stream refers to a video programming stream other than the primary video programming stream.

(1) *1.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 1.0 multicast stream(s) aired on one or more ATSC 1.0 hosts pursuant to paragraph (f) of this section. Non-simulcast streams are not required to comply with paragraph (b) of this section.

(i) *Host capacity limit.* A Next Gen TV station that has converted its own facility to 3.0 must not license more capacity on one or more partner host stations, in the aggregate, than the station could use if it were still operating on its own facility in 1.0. It must demonstrate compliance with this limit in its license application exhibit.

(2) *3.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 3.0 multicast stream(s) aired on one or more ATSC 3.0 hosts pursuant to paragraph (f) of this section.

(3) *Children's television.* A Next Gen TV station may rely on a multicast stream it is airing via a host partner to comply with the Commission's children's television programming requirement in § 73.671. Such a stream must either be carried on the same host as the Next Gen TV station's primary stream, or on a host that serves at least 95 percent of the predicted population served by the Next Gen TV station's pre-transition 1.0 signal.

(4) *Application exhibit required.* A Next Gen TV station seeking to license hosted multicast streams must prepare and host on its public website (or its Online Public Inspection File if the station does not have a dedicated website) the exhibit referenced in paragraph (f)(6)(i)(D) of this section. The exhibit must contain the following:

(i) For each hosted stream: channel number (RF and virtual); network affiliation (or type of programming if unaffiliated); resolution (e.g., 1080i, 720p, 480p, or 480i); whether the stream will be simulcast; and if so, the identity of the paired stream in the other service; and

(ii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the host capacity limit. It may do so by either showing that it is seeking hosting only for streams it was broadcasting on its own 1.0 facility prior to its transition to 3.0, or identifying another 1.0 station that is carrying or has carried the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared);

(iii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the coverage requirement for guest multicast streams, including by providing a contour map showing the guest multicast stream will continue to serve the station's community of license; and

(iv) *Changes to the exhibit.* Changes to the affiliation or content of a stream that would not result in the use of additional capacity, the elimination of a stream, or non-substantive corrections may be made at the discretion of the applicant but must be reflected in a timely update to the existing public exhibit and an emailed notice to the Chief of the Media Bureau's Video Division or their designee. No other changes, including to the location of the exhibit itself, may be made without the filing and approval of a new application.

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

■ 5. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 310, 325, 336 and 554.

■ 6. Amend § 74.782 by:

■ a. In paragraph (b)(3) remove the date "July 17, 2023" and add, in its place, "July 17, 2027";

■ b. Revising paragraphs (g)(5) and (6); and

■ c. Adding paragraph (j).

The revisions and addition read as follows:

§ 74.782 Low power television and TV translator simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(g) * * *

(5) *Expedited processing.* An application filed in accordance with the streamlined process in paragraph (f)(3) of this section will receive expedited processing provided, for stations requesting to air an ATSC 1.0 primary signal on the facilities of a host station, that station will provide ATSC 1.0 service to at least 95 percent of the predicted population within the noise limited service contour of its original ATSC 1.0 facility.

(6) *Required information.* (i) An application in paragraph (f)(2) of this section must include the following information:

(A) The station or stations serving as the host or hosts, identified by call sign and facility identification number, if applicable;

(B) The technical facilities of each host station, if applicable;

(C) The DMA of the originating broadcaster's facility and the DMA of each host station, if applicable;

(D) A web link to the exhibit described in paragraph (i) of this section, if applicable; and

(E) Any other information deemed necessary by the Commission to process the application.

(ii) If an application in paragraph (f)(2) of this section includes a request to air an ATSC 1.0 signal on the facilities of a host station or stations, the broadcaster must, in addition to the information in paragraph (f)(6)(i) of this section, also indicate on the application:

(A) The predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal;

(B) The predicted population within the noise limited service contour served by the station's original ATSC 1.0 signal

that will lose the station's ATSC 1.0 service as a result of the hosting arrangement or arrangements, including identifying areas of service loss by providing a contour overlap map; and

(C) Whether the ATSC 1.0 primary stream simulcast signal aired on the host station will serve at least 95 percent of the population in paragraph (f)(6)(ii)(A) of this section.

* * * * *

(j) *Multicast streams.* A Next Gen TV station is not required to license, under paragraph (f) of this section, a "guest" multicast programming stream that it originates and which is aired on a host station. If it chooses to do so, it and each of its licensed guest multicast streams must comply with the requirements of this section (including those otherwise applicable only to primary streams), except for paragraph (f)(5) of this section and as otherwise provided in this paragraph. For purposes of this section, a "multicast" stream refers to a video programming stream other than the primary video programming stream.

(1) *1.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 1.0 multicast stream(s) aired on one or more ATSC 1.0 hosts pursuant to paragraph (f) of this section. Non-simulcast streams are not required to comply with paragraph (b) of this section.

(i) *Host capacity limit.* A Next Gen TV station that has converted its own facility to 3.0 must not license more capacity on one or more partner host stations, in the aggregate, than the station could use if it were still operating on its own facility in 1.0. It must demonstrate compliance with this limit in its license application exhibit.

(2) *3.0 Multicast streams.* A Next Gen TV station may license its guest ATSC 3.0 multicast stream(s) aired on one or more ATSC 3.0 hosts pursuant to paragraph (f) of this section.

(3) *Children's television.* A Next Gen TV station may rely on a multicast stream it is airing via a host partner to comply with the Commission's children's television programming requirement in § 73.671 of this chapter. Such a stream must either be carried on the same host as the Next Gen TV station's primary stream, or on a host that serves at least 95 percent of the predicted population served by the Next Gen TV station's pre-transition 1.0 signal.

(4) *Application exhibit required.* A Next Gen TV station seeking to license hosted multicast streams must prepare and host on its public website (or its Online Public Inspection File if the station does not have a dedicated

website) the exhibit referenced in paragraph (f)(6)(i)(D) of this section. The exhibit must contain the following:

(i) For each hosted stream: channel number (RF and virtual); network affiliation (or type of programming if unaffiliated); resolution (*e.g.*, 1080i, 720p, 480p, or 480i); whether the stream will be simulcast; and if so, the identity of the paired stream in the other service; and

(ii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the host capacity limit. It may do so by either showing that it is seeking hosting only for streams it was broadcasting on its own 1.0 facility prior to its transition to 3.0, or identifying another 1.0 station that is carrying or has carried the same or a similar programming lineup at the same resolutions on the same type of facility (individual or shared);

(iii) For a station that has converted its own facility to 3.0, the exhibit must also demonstrate compliance with the coverage requirement for guest multicast streams, including by providing a contour map showing the guest multicast stream will continue to serve the station's community of license; and

(iv) *Changes to the exhibit.* Changes to the affiliation or content of a stream that would not result in the use of additional capacity, the elimination of a stream, or non-substantive corrections may be made at the discretion of the applicant but must be reflected in a timely update to the existing public exhibit and an emailed notice to the Chief of the Media Bureau's Video Division or their designee. No other changes, including to the location of the exhibit itself, may be made without the filing and approval of a new application.

[FR Doc. 2023-14408 Filed 7-14-23; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 180720681-8999-02; RTID 0648-XD155]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2023 Recreational Closure for Golden Tilefish in the South Atlantic

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure (AM) for the recreational harvest of golden tilefish in the exclusive economic zone (EEZ) of the South Atlantic. NMFS estimates that recreational landings of golden tilefish have reached the recreational annual catch limit (ACL) for the 2023 fishing year. Accordingly, NMFS closes the recreational sector for the harvest of golden tilefish in the South Atlantic EEZ on July 17, 2023. This closure is necessary to protect the golden tilefish resource.

DATES: This temporary rule is effective from 12:01 a.m. eastern time on July 17, 2023, through December 31, 2023.

FOR FURTHER INFORMATION CONTACT:

Mary Vara, NMFS Southeast Regional Office, telephone: 727-824-5305, email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery of the South Atlantic includes golden tilefish and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Regulations at 50 CFR 622.193(a)(2) specify the recreational ACL for golden tilefish of 2,316 fish, as well as the recreational AMs if landings reach or exceed the ACL. The in-season recreational AM states that if recreational landings reach or are projected to reach the recreational ACL, then the recreational sector will be closed for the remainder of the fishing year (50 CFR 622.193(a)(2)(i)).

Recreational landings data from the NMFS Southeast Fisheries Science Center indicate that the golden tilefish recreational ACL for 2023 has been reached. Therefore, this temporary rule implements the AM to close the golden tilefish recreational sector for the remainder of the 2023 fishing year. As a result, the recreational sector for golden tilefish in the South Atlantic EEZ will be closed effective from 12:01 a.m. eastern time on July 24, 2023, through December 31, 2023. During the recreational closure, the bag and possession limits for golden tilefish in or from the South Atlantic EEZ are zero. The recreational sector for golden tilefish will open again on January 1, 2024, the beginning of the 2024 fishing year and the recreational fishing season.

NMFS has also closed the longline component of the commercial sector for

golden tilefish for the remainder of the 2023 fishing year (88 FR 20079, April 5, 2023). The hook-and-line component of the commercial sector is currently still open for the 2023 fishing year, and NMFS continues to monitor commercial hook-and-line landings.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act. This action is required by 50 CFR 622.193(a)(2)(i), which was issued pursuant to section 304(b) of the Magnuson-Stevens Act, and is exempt from review under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule that established the recreational ACL and AM for golden tilefish has already been subject to notice and comment, and all that remains is to notify the public of the closure. Such procedures are contrary to the public interest because of the need to immediately implement this action to protect the golden tilefish stock. The recreational ACL has been reached and prior notice and opportunity for public comment would require time, potentially resulting in a harvest well in excess of the established ACL.

For the reasons just stated, there is also good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: July 12, 2023.

Kelly Denit,

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

[FR Doc. 2023-15093 Filed 7-12-23; 4:15 pm]

BILLING CODE 3510-22-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919-0193]

RTID 0648-XD158

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Harpoon Category Retention Limit Adjustment

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; retention limit adjustment.

SUMMARY: NMFS is adjusting the Harpoon category bluefin tuna (BFT) daily retention limit from the default of no more than 10 large medium and giant BFT (*i.e.*, measuring 73 inches (185 cm) or greater curved fork length (CFL)), combined, to 5 large medium and giant BFT, combined, per vessel per day/trip. This action maintains the incidental daily catch limit of two large medium BFT (measuring 73 inches to less than 81 inches (206 cm)) per vessel per day/trip. This action applies to Atlantic Tunas Harpoon category permitted vessels and will be effective for the remainder of the 2023 Harpoon category fishing season, which ends November 15, 2023.

DATES: Effective July 14, 2023, through November 15, 2023, or unless NMFS announces via an action in the **Federal Register** another adjustment to the retention limit.

FOR FURTHER INFORMATION CONTACT:

Larry Redd, Jr., larry.redd@noaa.gov, 301-427-8503 or Ann Williamson, ann.williamson@noaa.gov, 301-427-8503.

SUPPLEMENTARY INFORMATION: Atlantic HMS fisheries, including BFT fisheries, are managed under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*). The 2006 Consolidated Atlantic HMS Fishery Management Plan (FMP) and its amendments are implemented by regulations at 50 CFR part 635. Section 635.27 divides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area).

The Harpoon category baseline quota is 59.2 mt. As described in § 635.23(d)(1), the overall default Harpoon category daily retention limit is no more than 10 large medium or giant BFT (*i.e.*, measuring 73 inches (185 cm) CFL or greater), combined, per vessel per day/trip. As described in § 635.23(d)(2), the incidental daily catch limit is no more than two large medium BFT (*i.e.*, measuring 73 inches to less than 81 inches (206 cm) CFL) per vessel per day/trip. This retention limit adjustment applies to Atlantic Tunas Harpoon category permitted vessels.

Adjustment of Harpoon Category Daily Retention Limit

Under § 635.23(d)(1), NMFS may increase or decrease the overall daily retention limit of large medium and giant BFT, combined, per vessel per day over a range of 5 to a maximum of 10 BFT per vessel per day after considering the regulatory determination criteria under § 635.27(a)(7).

NMFS has considered all of the relevant determination criteria and their applicability to the Harpoon category BFT retention limit for the remainder of the 2023 Harpoon category fishing season. After considering these criteria, NMFS has decided to decrease the overall daily retention limit from the default to no more than five large medium and giant BFT, combined, per vessel per day/trip (*i.e.*, BFT measuring 73 inches (185 cm) CFL or greater) for Harpoon category permitted vessels. This action maintains the incidental daily catch limit of two large medium BFT (*i.e.*, measuring 73 inches to less than 81 inches (206 cm) CFL) per vessel per day/trip.

Regardless of the duration of a fishing trip, the daily retention limit applies upon landing. For example, whether a vessel fishing under the Harpoon category retention limit takes a 2-day trip or makes two trips in 1 day, the daily limit of five fish (combined) may not be exceeded upon landing. This Harpoon category retention limit adjustment is effective in all areas, except for the Gulf of Mexico, where NMFS prohibits targeting fishing for BFT, and applies to those vessels permitted in the Harpoon category.

Consideration of the Determination Criteria

As described above, under § 635.23(d)(1), NMFS may adjust the daily retention limit of large medium and giant BFT after considering the regulatory determination criteria under § 635.27(a)(7). Regarding the usefulness of information obtained from catches in the particular category for biological

sampling and monitoring of the status of the stock (§ 635.27(a)(7)(i)), biological samples collected from BFT landed by Harpoon category fishermen and provided by BFT dealers continue to provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Additional opportunity to land BFT would support the continued collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS considered the catches of the Harpoon category quota to date and the likelihood of closure of the Harpoon category if no adjustment is made (§ 635.27(a)(7)(ii)). Commercial-size BFT are currently readily available to vessels under the Harpoon category quota. To date, the Harpoon category has landed approximately 42.1 mt, representing 71 percent of the Harpoon category. If catch rates continue with the default daily limit, the Harpoon category quota will be reached or exceeded, and NMFS would need to close the fishery earlier than otherwise would be necessary under a lower limit.

NMFS also considered the effects of the adjustment on the BFT stock and the effects of the adjustment on accomplishing the objectives of the 2006 Consolidated HMS FMP (§ 635.27(a)(7)(v) and (vi)). This retention limit adjustment would be consistent with established quotas and subquotas, which are implemented consistent with ICCAT Recommendation 22-10, ATCA, and the objectives of the 2006 Consolidated HMS FMP and amendments. In establishing these quotas and subquotas and associated management measures, ICCAT and NMFS considered the best scientific information available, objectives for stock management and status, and effects on the stock. This retention limit adjustment is in line with the established management measures and stock status determinations. It is also important that NMFS limit landings to the subquotas both to adhere to the subquota allocations and to ensure that landings are as consistent as possible with the pattern of fishing mortality (*e.g.*, fish caught at each age) that was assumed in the latest stock assessment. This retention limit adjustment is consistent with all of the above listed objectives.

Another principal consideration in setting the retention limit is the objective of providing opportunities to harvest the available Harpoon category quota without exceeding the annual quota. This consideration is based on the objectives of the 2006 Consolidated HMS FMP and its amendments, and

includes achieving optimum yield on a continuing basis and optimizing the ability of all permit categories to harvest available BFT quota allocations (related to § 635.27(a)(7)(x)). As discussed above, NMFS will closely monitor Harpoon category catch rates and actively adjust the daily retention limit as appropriate to enhance scientific data collection and ensure fishing opportunities throughout the fishing season, as well as ensure available quota is not exceeded.

An overall 10 fish (combined) daily retention limit could result in diminished fishing opportunities for Harpoon category vessels resulting in the premature closure of the Harpoon category. A five fish (combined) daily retention limit for the remainder of the fishing season will provide a greater opportunity to harvest the Harpoon category quota while maintaining equitable distribution of fishing opportunities for Harpoon category participants.

Given these considerations, NMFS has determined that a five fish (combined) Harpoon category retention limit is warranted for the remainder of the Harpoon category fishing season, unless modified in another action. This retention limit would provide a reasonable opportunity to harvest the available U.S. BFT quota (including the expected increase in available 2023 quota based on 2022 underharvest), without exceeding it, while maintaining an equitable distribution of fishing opportunities; help optimize the ability of the Harpoon category to harvest its available quota; allow the collection of a broad range of data for stock monitoring purposes; and be consistent with the objectives of the 2006 Consolidated HMS FMP and amendments.

Monitoring and Reporting

NMFS will continue to monitor the BFT fishery closely. Dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. Late reporting by dealers compromises NMFS' ability to timely implement actions such as quota and retention limit adjustment, as well as closures, and may result in enforcement actions. Additionally, and separate from the dealer reporting requirement, Harpoon category vessel owners are required to report their own catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or end of each trip, by accessing <https://www.hmspermits.noaa.gov> or by using the HMS Catch Reporting app, or calling (888) 872-8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional adjustments are necessary to ensure available quota is not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may access <https://www.hmspermits.noaa.gov> for updates on quota monitoring and inseason adjustments.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act and regulations at 50 CFR part 635 and is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 533(b)(B), there is good cause to waive prior notice and opportunity to provide comment on this action, as notice and comment would be impracticable and contrary to this action for the following reasons. Specifically, the regulations implementing the 2006 Consolidated HMS FMP and amendments provide for inseason retention limit adjustments to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Providing prior notice and an opportunity for public comment on the change in the daily retention limit from the default level for the Harpoon category fishery would be impracticable. Based on available BFT quotas, fishery performance in recent years, and the availability of BFT on the fishing grounds, responsive adjustment to the Harpoon category BFT, combined, daily retention limit from the default level is warranted to allow fishermen to take advantage of availability of fish and of quota. NMFS could not have proposed this action earlier, as it needed to consider and respond to updated data and information about fishery conditions and this year's landings. If NMFS was to offer a public comment period now, after having appropriately considered that data, it would preclude fishermen from harvesting BFT that are legally available consistent with all of the regulatory criteria, and/or could result in selection of a retention limit inappropriate to the amount of quota available.

Adjustment of the Harpoon category retention limit needs to be effective as soon as possible to minimize any unnecessary disruption in fishing patterns, to allow the impacted sector to

benefit from the adjustment, and to extend fishing opportunities for Harpoon category participants. Fishing under the Harpoon category daily retention limit is currently underway and thus prior notice would be contrary to the public interest. Delays in decreasing Harpoon category retention limit would adversely affect those Harpoon category vessels that would otherwise have an opportunity to harvest BFT if the fishery were to remain open for as long as feasibly possible. Limited opportunities to harvest the respective quotas may have negative social and economic impacts for U.S. fishermen that depend upon catching the available quota within the time periods designated in the 2006 Consolidated HMS FMP and amendments. NMFS provides notification of retention limit adjustments by publishing the notice in the **Federal Register**, emailing individuals who have subscribed to the Atlantic HMS News electronic newsletter, and updating the information posted on the Atlantic Tunas Information Line and on <https://www.hmspermits.noaa.gov>.

For all of the above reasons, the AA finds that pursuant to 5 U.S.C. 553(d), there is also good cause to waive the 30-day delay in effective date.

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

Dated: July 12, 2023.

Kelly Denit,

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

[FR Doc. 2023-15065 Filed 7-12-23; 4:15 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 230224-0053; RTID 0648-XD057]

Fisheries of the Exclusive Economic Zone off Alaska; Longnose Skates in the Eastern Regulatory Area of the Gulf of Alaska

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting retention of longnose skates in the Eastern Regulatory Area of the Gulf of Alaska (GOA). This action is necessary because

the 2023 total allowable catch of longnose skates in the Eastern Regulatory Area of the GOA has been reached.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), July 12, 2023, through 2400 hours, A.l.t., December 31, 2023.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907-586-7228.

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

The 2023 total allowable catch (TAC) of longnose skates in the Eastern Regulatory Area of the GOA is 517 metric tons (mt) as established by the

final 2023 and 2024 harvest specifications for groundfish of the GOA (88 FR 13238, March 2, 2023).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2023 TAC of longnose skates in the Eastern Regulatory Area of the GOA has been reached. Therefore, NMFS is requiring that longnose skates in the Eastern Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(a)(2).

Classification

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

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to

the public interest, as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay prohibiting the retention of longnose skates in the Eastern Regulatory Area of the GOA. NMFS was unable to publish a notification providing time for public comment because the most recent, relevant data only became available as of July 11, 2023.

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

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

Dated: July 12, 2023.

Kelly Denit,

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

[FR Doc. 2023-15060 Filed 7-12-23; 4:15 pm]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 88, No. 135

Monday, July 17, 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-2019-0248; Airspace Docket No. 18-AEA-8]

RIN 2120-AA66

Amendment of Area Navigation (RNAV) Routes T-287, T-291, and T-295; Eastern United States

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA is withdrawing the NPRM published in the **Federal Register** on April 18, 2019, proposing to amend United States Area Navigation (RNAV) routes T-287, T-291, and T-295 in support of transitioning the National Airspace System (NAS) from ground-based to satellite-based navigation.

DATES: Effective as of 0901 UTC, July 17, 2023, the proposed rule published April 18, 2019 (84 FR 16217), is withdrawn.

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

SUPPLEMENTARY INFORMATION:

Reason for Withdrawal

The FAA published a notice of proposed rulemaking in the **Federal Register** for Docket No. FAA-2019-0248 (84 FR 16217; April 18, 2019). The NPRM proposed to amend RNAV routes T-287, T-291, and T-295 to support the transition of the NAS to satellite-based navigation. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received. Subsequent to the NPRM, other airway docket actions rendered this proposal unnecessary.

Conclusion

The FAA determined that the NPRM published on April 18, 2019, is unnecessary. Therefore, the FAA withdraws that NPRM.

Issued in Washington, DC, on July 11, 2023.

Karen L. Chiodini,

Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023-15002 Filed 7-14-23; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-1025; Airspace Docket No. 18-AEA-7]

RIN 2120-AA66

Amendment of Area Navigation (RNAV) Route T-299, and Establishment of T-318 and T-360; Eastern United States

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA is withdrawing the NPRM published in the **Federal Register** on December 28, 2018, proposing to amend United States Area Navigation (RNAV) route T-299, and establish T-318 and T-360 in support of transitioning the National Airspace System (NAS) from ground-based to satellite-based navigation.

DATES: Effective as of 0901 UTC, July 17, 2023, the proposed rule published December 28, 2018 (83 FR 67160), is withdrawn.

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

SUPPLEMENTARY INFORMATION:

Reason for Withdrawal

The FAA published a notice of proposed rulemaking in the **Federal Register** for Docket No. FAA-2018-1025 (83 FR 67160; December 28, 2018). The NPRM proposed to amend RNAV route T-299 and establish routes T-318 and T-360 to support the transition of the NAS to satellite-based navigation.

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. No comments were received. Subsequent to the NPRM, other airway docket actions rendered this proposal unnecessary.

Conclusion

The FAA determined that the NPRM published on December 28, 2018, is unnecessary. Therefore, the FAA withdraws that NPRM.

Issued in Washington, DC, on July 11, 2023.

Karen L. Chiodini,

Acting Manager, Airspace Rules and Regulations.

[FR Doc. 2023-15003 Filed 7-14-23; 8:45 am]

BILLING CODE 4910-13-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52 and 70

[EPA-R01-OAR-2023-0353; FRL-11161-01-R1]

Air Plan Approval and Operating Permit Program Approval; Connecticut; Revision to Definitions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revised definition in the State Implementation Plan (SIP) and the Title V Operating Permit Program for the State of Connecticut. On June 9, 2023, the Connecticut Department of Energy and Environmental Protection (CT DEEP) submitted to EPA a request to parallel process recently proposed revisions to the state's definition of "severe non-attainment area for ozone" for inclusion in the EPA-approved SIP and Title V Operating Permit Program. The revision is necessary to fully implement these programs based on a nonattainment reclassification to a portion of Connecticut for the 2008 ozone National Ambient Air Quality Standard. EPA is approving these revisions pursuant to the CAA and implementing federal regulations.

DATES: Written comments must be received on or before August 16, 2023.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R01–OAR–2023–0353 at <https://www.regulations.gov>, or via email to bird.patrick@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: Patrick Bird, Air and Radiation Division, U.S. Environmental Protection Agency, EPA Region 1, 5 Post Office Square—Suite 100, (Mail code 5–MO), Boston, MA 02109–3912, tel. (617) 918–1287, email bird.patrick@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA.

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I. Background

On October 7, 2022, EPA published a final rule to reclassify, among other areas, the southwest Connecticut ozone nonattainment area to severe nonattainment from serious nonattainment based on the area's inability to attain the 2008 ozone National Ambient Air Quality Standard (NAAQS) by the attainment date (87 FR 60926).

Connecticut regulations define nonattainment areas in a geographic manner. The current definition of “severe non-attainment area for ozone,” as found in 22a–174–1 of the Regulations of Connecticut State Agencies (RCSA), is based on the nonattainment area designation under the 1-hour ozone NAAQS of 1979. The area includes all towns and cities in Fairfield County, except the town of Shelton, and two towns in Litchfield County (Bridgewater and New Milford). The current definition of “serious non-attainment area for ozone,” as found in RCSA 22a–174–1, “means all towns within the State of Connecticut, except those towns located in the severe non-attainment area for ozone.”

The southwest Connecticut ozone nonattainment area for the 2008 ozone NAAQS is larger than the older area associated with the 1979 ozone NAAQS, and it includes all of Fairfield County, New Haven County, and Middlesex County.

On March 20, 2023, CT DEEP proposed changes to the definition of “severe non-attainment area for ozone” within RCSA 22a–174–1. A public comment period was open through May 10, 2023. The proposed change to the definition expanded the list of cities and towns included in the existing definition, including all cities and towns in New Haven County and Middlesex County. CT DEEP retained the two towns in Litchfield County to ensure consistency in the severe classification requirements in these communities and to comply with section 193 of the CAA which prohibits any control measure in effect in a nonattainment area prior to the enactment of the CAA Amendments of 1990 to be modified after enactment, unless such modification yields equivalent or greater emission reductions.

II. Impacts on Reasonably Available Control Technology, New Source Review and Title V Programs

Changes in an area's ozone nonattainment classification impact, among other things, the tons per year threshold for major stationary sources. Consistent with section 182(d) of the CAA, upon the effective date of the reclassification, a major source for all severe nonattainment areas, including the southwest Connecticut ozone nonattainment area, was defined as any stationary source that emits, or has the potential to emit, at least 25 tons per year of nitrogen oxides or volatile organic compounds. Given the way in which Connecticut's definitions and regulatory programs are structured, the reclassification from serious to severe nonattainment creates a programmatic gap between the federal major source threshold and the state major source threshold in portions of the southwest Connecticut ozone nonattainment area.

Connecticut regulations incorporate the definition of “severe non-attainment area for ozone” and “serious non-attainment area for ozone” into several key definitions and program requirements that guide determinations of applicability to programs such as reasonably available control technology (RACT), the New Source Review preconstruction permitting program and the Title V operating permitting program, as well as prohibitory rules that limit a source's potential to emit to below Title V permitting thresholds.

Sections 172(c)(1) and 182(b)(2) of the CAA require states to implement RACT in areas classified as moderate (and higher) non-attainment for ozone, while section 184(b)(1)(B) of the Act requires RACT in states located in the Ozone Transport Region. Specifically, these areas are required to implement RACT for all major stationary sources of nitrogen oxides and volatile organic compounds, and for all sources covered by a Control Techniques Guideline. EPA approved Connecticut's RACT regulations into the SIP for volatile organic compounds at RCSA 22a–174–32 and for nitrogen oxides at RCSA 22a–174–22. The applicability of these RACT regulations relies, in part, on the definitions of “severe non-attainment area for ozone” and “serious non-attainment area for ozone” within RCSA 22a–174–1. Therefore, revisions to the geographic scope of those definitions impact how RCSA 22a–174–22 and RCSA 22a–174–32 are implemented.

Connecticut's New Source Review program is federally enforceable through EPA's approval of applicable regulations into the Connecticut SIP. EPA last

approved New Source Review SIP elements on February 15, 2019 (84 FR 4338). Within Connecticut's rules, a "major stationary source," as defined at RCSA 22a-174-1, includes, "[a] stationary source that emits or has the potential to emit twenty-five (25) tons per year of volatile organic compounds or nitrogen oxides as an ozone precursor in any severe ozone nonattainment area" and "[a] stationary source that emits or has the potential to emit fifty (50) tons per year of volatile organic compounds or nitrogen oxides as an ozone precursor in any serious ozone nonattainment area."

Connecticut's New Source Review permitting program relies on the definition of "major stationary source" within the applicability sections of the state's prevention of significant deterioration program at RCSA 22a-174-3a(k) and nonattainment New Source Review program at RCSA 22a-174-3a(l). Therefore, the thresholds within the definition of "major stationary source," and that term's inclusion in the applicability sections of the state's New Source Review programs, directly rely on the geographic-specific definitions of "severe non-attainment area for ozone" and "serious non-attainment area for ozone" within RCSA 22a-174-1.

Connecticut's Title V program is an EPA-approved operating permits program under 40 CFR part 70. See the y on the geographic-specific definitions of "severe non-attainment area for ozone" and "serious non-attainment area for ozone" within RCSA 22a-174-1.

Connecticut also has two EPA-approved prohibitory rules that limit sources' potential to emit to below Title V thresholds. RCSA 22a-174-33a and 22a-174-33b were approved by EPA on March 11, 2022 (87 FR 13936) and provide a mechanism for Connecticut sources to comply with legally and practicably enforceable limits to levels 50% or 80% of the Title V thresholds for regulated NSR pollutants or hazardous air pollutants. RCSA 22a-174-33a and 22a-174-33b both define "'Title V source thresholds" to mean the tons per year levels in the definition of "Title V source," as found in the state's Title V operating permit program at RCSA 22a-174-33. Again, through reliance on the terms "severe non-attainment area for ozone" and "serious non-attainment area for ozone," the geographic scope of those definitions impact how RCSA 22a-174-33a and 22a-174-33b are implemented.

III. Review of CT DEEP's Submittal

On June 9, 2023, CT DEEP submitted to EPA a revised version of the definition of "severe non-attainment area for ozone" within RCSA 22a-174-1 for approval into the SIP and as a program revision to the state's Title V operating permitting program. The proposed definition includes all cities and towns in Fairfield County, New Haven County, Middlesex County and the towns of Bridgewater and New Milford of Litchfield County.

The definition is consistent with what was proposed at the state level on March 20, 2023. At the time of state proposal, EPA reviewed the RACT, New Source Review, Title V, and applicable prohibitory rules to determine if any other regulatory revisions were needed to satisfy the immediate impacts related to the programmatic gap between the federal major source threshold and the state major source threshold in portions of the southwest Connecticut ozone nonattainment area due to the reclassification of the area to severe nonattainment. As described in sections I. and II. of this notice, the terms "severe non-attainment area for ozone" and "serious non-attainment area for ozone" are applicable within several sections of the state's rules, and EPA concluded that by revising the definition of "severe non-attainment area for ozone" within RCSA 22a-174-1, several programs would be immediately compliant with the federal major source threshold as part of EPA's reclassification of the southwest Connecticut ozone nonattainment area to severe nonattainment.

IV. Parallel Processing

In CT DEEP's June 9, 2023 submittal, the state requested parallel processing of the revised definition of "severe non-attainment area for ozone" within RCSA 22a-174-1 for approval within the Connecticut SIP and as a Title V program revision. Under this procedure, EPA would propose for approval the revision before the state's final adoption of the definition. Given the significance of this revision on several important CAA programs, we see the value in proceeding with parallel processing. Connecticut has also indicated that no comments were submitted concerning the definition of "severe non-attainment area for ozone" during the public comment period for the state rulemaking. Connecticut has indicated that it plans to have a final adopted regulation by October or November of 2023. After Connecticut submits its final adopted regulation, EPA will review the regulation to determine whether it

differs from the proposed regulation submitted on June 9, 2023.

If the final regulation does not differ from the proposed regulation, EPA will process a final rule, adopting the revised definition into the SIP and as a Title V program revision. If the final regulation does differ from the proposed regulation, EPA will determine whether these differences are significant. Based on EPA's determination regarding the significance of any changes in the final regulation, EPA would then decide whether it is appropriate to prepare a final rule and describe the changes in the final rulemaking action, re-propose action based on Connecticut's final adopted regulation, or other such action as may be appropriate.

V. Proposed Action

EPA is proposing to approve Connecticut's revised definition of "severe non-attainment area for ozone" within RCSA section 22a-174-1, as proposed by the state on March 20, 2023 and submitted to EPA on June 9, 2023 with a request to parallel process the proposal. EPA is proposing to approve this revised definition within the Connecticut SIP and as a Title V program revision.

EPA is soliciting public comments on the revised definition and programmatic implications discussed in this notice 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 rule by following the instructions listed in the ADDRESSES section of this **Federal Register**.

VI. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the revised definition of "severe non-attainment area for ozone" within Connecticut's RCSA section 22a-174-1, which, upon final action, will have impacts to several state regulations, including RACT, the state's New Source Review program, and applicable prohibitory regulations as discussed in section II. of this preamble. The impact of this revision will change the threshold by which these State programs will apply to sources of NOx and VOCs in Connecticut. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 1 Office (please contact the

person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

VII. Statutory and Executive Order Reviews

In reviewing SIP and Title V submissions, EPA's role is to approve such submissions, provided that they meet the criteria of the CAA and EPA's implementing regulations. These actions merely approve state law as meeting Federal requirements and do not impose additional requirements beyond those imposed by state law. For that reason, these actions:

- 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 Clean Air Act.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

Furthermore, the rules regarding Title V operating permit programs do not have tribal implications because they are not approved to apply to any source of air pollution over which an Indian

Tribe has jurisdiction, nor will these rules impose substantial direct costs on tribal governments or preempt tribal law.

Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 16, 1994) directs Federal agencies to identify and address “disproportionately high and adverse human health or environmental effects” of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. EPA defines environmental justice (EJ) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” EPA further defines the term fair treatment to mean that “no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies.”

The CT DEEP did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA did not perform an EJ analysis and did not consider EJ in this action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive impact on the air quality of the affected area. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating Permits, Reporting and recordkeeping requirements.

Dated: July 10, 2023.

David Cash,

Regional Administrator, EPA Region 1.

[FR Doc. 2023-14893 Filed 7-14-23; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 23-590; MB Docket No. 23-198; RM-11950; FR ID 154742]

Radio Broadcasting Services; Koloa, Hawaii

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by SSR Communications, Inc., proposing to amend the FM Table of Allotments, by allotting Channel 272A at Koloa, Hawaii, as the community's first local service. A staff engineering analysis indicates that Channel 272A can be allotted to Koloa, Hawaii, consistent with the minimum distance separation requirements of the Commission's rules, with a site restriction of 8.3 km (5.2 miles) northwest of the community. The reference coordinates are 21-58-24 NL and 159-29-45 WL.

DATES: Comments must be filed on or before August 28, 2023, and reply comments on or before September 12, 2023.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner and its counsel as follows: MATTHEW K. WESOLOWSKI, CEO, SSR COMMUNICATIONS, INC., 740 HIGHWAY 49 NORTH, SUITE R, FLORA, MS 39071.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418-2054, Rolanda-Faye.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Federal Communications Commission's (Commission) Notice of Proposed Rule Making, MB Docket No. 23-198, adopted July 6, 2023, and released July 7, 2023. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain proposed information

collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. *See* 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, *see* 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.202, in paragraph (b), amend the Table of FM Allotments under Hawaii by adding in alphabetical an entry for “Koloa” to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) * * *

TABLE 1 TO PARAGRAPH (b)
[U.S. States]

Channel No.				
* * * * *				
Hawaii				
Koloa				272A
* * * * *				

* * * * *

[FR Doc. 2023–15007 Filed 7–14–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 23–592; MB Docket No. 23–197; RM–11949; FR ID 154745]

Radio Broadcasting Services; Puhi, Hawaii

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by SSR Communications, Inc., proposing to amend the FM Table of Allotments, by allotting Channel 284A at Puhi, Hawaii, as the community’s first local service. A staff engineering analysis indicates that Channel 284A can be allotted to Puhi, Hawaii, consistent with the minimum distance separation requirements of the Commission’s rules, with a site restriction of 10.8 km (6.7 miles) west of the community. The reference coordinates are 21–58–24 NL and 159–29–45 WL.

DATES: Comments must be filed on or before August 28, 2023, and reply comments on or before September 12, 2023.

ADDRESSES: Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner and its counsel as follows: MATTHEW K. WESOLOWSKI, CEO, SSR COMMUNICATIONS, INC., 740 HIGHWAY 49 NORTH, SUITE R, FLORA, MS 39071.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2054, Rolanda-Faye.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Federal Communications Commission’s (Commission) Notice of Proposed Rule Making, MB Docket No. 23–197, adopted July 6, 2023, and released July 7, 2023. The full text of this Commission decision is available online at <https://apps.fcc.gov/ecfs>. The full text of this document can also be downloaded in Word or Portable Document Format (PDF) at <https://www.fcc.gov/edocs>. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995,

Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. *See* 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, *see* 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

Proposed Rules

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.202, in paragraph (b), amend the Table of FM Allotments under Hawaii by adding in alphabetical an entry for “Puhi” to read as follows:

§ 73.202 Table of Allotments.

* * * * *

(b) * * *

TABLE 1 TO PARAGRAPH (b)
[U.S. States]

Channel No.				
* * * * *				
Hawaii				
Puhi				284A
* * * * *				

[FR Doc. 2023–15008 Filed 7–14–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 74

[GN Docket No. 16–142; FCC 23–53; FR ID 152602]

Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) seeks further understanding of the current marketplace for ATSC 3.0 Standard Essential Patents (SEPs) and the ability of third parties to develop products that rely upon them. The Commission also seeks comment on the impact on consumers if the Commission were to adopt, or not adopt, rules to require essential patent holders in 3.0 technology to commit to licensing them on reasonable and non-discriminatory (RAND) terms.

DATES: Comments are due on or before September 15, 2023; reply comments are due on or before October 16, 2023.

ADDRESSES: You may submit comments, identified by GN Docket No. 16–142, by any of the following methods:

- *Electronic Filers:* Federal Communications Commission’s website: <https://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Evan Baranoff, Evan.Baranoff@fcc.gov, of the Media Bureau, Policy Division, (202) 418–7142. Direct press inquiries to Janice Wise at (202) 418–8165.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Fourth Further Notice of Proposed Rulemaking (FNPRM), FCC 23–53, adopted on June 20, 2023 and released on June 23, 2023. The full text of this document is

available electronically via the FCC’s Electronic Document Management System (EDOCS) website at <https://www.fcc.gov/edocs> or via the FCC’s Electronic Comment Filing System (ECFS) website at <https://www.fcc.gov/ecfs>. (Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.) Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission’s Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

I. Introduction

1. In the Fourth Further Notice of Proposed Rulemaking (*FNPRM*) (accompanying the Third Report and Order, published elsewhere in this issue of the **Federal Register**), we seek to further our understanding of the current marketplace for ATSC 3.0 Standard Essential Patents (SEPs) and the ability of third parties to develop products that rely upon them. We also seek comment on the impact on consumers if the Commission were to adopt, or not adopt, rules to require essential patent holders in 3.0 technology to commit to licensing them on reasonable and non-discriminatory (RAND) terms.

II. Fourth Further Notice of Proposed Rulemaking

2. With this FNPRM, we seek to further our understanding of the current marketplace for ATSC 3.0 Standard Essential Patents (SEPs) and the ability of third parties to develop products that rely upon them. As the Commission has previously observed in this proceeding, the Advanced Television Systems Committee (ATSC), which developed the ATSC 3.0 standard, requires patent owners to disclose that they hold essential patents and to commit to licensing them on reasonable and non-discriminatory (RAND) terms. The Commission decided in 2017 that “[w]ith no evidence of patent licensing issues, . . . it [was] premature to impose regulations on the private licensing marketplace.” After reviewing the record developed in response to the *Sunsets FNPRM*, we invite additional comments about both the specific issues raised below and the general state of the market. This will inform the Commission’s consideration of its authority to act on these issues, as well as the need for, appropriateness of, and potential benefits of rules governing the RAND licensing of SEPs.

3. A number of commenters identify issues with the current ATSC 3.0 patent marketplace and encourage the Commission to “closely monitor” the market or even to immediately adopt Commission rules formalizing RAND requirements for SEPs. The Alliance for Automotive Innovation (AAI), for example, explains that “[t]he ability to license patents declared essential to technical standards on reasonable and non-discriminatory . . . terms is critical to enabling automotive companies to deploy new technologies.” However, they contend that, despite the ATSC RAND requirement, “some ATSC 3.0 SEP holders have refused to license to some willing implementers on RAND terms.” AAI thus proposes that the Commission not just monitor the market to ensure compliance with the existing ATSC requirements, but also actively inquire into the licensing practices of SEP holders and their representatives. Likewise, other commenters urge the Commission to take an active role. Finally, Public Knowledge/Open Technology Institute (PK) goes further, proposing that the Commission should immediately adopt enforceable RAND requirements for SEPs. PK argues that reliance on third party enforcement of the ATSC RAND requirement is insufficient. They note that the standard leaves resolution of patent disputes to the courts but contend that third party enforcement may not always be possible or effective, as courts must find that a disclosure and licensing commitment like ATSC’s was actually intended to bind members against third parties. Furthermore, courts would look to the intent of the contracting parties, not broader case law, when interpreting the relevant terms in ATSC’s policy, meaning the very definition of “reasonable and non-discriminatory” could be up for debate. PK therefore proposes that the Commission adopt rules of its own.

4. On the other hand, several other commenters oppose Commission involvement in what they describe as a still-nascent market showing no signs of market failure. Other commenters contend that adoption of RAND requirements by the Commission is unnecessary at best and potentially even harmful to the consumer market for ATSC 3.0 devices. We seek additional comment on the state of this market, particularly from the perspective of parties, or the representatives of parties, that do not hold SEPs but have licensed or attempted to license them. Are SEP holders complying with the ATSC RAND requirements? If not, how are disputes currently resolved? Are the

existing ATSC RAND requirements imposing any adverse economic impacts? Why or why not? Patent pool operator MPEG LA states that it is unaware of any SEP outside of its ATSC 3.0 patent pool, and the Commission is not aware of any similar alternative patent pool. AAI claims that MPEG LA is focused exclusively on “downstream” users of SEPs, which “inhibits upstream suppliers from securing the license rights necessary to develop products, offer them for sale, or even determine whether to enter the market without the ability to know what a licensee’s cost would be.” Is MPEG LA or any other party in a position to refute or address these concerns raised by AAI?

5. Some commenters also assert that, regardless of the state of the market, the Commission does not have authority to impose RAND requirements on ATSC 3.0 patent licenses. For example, ONE Media and MPEG LA contend that the Commission may not have jurisdiction over all SEP holders. Other commenters emphasize the lack of explicit statutory authority for the imposition of RAND requirements, while acknowledging that the Commission has taken action in the past to prevent the abuse of patent rights. We invite comment on the specific arguments raised by commenters regarding jurisdiction.

6. If the Commission were to find problems in the SEP marketplace that—consistent with the Commission’s existing authority—could be ameliorated by the application of RAND requirements, how could those requirements be crafted to minimize any potential adverse economic impact while maximizing the opportunity for participation in the ATSC market? PK proposes that the Commission adopt RAND rules in line with the policy established by the Institute of Electrical and Electronics Engineers (IEEE), which PK argues provide sufficient detail to minimize costly disputes. Other commenters emphasize that in 2019 the Department of Justice expressed concern that the IEEE policy had “dampened enthusiasm for the IEEE process” causing delays in standards adoption,” though PK points out that the Fair Standards Alliance praised the IEEE policy as recently as last year. Commenters also note that the Departments of Justice and Commerce recently endorsed a “case-by-case” approach to addressing patent disputes. Were the Commission to adopt regulations, would the IEEE approach, a case by case approach, or another approach be best suited to administration by the Commission? What are the competitive impacts of these different approaches? If the

Commission were to establish specific standards, are there sources instead of or in addition to the IEEE policy to which the Commission should look? Regardless of the approach adopted, if any, how could the Commission ensure speedy resolution of complaints? For example, should resolution of such complaints be delegated to a bureau, office, or administrative judge? Should complaints be deemed denied if not acted upon within a certain time frame? To what extent should any Commission rules consider the non-price terms and conditions of licensing agreements?

7. Are there other issues the Commission should consider with respect to the possible application of RAND rules to the licensing of SEPs? We invite comment on the questions above and any others related to the current SEP marketplace and possible Commission rules relating to the RAND licensing of SEPs.

8. *Digital Equity and Inclusion.* The Commission, as part of its continuing effort to advance digital equity for all,¹ including people of color, people with disabilities, people who live in rural or Tribal areas, and others who are or have been historically underserved, marginalized, or adversely affected by persistent poverty or inequality, invites comment on any equity-related considerations² and benefits (if any) that may be associated with the proposals and issues discussed herein. Specifically, we seek comment on how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility, as well the scope of the Commission’s relevant legal authority.

¹ Section 1 of the Communications Act of 1934 as amended provides that the FCC “regulat[es] interstate and foreign commerce in communication by wire and radio so as to make [such service] available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex.” 47 U.S.C. 151.

² The term “equity” is used here consistent with Executive Order 13985 as the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. See Exec. Order No. 13985, 86 FR 7009, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021).

III. Procedural Matters

A. Initial Regulatory Flexibility Analysis.

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),³ the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on a substantial number of small entities by the policies proposed in this *Fourth Further Notice of Proposed Rulemaking (FNPRM or Fourth FNPRM)*. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the *FNPRM* provided on the first page of the *FNPRM*. The Commission will send a copy of this entire *FNPRM*, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).⁴ In addition, the *FNPRM* and the IRFA (or summaries thereof) will be published in the **Federal Register**.⁵

1. Need for, and Objectives of, the Proposed Rules

2. In this *Fourth Further Notice of Proposed Rulemaking (FNPRM)*, the Commission seeks to further its understanding of the current marketplace for ATSC 3.0 Standard Essential Patents (SEPs) and the ability of third parties to develop products that rely upon them. As the Commission has previously observed in this proceeding, the Advanced Television Systems Committee (ATSC), which developed the ATSC 3.0 standard, requires patent owners to disclose that they hold essential patents and to commit to licensing them on reasonable and non-discriminatory (RAND) terms. The record developed in response to the *Sunsets FNPRM*, however, raises questions both about whether patentees are respecting these commitments and about the challenges faced in court by third parties seeking their enforcement. In light of these concerns and the limits of the existing record, the Commission seeks additional comments about the general state of the market, particularly from parties that do not hold SEPs but have licensed or attempted to license them. This will inform the Commission’s consideration of the need for, appropriateness of, and potential

³ 5 U.S.C. 603. The RFA, see 5 U.S.C. 601 through 612, was amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law 104 through 121, Title II, 110 Stat. 857 (1996).

⁴ 5 U.S.C. 603(a).

⁵ *Id.*

benefits of Commission rules governing the RAND licensing of SEPs.

2. Legal Basis

3. The proposed action is authorized pursuant to sections 1, 4, 7, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 157, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535.

3. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

4. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the rules adopted herein.⁶ The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”⁷ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.⁸ A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.⁹ Below, we provide a description of such small entities, as well as an estimate of the number of such small entities, where feasible.

5. *Television Broadcasting.* This industry is comprised of “establishments primarily engaged in broadcasting images together with sound.” These establishments operate television broadcast studios and facilities for the programming and transmission of programs to the public. These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA small business size standard for this industry classifies businesses having \$41.5

million or less in annual receipts as small. 2017 U.S. Census Bureau data indicate that 744 firms in this industry operated for the entire year. Of that number, 657 firms had revenue of less than \$25,000,000.¹⁰ Based on this data we estimate that the majority of television broadcasters are small entities under the SBA small business size standard.

6. As of December 31, 2022, there were 1,375 licensed commercial television stations. Of this total, 1,282 stations (or 93.2%) had revenues of \$41.5 million or less in 2021, according to Commission staff review of the BIAKelsey Media Access Pro Online Television Database (MAPro) on January 13, 2023, and therefore these licensees qualify as small entities under the SBA definition. In addition, the Commission estimates as of December 31, 2022, there were 383 licensed noncommercial educational (NCE) television stations, 383 Class A TV stations, 1,912 LPTV stations and 3,122 TV translator stations. The Commission, however, does not compile and otherwise does not have access to financial information for these television broadcast stations that would permit it to determine how many of these stations qualify as small entities under the SBA small business size standard. Nevertheless, given the SBA’s large annual receipts threshold for this industry and the nature of these television station licensees, we presume that all of these entities qualify as small entities under the above SBA small business size standard.

7. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using

facilities and infrastructure that they operate are included in this industry. Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.¹¹

8. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.¹² Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 5,183 providers that reported they were engaged in the provision of fixed local services. Of these providers, the Commission estimates that 4,737 providers have 1,500 or fewer employees. Consequently, using the SBA’s small business size standard, most of these providers can be considered small entities.

9. *Cable Companies and Systems (Rate Regulation).* The Commission has developed its own small business size standard for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers nationwide. Based on industry data, there are about 420 cable companies in the U.S. Of these, only seven have more than 400,000 subscribers. In addition, under the Commission’s rules, a “small system” is a cable system serving 15,000 or fewer subscribers. Based on industry data, there are about 4,139 cable systems (headends) in the U.S. Of these, about 639 have more than 15,000 subscribers. Accordingly, the Commission estimates that the majority of cable companies and cable systems are small.

10. *Cable System Operators (Telecom Act Standard).* The Communications Act of 1934, as amended, contains a size standard for a “small cable operator,” which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is

⁶ 5 U.S.C. 603(b)(3).

⁷ *Id.* 601(6).

⁸ *Id.* 601(3) (incorporating by reference the definition of “small-business concern” in 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.” 5 U.S.C. 601(3).

⁹ 15 U.S.C. 632.

¹⁰ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, see https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

¹¹ Fixed Local Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, and Other Local Service Providers. Local Resellers fall into another U.S. Census Bureau industry group and therefore data for these providers is not included in this industry.

¹² The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000.” For purposes of the Telecom Act Standard, the Commission determined that a cable system operator that serves fewer than 677,000 subscribers, either directly or through affiliates, will meet the definition of a small cable operator based on the cable subscriber count established in a 2001 Public Notice. Based on industry data, only six cable system operators have more than 677,000 subscribers. Accordingly, the Commission estimates that the majority of cable system operators are small under this size standard. We note however, that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million.¹³ Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

11. *Direct Broadcast Satellite (DBS) Service.* DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic “dish” antenna at the subscriber’s location. DBS is included in the Wired Telecommunications Carriers industry which comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services.¹⁴ By exception, establishments providing satellite

television distribution services using facilities and infrastructure that they operate are included in this industry.

12. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that 3,054 firms operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.¹⁵ Based on this data, the majority of firms in this industry can be considered small under the SBA small business size standard. According to Commission data however, only two entities provide DBS service—DIRECTV (owned by AT&T) and DISH Network, which require a great deal of capital for operation. DIRECTV and DISH Network both exceed the SBA size standard for classification as a small business. Therefore, we must conclude based on internally developed Commission data, in general DBS service is provided only by large firms.

13. *Satellite Master Antenna Television (SMATV) Systems, also known as Private Cable Operators (PCOs).* SMATV systems or PCOs are video distribution facilities that use closed transmission paths without using any public right-of-way. They acquire video programming and distribute it via terrestrial wiring in urban and suburban multiple dwelling units such as apartments and condominiums, and commercial multiple tenant units such as hotels and office buildings. SMATV systems or PCOs are included in the Wired Telecommunications Carriers’ industry which includes wireline telecommunications businesses. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.¹⁶ Thus under the SBA size standard, the majority of firms in this industry can be considered small.

14. *Home Satellite Dish (HSD) Service.* HSD or the large dish segment of the satellite industry is the original satellite-to-home service offered to consumers and involves the home reception of signals transmitted by satellites operating generally in the C-band frequency. Unlike DBS, which uses small dishes, HSD antennas are

between four and eight feet in diameter and can receive a wide range of unscrambled (free) programming and scrambled programming purchased from program packagers that are licensed to facilitate subscribers’ receipt of video programming. Because HSD provides subscription services, HSD falls within the industry category of Wired Telecommunications Carriers. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.¹⁷ Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

15. *Open Video Systems.* The open video system (OVS) framework was established in 1996 and is one of four statutorily recognized options for the provision of video programming services by local exchange carriers. The OVS framework provides opportunities for the distribution of video programming other than through cable systems. OVS operators provide subscription services and therefore fall within the SBA small business size standard for the cable services industry, which is “Wired Telecommunications Carriers.” The SBA small business size standard for this industry classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year. Of this total, 2,964 firms operated with fewer than 250 employees.¹⁸ Thus, under the SBA size standard the majority of firms in this industry can be considered small. Additionally, we note that the Commission has certified some OVS operators who are now providing service and broadband service providers (BSPs) are currently the only significant holders of OVS certifications or local OVS franchises. The Commission does not have financial or employment information for the entities authorized to provide OVS however, the Commission believes some of the OVS operators may qualify as small entities.

16. *Broadband Radio Service and Educational Broadband Service.* Broadband Radio Service systems, previously referred to as Multipoint Distribution Service (MDS) and

¹³ The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority’s finding that the operator does not qualify as a small cable operator.

¹⁴ Included in this industry are: broadband internet service providers (e.g., cable, DSL); local telephone carriers (wired); cable television distribution services; long-distance telephone carriers (wired); closed-circuit television (CCTV) services; VoIP service providers, using own operated wired telecommunications infrastructure; direct-to-home satellite system (DTH) services; telecommunications carriers (wired); satellite television distribution systems; and multichannel multipoint distribution services (MMDS).

¹⁵ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁶ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁷ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

¹⁸ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

Multichannel Multipoint Distribution Service (MMDS) systems, and “wireless cable,”¹⁹ transmit video programming to subscribers and provide two-way high speed data operations using the microwave frequencies of the Broadband Radio Service (BRS) and Educational Broadband Service (EBS) (previously referred to as the Instructional Television Fixed Service (ITFS)). Wireless cable operators that use spectrum in the BRS often supplemented with leased channels from the EBS, provide a competitive alternative to wired cable and other multichannel video programming distributors. Wireless cable programming to subscribers resembles cable television, but instead of coaxial cable, wireless cable uses microwave channels.²⁰

17. In light of the use of wireless frequencies by BRS and EBS services, the closest industry with a SBA small business size standard applicable to these services is Wireless Telecommunications Carriers (*except Satellite*). The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees. U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated in this industry for the entire year. Of this number, 2,837 firms employed fewer than 250 employees.²¹ Thus under the SBA size standard, the Commission estimates that a majority of licensees in this industry can be considered small.

18. According to Commission data as December 2021, there were approximately 5,869 active BRS and EBS licenses. The Commission’s small business size standards with respect to BRS involves eligibility for bidding credits and installment payments in the auction of licenses for these services. For the auction of BRS licenses, the Commission adopted criteria for three groups of small businesses. A very small business is an entity that, together with its affiliates and controlling interests, has average annual gross revenues exceed \$3 million and did not exceed

\$15 million for the preceding three years, a small business is an entity that, together with its affiliates and controlling interests, has average gross revenues exceed \$15 million and did not exceed \$40 million for the preceding three years, and an entrepreneur is an entity that, together with its affiliates and controlling interests, has average gross revenues not exceeding \$3 million for the preceding three years. Of the ten winning bidders for BRS licenses, two bidders claiming the small business status won 4 licenses, one bidder claiming the very small business status won three licenses and two bidders claiming entrepreneur status won six licenses. One of the winning bidders claiming a small business status classification in the BRS license auction has an active licenses as of December 2021.

19. The Commission’s small business size standards for EBS define a small business as an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$55 million for the preceding five (5) years, and a very small business is an entity that, together with its affiliates, its controlling interests and the affiliates of its controlling interests, has average gross revenues that are not more than \$20 million for the preceding five (5) years. In frequency bands where licenses were subject to auction, the Commission notes that as a general matter, the number of winning bidders that qualify as small businesses at the close of an auction does not necessarily represent the number of small businesses currently in service. Further, the Commission does not generally track subsequent business size unless, in the context of assignments or transfers, unjust enrichment issues are implicated. Additionally, since the Commission does not collect data on the number of employees for licensees providing these services, at this time we are not able to estimate the number of licensees with active licenses that would qualify as small under the SBA’s small business size standard.

20. *Incumbent Local Exchange Carriers (Incumbent LECs)*. Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers is the closest industry with an SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms

in this industry that operated for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.²² Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 1,227 providers that reported they were incumbent local exchange service providers. Of these providers, the Commission estimates that 929 providers have 1,500 or fewer employees. Consequently, using the SBA’s small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

21. *Competitive Local Exchange Carriers (LECs)*. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers.²³ Wired Telecommunications Carriers is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small. U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year. Of this number, 2,964 firms operated with fewer than 250 employees.²⁴ Additionally, based on Commission data in the 2021 Universal Service Monitoring Report, as of December 31, 2020, there were 3,956 providers that reported they were competitive local exchange service providers. Of these providers, the Commission estimates that 3,808 providers have 1,500 or fewer employees. Consequently, using the SBA’s small business size standard, most of these providers can be considered small entities.

22. *Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing*. This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications

¹⁹ The use of the term “wireless cable” does not imply that it constitutes cable television for statutory or regulatory purposes.

²⁰ Generally, a wireless cable system may be described as a microwave station transmitting on a combination of BRS and EBS channels to numerous receivers with antennas, such as single-family residences, apartment complexes, hotels, educational institutions, business entities and governmental offices. The range of the transmission depends upon the transmitter power, the type of receiving antenna and the existence of a line-of-sight path between the transmitter or signal booster and the receiving antenna.

²¹ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

²² The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

²³ Competitive Local Exchange Service Providers include the following types of providers: Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

²⁴ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

equipment. Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment. The SBA small business size standard for this industry classifies businesses having 1,250 employees or less as small. U.S. Census Bureau data for 2017 show that there were 656 firms in this industry that operated for the entire year. Of this number, 624 firms had fewer than 250 employees.²⁵ Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

23. *Audio and Video Equipment Manufacturing.* This industry comprises establishments primarily engaged in electronic audio and video equipment for home entertainment, motor vehicles, and public address and musical instrument amplification. Examples of products made by these establishments are video cassette recorders, televisions, stereo equipment, speaker systems, household-type video cameras, jukeboxes, and amplifiers for musical instruments and public address systems. The SBA small business size standard for this industry classifies firms with 750 employees or less as small. According to 2017 U.S. Census Bureau data, 464 firms in this industry operated that year. Of this number, 399 firms operated with less than 250 employees.²⁶ Based on this data and the associated SBA size standard, we conclude that the majority of firms in this industry are small.

4. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements.

24. The Fourth FNPRM considers whether to adopt rules governing the RAND licensing of SEPs. The Fourth FNPRM does not propose any new reporting or recordkeeping requirements. In assessing the cost of compliance for small entities, at this time the Commission cannot quantify the cost of compliance with any of the

potential rule changes that may be adopted. Further, the Commission is not in a position to determine whether, if adopted, the proposals and matters upon which we seek comment in the *Fourth FNPRM* will require small entities to hire professionals to comply. We expect the information we receive in comments including where requested, cost information, to help the Commission identify and evaluate relevant compliance matters for small entities, including compliance costs and other burdens that may result from potential changes discussed in the *Fourth FNPRM*.

5. Steps Taken To Minimize Significant Impact on Small Entities and Significant Alternatives Considered

25. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): “(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for such small entities; (3) the use of performance, rather than design, standards; and (4) and exemption from coverage of the rule, or any part thereof, for such small entities.”²⁷

26. The Commission has authorized television broadcasters, including small entities, to use the Next Gen TV (ATSC 3.0) standard on a voluntary, market-driven basis, allowing them to decide whether (and if so when) to deploy ATSC 3.0 service and bear the costs associated with such deployment. All stakeholders, including small entities, will need to undertake any costs or burdens associated with ATSC 3.0 service should they choose to do so. The Advanced Television Systems Committee (ATSC), which developed the ATSC 3.0 standard, requires patent owners to disclose that they hold essential patents and to commit to licensing them on RAND terms. In furthering our understanding of the current marketplace for ATSC 3.0 SEPs, we consider whether patentees, including small entities, are respecting these commitments and the challenges faced in court by the third parties seeking their enforcement. Among the alternatives we seek to consider is the degree to which the Commission should simply monitor the market or actively respond to license abuse and formalize

RAND requirements for those who hold SEPs, including small entities. Where there are problems in the SEP marketplace that could be improved, we consider if the Commission were to adopt rules requiring RAND licensing of SEPs, where such rules would facilitate licensing by equipment manufacturers. We further consider how to minimize any adverse economic impact on the market, including small entities.

6. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

27. None.

B. Initial PRA Analysis

9. This *FNPRM* may result in new or modified information collection requirements. If the Commission adopts any new or modified information collection requirements, the Commission will publish a notice in the **Federal Register** inviting the public to comment on such requirements, as required by the Paperwork Reduction Act of 1995 (PRA).²⁸ In addition, pursuant to the Small Business Paperwork Relief Act of 2002,²⁹ the Commission will seek specific comment on how it might “further reduce the information collection burden for small business concerns with fewer than 25 employees.”

C. Ex Parte Rules—Permit-But-Disclose

10. The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.³⁰ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s

²⁵ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

²⁶ The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that the U.S. Census Bureau withheld publication of the number of firms that operated for the entire year and the number of firms that operated with 5 to 9 employees, to avoid disclosing data for individual companies (see Cell Notes for “Firms operated for the entire year” and “Firms operated for the entire year with 5 to 9 employees”). Therefore, the number of firms with employees that meet the SBA size standard would be higher than noted herein.

²⁷ 5 U.S.C. 603(c)(1) through (4).

²⁸ The Paperwork Reduction Act of 1995 (PRA), Public Law 104–13, 109 Stat 163 (1995) (codified in Chapter 35 of title 44 U.S.C.).

²⁹ The Small Business Paperwork Relief Act of 2002 (SBPRA), Public Law 107–198, 116 Stat. 729 (2002) (codified in Chapter 35 of title 44 U.S.C.); see 44 U.S.C. 3506(c)(4).

³⁰ 47 CFR 1.1200 *et seq.*

written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

D. Filing Requirements—Comments and Replies

11. Pursuant to sections 1.415 and 1.419 of the Commission's rules,³¹ interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).³²

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECFS: <https://apps.fcc.gov/ecfs/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing.

- Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger

delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.³³

12. *People with Disabilities.* To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

IV. Ordering Clauses

13. *It is ordered*, pursuant to the authority found in sections 1, 4, 7, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 157, 301, 303, 307, 308, 309, 316, 319, 325(b), 336, 338, 399b, 403, 534, and 535, this Fourth Further Notice of Proposed Rulemaking *is hereby adopted*, effective thirty (30) days after the date of publication in the **Federal Register**.

14. *It is further ordered* that, pursuant to 47 U.S.C. 155(c), the Chief, Media Bureau, is granted delegated authority for the purpose of amending FCC Form 2100 as necessary to implement the licensing process adopted herein.

15. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, shall send a copy of this Fourth Further Notice of Proposed Rulemaking, including the Initial and Final Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2023-14409 Filed 7-14-23; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 230706-0162]

RIN 0648-BM37

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagics Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 12

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement management measures described in Framework Amendment 12 under the Fishery Management Plan (FMP) for the Coastal Migratory Pelagic (CMP) Resources of the Gulf of Mexico and Atlantic Region (CMP FMP), as prepared and submitted by the Gulf of Mexico Fishery Management Council (Gulf Council). This proposed rule and Framework Amendment 12 would modify the Gulf of Mexico (Gulf) migratory group of king mackerel (Gulf king mackerel) gillnet component commercial fishing season. The purpose of this proposed rule and Framework Amendment 12 is to allow the Gulf king mackerel gillnet component of the CMP fishery to fish without interruption from the season start date until NMFS determines that the gillnet quota has been met.

DATES: Written comments must be received on or before August 16, 2023.

ADDRESSES: You may submit comments on the proposed rule, identified by "NOAA-NMFS-2023-0075," by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and enter "NOAA-NMFS-2023-0075", in the Search box. Click the "Comment" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Kelli O'Donnell, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record

³¹ *Id.* 1.415, 1419.

³² *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

³³ FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, 35 FCC Rcd 2788 (OMD 2020). See <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Electronic copies of Framework Amendment 12, which includes a regulatory impact review, may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/action/framework-12-modifications-commercial-gulf-king-mackerel-gillnet-fishing-season>.

FOR FURTHER INFORMATION CONTACT:

Kelli O'Donnell, telephone: 727-824-5305, or email: Kelli.ODonnell@noaa.gov.

SUPPLEMENTARY INFORMATION: Gulf king mackerel is managed under the CMP FMP prepared by the Gulf and South Atlantic Fishery Management Councils and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Background

Under the CMP FMP, the Gulf Council has the authority to develop framework amendments specific to manage fishing for the Gulf migratory group of king mackerel, which is found in Federal waters from Texas to the Florida Monroe/Miami-Dade County boundary. Fishing by the Gulf king mackerel gillnet component is allowed only in the Gulf king mackerel southern zone as described in 50 CFR 622.369(a)(1)(iii).

The current Gulf king mackerel gillnet component fishing season starts annually in January the Tuesday after the Martin Luther King Jr. Federal holiday. The first weekend after the fishing season starts is open to gillnet fishing, but all subsequent weekends and holidays are closed to gillnet fishing while the season remains open. The current fishing season structure was established in a 1999 Framework Amendment to the CMP FMP (64 FR 45457, August 20, 1999). This fishing season structure was based on a need to formalize a private agreement between the small number of gillnet participants, which was to wait until January to fish, so they reduced the chance of a quota overage for the gillnet component. After the season and first weekend opening, subsequent weekends and holidays

were closed to fishing because the gillnet component could rapidly harvest the fish and NMFS did not have the ability to monitor landings and process an inseason closure during weekends and holidays. However, for the last 10 years, gillnet fishers have cooperated with NMFS and voluntarily stopped fishing when landings are close to reaching the gillnet component ACL (component quota). The gillnet fishers then wait for NMFS to determine if there is remaining quota available to harvest or if the season will be closing. Due to the low number of participants within the Gulf king mackerel gillnet component, and their consistent cooperation with NMFS, NMFS expects this practice to continue to be successful. This cooperation also helps ensure that landings do not exceed the commercial gillnet component ACL, which would result in a reduction of the component ACL in the following fishing year (50 CFR 622.388(a)(1)(iii)).

In 2022, the Council received a request from Gulf king mackerel commercial gillnet component fishermen to remove the weekend and holiday seasonal closures during the fleet's open season. The request stated that the removal of the weekend and holiday closures would allow the gillnet component to be more efficient by allowing participants to harvest the gillnet component quota as quickly as possible and so that they may then return to harvesting other species. The Council agreed that the weekend and holiday closures are no longer necessary.

Management Measure Contained in This Proposed Rule

For the Gulf king mackerel commercial gillnet component, this proposed rule would revise the fishing season. The current fishing season for the Gulf king mackerel gillnet component starts the Tuesday after the Martin Luther King Jr. Federal holiday. The first weekend after the fishing season starts is open, but all subsequent weekends and holidays are closed to fishing while the season remains open. Through this proposed rule the revised the fishing season would still start the Tuesday after the Martin Luther King Jr. Federal holiday but with all subsequent weekends and holidays remaining open to fishing while the season remains open.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with Framework Amendment 12, the

CMP FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

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

Pursuant to section 605(b) of the Regulatory Flexibility Act (RFA), the Chief Counsel for Regulation of the Department of Commerce has certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The factual basis for this determination follows.

A description of this proposed rule, why it is being considered, and the objectives of this proposed rule are contained in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this proposed rule. The Magnuson-Stevens Act provides the statutory basis for this proposed rule. No duplicative, overlapping, or conflicting Federal rules have been identified. In addition, no new reporting, record-keeping, or other compliance requirements are introduced by this proposed rule.

This proposed rule, if implemented, would remove the weekend and holiday closures for the Gulf king mackerel gillnet component fishing season and would apply to all federally-permitted commercial vessels that fish for or harvest Gulf king mackerel using gillnets in the Gulf southern zone. It would not directly apply to federally-permitted dealers. Any change in the supply of king mackerel available for purchase by dealers as a result of this proposed rule, and associated economic effects, would be an indirect effect of this proposed rule and would therefore fall outside the scope of the RFA.

During 2021, there were a total of 1,389 valid or renewable Federal commercial king mackerel permits and 16 king mackerel gillnet endorsements. On average from 2017 through 2021, there were 14 federally-permitted commercial vessels with reported landings of Gulf king mackerel using gillnets in the southern zone. Their average annual vessel-level gross revenue from all species for 2017 through 2021 was \$286,906 (2021 dollars), and Gulf king mackerel harvested with gillnets accounted for approximately 16 percent of this revenue. For commercial vessels that harvest Gulf king mackerel using gillnets in the southern zone, economic profits are estimated to range from \$12,624 to \$61,972 (4.4 percent to 21.6 percent of annual gross revenue), on average. The maximum annual revenue

from all species reported by a single vessel that harvested Gulf king mackerel with gillnets from 2017 through 2021 was approximately \$1 million (2021 dollars). It is important to note that some commercial fishing businesses own and operate more than one vessel. On average from 2017 through 2021, there were 13 commercial fishing businesses identified that had Gulf king mackerel gillnet landings. During this time, these businesses earned an average annual revenue of approximately \$637,000 (2021 dollars), and king mackerel gillnet landings accounted for approximately 8 percent of this revenue. The maximum annual revenue from all species reported by a single one of these commercial fishing businesses from 2017 through 2021 was approximately \$2 million (2021 dollars).

For RFA purposes only, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (North American Industry Classification System code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts not in excess of \$11 million for all its affiliated operations worldwide. All of the commercial fishing businesses directly regulated by this proposed rule are believed to be small entities based on the NMFS size standard. No other small entities that would be directly affected

by this proposed rule have been identified.

This proposed rule would modify the fishing season for the Gulf king mackerel gillnet component of the CMP fishery by removing the weekend and holiday closures. The removal of this closure provision would be expected to reduce fuel costs as vessels would no longer be required to return to the docks for weekends and holidays. It would also allow these vessels to prosecute the Gulf king mackerel southern zone gillnet quota in a more timely and efficient manner, allowing operators to switch fishing gear sooner and attempt to increase their harvest and revenue in the stone crab and spiny lobster fisheries subsequent to the gillnet fishing season. NMFS expects that these improvements in efficiency would increase economic profits for the affected small entities; however, these economic effects cannot be quantified with existing data.

In summary, the information provided above supports a determination that this proposed rule would not have a significant economic impact on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

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

List of Subjects in 50 CFR Part 622

Commercial, Fisheries, Fishing, Gulf of Mexico, King mackerel.

Dated: July 6, 2023.

Samuel D. Rauch, III,

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

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 622 as follows:

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

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

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

■ 2. In § 622.378, revise paragraph (a) to read as follows:

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

(a) *Seasonal closure of the gillnet component for Gulf migratory group king mackerel.* The gillnet component for Gulf migratory group king mackerel in or from the southern zone is closed each fishing year from July 1 until 6 a.m. eastern standard time on the day after the Martin Luther King Jr. Federal holiday. During the closure, a person aboard a vessel using or possessing a gillnet with a stretched-mesh size of 4.75 inches (12.1 cm) or larger in the southern zone may not fish for or possess Gulf migratory group king mackerel. (See § 622.369(a)(1)(iii) for a description of the southern zone.)

* * * * *

[FR Doc. 2023–14757 Filed 7–14–23; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 88, No. 135

Monday, July 17, 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

Submission for OMB Review; Comment Request

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

Comments regarding this information collection received by August 16, 2023 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

Food and Nutrition Service

Title: Performance Reporting System, Management Evaluation.

OMB Control Number: 0584–0010.

Summary of Collection: The purpose of the Performance Reporting System is to ensure that each State agency and project area is operating the Supplemental Nutrition Assistance Program (SNAP) in accordance with the Act, regulations, and the State agency's Plan of Operation. Section 11 of the Food and Nutrition Act (the Act) of 2008 requires that State agencies maintain necessary records to ascertain that SNAP is operating in compliance with the Act and regulations and must make these records available to the Food and Nutrition Service (FNS) for inspection.

Need and Use of the Information: FNS will use the information to evaluate state agency operations and to collect information that is necessary to develop solutions to improve the State's administration of SNAP policy and procedures. Each State agency is required to submit one review schedule every one, two, or three years, depending on the project areas make-up of the state.

Description of Respondents: State, local, or Tribal government.

Number of Respondents: 53.

Frequency of Responses:

Recordkeeping; Reporting: Annually.

Total Burden Hours: 506,680.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2023–15057 Filed 7–14–23; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Forest Service

Idaho Panhandle Resource Advisory Committee

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of meeting.

SUMMARY: The Idaho Panhandle Resource Advisory Committee (RAC) will hold a public meeting according to the details shown below. The committee is authorized under the Secure Rural

Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act (FACA). The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act, as well as to make recommendations on recreation fee proposals for sites on the Idaho Panhandle National Forests within Boundary, Bonner, Kootenai, Shoshone, or Benewah County, consistent with the Federal Lands Recreation Enhancement Act.

DATES: An in-person and virtual meeting will be held on August 15, 2023, 9:00 a.m.–4:00 p.m., Pacific Daylight Time (PDT).

Written and Oral Comments: Anyone wishing to provide in-person or virtual oral comments must pre-register by 11:59 p.m. (PDT) on August 12, 2023. Written public comments will be accepted by 11:59 p.m. (PDT) on August 12, 2023. Comments submitted after this date will be provided to the Forest Service, but the Committee may not have adequate time to consider those comments prior to the meeting.

All RAC meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: This meeting will be held in-person and virtually at the Interagency Natural Resources Center located at 3232 West Nursery Way, Coeur d'Alene, Idaho 83815. RAC information and meeting details can be found at the following website: <https://www.fs.usda.gov/main/ipnf/workingtogether/advisorycommittees> or by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Written Comments: Written comments must be sent by email to patrick.lair@usda.gov or via mail (*i.e.*, postmarked) to Patrick Lair, 3232 West Nursery Way, Coeur d'Alene, Idaho 83815. The Forest Service strongly prefers comments be submitted electronically.

Oral Comments: Persons or organizations wishing to make oral comments must pre-register by 11:59 p.m. PDT, August 12, 2023, and speakers can only register for one speaking slot. Oral comments must be sent by email to patrick.lair@usda.gov

or via mail (*i.e.*, postmarked) to Patrick Lair, 3232 West Nursery Way, Coeur d'Alene, Idaho 83815.

FOR FURTHER INFORMATION CONTACT: Ashley Nettles, Designated Federal Officer (DFO), by phone at 208-783-2101 or email at ashley.nettles@usda.gov or Patrick Lair, RAC Coordinator, at 208-765-7211 or email at patrick.lair@usda.gov.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Review USDA FACA Ethics for Advisory Members;
2. Elect a Chairperson;
3. Hear from Title II project proponents and discuss Title II project proposals;
4. Make funding recommendations on Title II projects;
5. Approve meeting minutes;
6. Schedule the next meeting; and
7. Establish an Outreach and Recruitment Subcommittee.

The agenda will include time for individuals to make oral statements of three minutes or less. Individuals wishing to make an oral statement should make a request in writing at least three days prior to the meeting date to be scheduled on the agenda. Written comments may be submitted to the Forest Service up to 14 days after the meeting date listed under **DATES**.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

Meeting Accommodations: The meeting location is compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section or contact USDA's TARGET Center at (202) 720-2600 (voice and TTY) or USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age,

marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken in account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. USDA is an equal opportunity provider, employer, and lender.

Dated: July 11, 2023.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2023-15043 Filed 7-14-23; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

Missoula Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Missoula Resource Advisory Committee (RAC) will hold a public meeting according to the details shown below. The committee is authorized under the Secure Rural Schools and Community Self-Determination Act (the Act) and operates in compliance with the Federal Advisory Committee Act (FACA). The purpose of the committee is to improve collaborative relationships and to provide advice and recommendations to the Forest Service concerning projects and funding consistent with Title II of the Act.

DATES: A virtual meeting will be held on August 10, 2023, 04:00 p.m.–04:30 p.m., Mountain Daylight Time (MDT).

Written and Oral Comments: Anyone wishing to provide virtual oral comments must pre-register by 11:59 p.m. MDT on August 7, 2023. Written public comments will be accepted by 11:59 p.m. MDT on August 7, 2023.

Comments submitted after this date will be provided to the Forest Service, but the Committee may not have adequate time to consider those comments prior to the meeting.

All RAC meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: This meeting will be held virtually on Microsoft TEAMS.

The public may join virtually via videoconference at: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjE5YmlyNjktNDZjNS00NDM1LWJlYzAtODgzN2JlYmJlZDQ5%40thread.v2/0?context=%7b%22Tid%22%3a%22ed5b36e7-01ee-4ebc-867e-e03cfa0d4697%22%2c%22Oid%22%3a%224ac2314a-cda4-4327-bb5d-2ae225944fc9%22%7d.

RAC information and meeting details can be found at the following website: <https://www.fs.usda.gov/detail/lolo/workingtogether/advisorycommittees/?cid=fseprd898783> or by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Written Comments: Written comments must be sent by email to rachel.santospirito@usda.gov or via mail (*i.e.*, postmarked) to Rachel Santospirito, 24 Fort Missoula Rd, Missoula, MT 59804. The Forest Service strongly prefers comments be submitted electronically.

Oral Comments: Persons or organizations wishing to make oral comments must pre-register by 11:59 p.m. MDT August 7, 2023, and speakers can only register for one speaking slot. Oral comments must be sent by email to rachel.santospirito@usda.gov or via mail (*i.e.*, postmarked) to Rachel Santospirito, 24 Fort Missoula Rd, Missoula, MT 59804.

FOR FURTHER INFORMATION CONTACT: Quinn Carver, Designated Federal Officer (DFO), by phone at 406-677-3905 or email at charles.carver@usda.gov or Rachel Santospirito, RAC Coordinator, by email at rachel.santospirito@usda.gov.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Hear from Title II project proponents and discuss Title II project proposals;
2. Make funding recommendations on Title II projects;
3. Approve meeting minutes; and,
4. Schedule the next meeting.

The agenda will include time for individuals to make oral statements of three minutes or less. Individuals wishing to make an oral statement should make a request in writing at least three days prior to the meeting date to be scheduled on the agenda. Written comments may be submitted to the Forest Service up to seven days after the meeting date listed under **DATES**.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

Meeting Accommodations: The meeting location is compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section, or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken in account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. USDA is an equal opportunity provider, employer, and lender.

Dated: July 11, 2023.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2023-15055 Filed 7-14-23; 8:45 am]

BILLING CODE 3411-15-P

DEPARTMENT OF AGRICULTURE

Forest Service

Pacific Northwest National Scenic Trail Advisory Council

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Notice of meeting.

SUMMARY: The Pacific Northwest National Scenic Trail Advisory Council will hold a public meeting according to the details shown below. The Council is authorized under the National Trails System Act (the Act) and operates in compliance with the Federal Advisory Committee Act (FACA). The purpose of the Council is to advise and make recommendations to the Secretary of Agriculture, through the Chief of the Forest Service, on matters relating to the Pacific Northwest National Scenic Trail as described in the Act.

DATES: A virtual meeting will be held on August 24, 2023, 8:00 a.m.–4:00 p.m., Pacific Daylight Time.

Written and Oral Comments: Anyone wishing to provide virtual oral comments must pre-register by 11:59 p.m. Pacific Daylight Time on August 18, 2023. Written public comments will be accepted by 11:59 p.m. Pacific Daylight Time on August 18, 2023. Comments submitted after this date will be provided to the Forest Service, but the Council may not have adequate time to consider those comments prior to the meeting.

All council meetings are subject to cancellation. For status of the meeting prior to attendance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

ADDRESSES: This meeting will be held virtually. The public may also join virtually via the Zoom app or the internet using the link posted at: <https://www.fs.usda.gov/detail/pnt/working-together/advisory-committees/?cid=fseprd505622>. Council information and meeting details can be found at the following website: <https://www.fs.usda.gov/main/pnt/working-together/advisory-committees> or by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**.

Written Comments: Written comments must be sent by email to richard.pringle@usda.gov or via mail (i.e., postmarked) to Rick Pringle, 1220 Southwest Third Avenue, Suite 1700, Portland, Oregon 97204. The Forest Service strongly prefers comments be submitted electronically.

Oral Comments: Persons or organizations wishing to make oral comments must pre-register by 11:59

p.m. PDT, August 18, 2023, and speakers can only register for one speaking slot. Oral comments must be sent by email to richard.pringle@usda.gov or via mail (i.e., postmarked) to Rick Pringle, 1220 Southwest Third Avenue, Suite 1700, Portland, Oregon 97204.

FOR FURTHER INFORMATION CONTACT: Rick Pringle, Designated Federal Officer (DFO), by phone at 503-808-2401 or email at richard.pringle@usda.gov.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to:

1. Approve meeting minutes;
2. Provide information about the status of the comprehensive plan for the Pacific Northwest National Scenic Trail;
3. Continue discussion and make recommendations regarding the following topics that were identified by the Council in the previous meeting: tribal treaty rights and resources, as well as tribal utilization of areas along the trail; protecting the trail corridor and experience; wildlife; timber and working landscapes; potential nexus with motorized recreation; visitor use management, including carrying capacity, permits, and monitoring; completing the Pacific Northwest National Scenic Trail as a continuous, nonmotorized trail; and maintaining the trail;

4. Discuss and identify the Council's priorities regarding implementation of the comprehensive plan and administration of the Pacific Northwest National Scenic Trail; and

5. Schedule the next meeting.

The agenda will include time for individuals to make oral statements of three minutes or less. Individuals wishing to make an oral statement should make a request in writing at least three days prior to the meeting date to be scheduled on the agenda. Written comments may be submitted to the Forest Service up to 14 days after the meeting date listed under **DATES**.

Please contact the person listed under **FOR FURTHER INFORMATION CONTACT**, by or before the deadline, for all questions related to the meeting. All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received upon request.

Meeting Accommodations: The meeting location is compliant with the Americans with Disabilities Act, and the USDA provides reasonable accommodation to individuals with disabilities where appropriate. If you are a person requiring reasonable accommodation, please make requests in advance for sign language

interpretation, assistive listening devices, or other reasonable accommodation to the person listed under the **FOR FURTHER INFORMATION CONTACT** section or contact USDA's TARGET Center at (202) 720-2600 (voice and TTY) or USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Council. To ensure that the recommendations of the Council have taken into account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. USDA is an equal opportunity provider, employer, and lender.

Dated: July 11, 2023.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2023-15044 Filed 7-14-23; 8:45 am]

BILLING CODE 3411-15-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Meeting Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Government in Sunshine Act (5 U.S.C. 552b), the Commission on Civil Rights is holding a meeting to discuss the Commission's business for the month of June.

DATES: Friday, July 21, 2023, 10 a.m. EST.

ADDRESSES: Meeting to take place virtually and is open to the public via livestream on the Commission's YouTube page: <https://www.youtube.com/user/USCCR/videos>.

FOR FURTHER INFORMATION CONTACT:

Angelia Rorison: 202-376-8371;
publicaffairs@usccr.gov.

SUPPLEMENTARY INFORMATION: This business meeting is open to the public. Computer assisted real-time transcription (CART) will be provided. The web link to access CART (in English) on Friday, July 21, 2023, is <https://www.streamtext.net/player?event=USCCR>. Please note that CART is text-only translation that occurs in real time during the meeting and is not an exact transcript.

Meeting Agenda

- I. Approval of Agenda
- II. Business Meeting
 - A. Discussion and Vote on Presidential Designation of Commissioner Rochelle Mercedes Garza as Chairperson and Victoria Frances Nourse as Vice Chair of the U.S. Commission on Civil Rights

III. Adjourn Meeting

Dated: July 13, 2023.

Angelia Rorison,

USCCR Media and Communications Director.

[FR Doc. 2023-15158 Filed 7-13-23; 11:15 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-45-2023]

Foreign-Trade Zone (FTZ) 107, Notification of Proposed Production Activity; Lely North America, Inc.; (Automated Milking and Feeding Equipment); Pella, Iowa

Lely North America, Inc. submitted a notification of proposed production activity to the FTZ Board (the Board) for its facility in Pella, Iowa within Subzone 107E. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on July 7, 2023.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz. The proposed material(s)/ component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed foreign-status materials and components include: plastic components (edge trim; hose; wire loom; grate; door handle; washer; cable clip; feed bin cover; label; housing; rivet; bushing; leg base; Y-piece tube; divider plate; bumper; cap; cord; hose bracket; hose protector; spiral wrap; shut-off valve; cable gland; spacer); silicone components (teat cup sleeve; milk jar head); assemblies (roller; wheel; wire strand; three-way valve; motor; powerbox); rubber components (bumper; edge trim; stop; grommet; spacer); cardboard boxes; nylon components (strap; bushing); steel components (coupler; plug; coupling; rivet; key; ring; manifold; spacer ring; hopper; grate; hinge; door; funnel; shock absorber; bushing; tube; feed bin; yoke; three-way valve); stainless steel components (hook; bolt; screw; concrete anchor bolt; knob; nut; washer; lower arm cover); wire ferrules; door keys; electronic input output control modules; spherical rod ends; boilers; and, cables (duty rate ranges from duty-free to 9.9%). The request indicates that certain materials/components are subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is August 28, 2023.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Juanita Chen at juanita.chen@trade.gov.

Dated: July 11, 2023.

Elizabeth Whiteman,
Executive Secretary.

[FR Doc. 2023-15052 Filed 7-14-23; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-848]

Certain Stilbenic Optical Brightening Agents From Taiwan: Final 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) determines that the sole producer and/or exporter subject to this review, Teh Fong Ming International Co., Ltd. (TFM), made sales of subject merchandise in the United States at less than normal value during the period of review (POR), May 1, 2021, through April 30, 2022.

DATES: Applicable July 17, 2023.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington DC 20230; telephone: (202) 482-3477.

SUPPLEMENTARY INFORMATION:

Background

On May 19, 2023, Commerce published the preliminary results of the 2021–2022 administrative review of the antidumping duty order on certain stilbenic optical brightening agents (OBAs) from Taiwan.¹ We invited interested parties to comment on the *Preliminary Results*.² No interested parties submitted comments. Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order³

The products covered by the *Order* are OBAs. A full description of the scope of the *Order* is provided in the *Preliminary Results*.⁴

Final Results of Review

We determine that the following weighted-average dumping margin exists for the period May 1, 2021, through April 30, 2022:

Producer/exporter	Weighted-average dumping margin (percent)
Teh Fong Min International Co., Ltd	3.89

Disclosure

Because Commerce received no comments on the *Preliminary Results*, we have not modified our analysis and

no decision memorandum accompanies this **Federal Register** notice. We are adopting the *Preliminary Results* as the final results of this review.

Consequently, there are no new calculations to disclose in accordance with 19 CFR 351.224(b) for these final results.

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. We intend to instruct CBP to apply the importer-specific *ad valorem* assessment rates we calculated for the *Preliminary Results* on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).⁵ If the importer-specific assessment rate is zero or *de minimis*, then Commerce will instruct CBP to liquidate such entries without regard to antidumping duties.

For entries of subject merchandise during the POR produced by TFM, for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate (*i.e.*, 6.19 percent)⁶ if there is no rate for the intermediate company(ies) involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results 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 this notice for all shipments of OBAs from Taiwan 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 TFM will be 3.89

percent, the weighted-average dumping margin established in these final results; (2) for previously investigated companies not subject to this review, the cash deposit rate will continue to be the company-specific rate published in 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 original less-than-fair-value (LTFV) investigation, but the producer is, the cash deposit rate will be the rate established in the most recent completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 6.19 percent, the all-others rate established in the LTFV investigation.⁷ 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 certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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

Commerce is issuing and publishing the final results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

¹ See *Stilbenic Optical Brightening Agents from Taiwan: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022*, 88 FR 32194 (May 19, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See *Preliminary Results*, 88 FR at 32194.

³ See *Certain Stilbenic Optical Brightening Agents from Taiwan: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27419 (May 10, 2012) (*Order*).

⁴ See *Preliminary Results PDM* at 2.

⁵ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

⁶ See *Order*, 77 FR at 27420.

⁷ *Id.*

Dated: July 11, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2023–15058 Filed 7–14–23; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XD146]

Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 82 South Atlantic Gray Triggerfish Assessment Webinar 5.

SUMMARY: The SEDAR 82 assessment of the South Atlantic stock of gray triggerfish will consist of a data workshop, a series of assessment webinars, and a review workshop. A SEDAR 82 Assessment Webinar 5 is scheduled for August 7, 2023. See **SUPPLEMENTARY INFORMATION.**

DATES: The SEDAR 82 South Atlantic Gray Triggerfish Assessment Webinar 5 is scheduled for August 7, 2023, from 10 a.m. to 2 p.m., Eastern. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from or completed prior to the time established by this notice.

ADDRESSES: The meeting will be held via webinar. The webinar is open to members of the public. Registration for the webinar is available at: <https://register.gotowebinar.com/register/8341152926196305244> or by contacting the SEDAR coordinator via email at Kathleen.Howington@safmc.net.

SEDAR address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405; www.sedarweb.org.

FOR FURTHER INFORMATION CONTACT: Kathleen Howington, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405; phone: (843) 571–4371; email: Kathleen.Howington@safmc.net.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA

Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions, have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop; (2) Assessment Process utilizing webinars; and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, Highly Migratory Species Management Division, and Southeast Fisheries Science Center. Participants include: data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion for the Assessment Webinar 5 are as follows:

Discuss any leftover data issues that were not cleared up during the data process; answer any questions that the analysts have; and introduce/discuss model development and model setup.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the South Atlantic Fishery Management Council office (see **ADDRESSES**) at least 5 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: July 11, 2023.

Rey Israel Marquez,

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

[FR Doc. 2023–15024 Filed 7–14–23; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XD151]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public scoping meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold three virtual public scoping meetings pertaining to Amendment 55 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery in the South Atlantic Region. This amendment establishes a Scamp and Yellowmouth Complex, establishes a rebuilding plan, catch levels, sector allocations, and accountability measures for the new complex, and updates to the Other South Atlantic Shallow Water Grouper Complex.

DATES: The scoping meetings will take place July 31, August 1, and August 2, 2023, beginning at 6 p.m., EDT. For specific dates and times, see **SUPPLEMENTARY INFORMATION.**

ADDRESSES:

Meeting address: The meetings will be held via webinar. The webinar is open to members of the public. Information, including a link to webinar registration will be posted on the Council's website at: <https://safmc.net/public-hearings-and-scoping/> when it becomes available.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer,

SAFMC; phone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: Scoping documents, an online public comment form, and other materials will be posted to the Council's website at <https://safmc.net/public-hearings-and-scoping/> as they become available. Written comments should be addressed to John Carmichael, Executive Director, SAFMC, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405. Written comments must be received by August 4, 2023, by 5 p.m. During the meetings, Council staff will provide an overview of actions being considered in the amendment. Staff will answer clarifying questions on the presented information and the proposed actions. Following the presentation and questions, the public will have the opportunity to provide comments on the amendment.

Amendment 55 to the Snapper Grouper FMP

The most recent stock assessment (SEDAR 68) assessed scamp and yellowmouth grouper as a single species due to misidentification between the two species and indicated that the stock is overfished but not subject to overfishing. In response to this assessment the Council will need to establish the Scamp Yellowmouth Grouper Complex (which entails revising the composition of the Other Shallow Water Grouper Complex), establish stock determination criteria for the new complex, a rebuilding plan, annual catch limits, allocations and sector annual catch limits, and accountability measures.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 5 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: July 11, 2023.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2023-15023 Filed 7-14-23; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XD133]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Pier 58 Reconstruction Project in Seattle, Washington

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

ACTION: Notice; request for comments on proposed renewal incidental harassment authorization.

SUMMARY: NMFS received a request from the City of Seattle, Washington (City) for the renewal of their currently active incidental harassment authorization (IHA) to take marine mammals incidental to the Pier 58 Reconstruction Project. These activities are a subset of the initial work or are nearly identical to work covered in the current authorization. Pursuant to the Marine Mammal Protection Act, prior to issuing the currently active IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial authorization if certain requirements were satisfied. The renewal requirements have been satisfied, and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed renewal not previously provided during the initial 30-day comment period.

DATES: Comments and information must be received no later than August 1, 2023.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, and should be submitted via email to ITP.Pauline@noaa.gov. Electronic copies of the original application, renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed below.

Instructions: NMFS is not responsible for comments sent by any other method,

to any other address or individual, or received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. Attachments to comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT:

Robert Pauline, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Background

The Marine Mammal Protection Act (MMPA) prohibits the "take" of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, an incidental harassment authorization is issued.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other "means of effecting the least practicable adverse impact" on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as "mitigation measures"). Monitoring and reporting of such takings are also required. The meaning of key terms such as "take," "harassment," and "negligible impact" can be found in section 3 of the MMPA (16 U.S.C. 1362) and the agency's regulations at 50 CFR 216.103.

NMFS' regulations implementing the MMPA at 50 CFR 216.107(e) indicate that IHAs may be renewed for additional periods of time not to exceed one year for each reauthorization. In the notice of proposed IHA for the initial authorization, NMFS described the circumstances under which we would consider issuing a renewal for this activity, and requested public comment on a potential renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-time 1-year renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical, or nearly identical, activities as described in the Detailed Description of Specified Activities section of the initial IHA issuance notice is planned or (2) the activities as described in the Description of the Specified Activities and Anticipated Impacts section of the initial IHA issuance notice would not be completed by the time the initial IHA expires and a renewal would allow for completion of the activities beyond that described in the **DATES** section of the notice of issuance of the initial IHA, provided all of the following conditions are met:

1. A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA).

2. The request for renewal must include the following:

- An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take).

- A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

3. Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed renewal. A description of the renewal process may be found on our website at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-harassment-authorization-renewals>. Any comments received on the potential renewal, along with relevant comments on the initial IHA, have been considered in the development of this proposed IHA renewal, and a summary of agency responses to applicable comments is included in this notice. NMFS will consider any additional public comments prior to making any final decision on the issuance of the requested renewal, and agency responses will be summarized in the final notice of our decision.

National Environmental Policy Act

This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental take authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS determined that the issuance of the initial IHA qualified to be categorically excluded from further NEPA review. NMFS has preliminarily determined that the application of this categorical exclusion remains appropriate for this renewal IHA.

History of Request

On May 20, 2022, NMFS issued an IHA to the City to take marine mammals incidental to Pier 58 Reconstruction Project in Seattle, Washington (87 FR 31985), effective from August 1, 2022 through July 31, 2023. NMFS received an application for the renewal of that initial IHA on April 3, 2023. As described in the application for renewal IHA, the activities for which incidental take is requested are a subset of those covered in the initial authorization while a small amount of additional, nearly identical work not covered under the initial authorization has also been included in the request for a renewal IHA. As required, the City also provided a preliminary monitoring report which confirms that it has implemented the

required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted.

Description of the Specified Activities and Anticipated Impacts

The City is in the process of reconstructing Waterfront Park, which will be renamed Pier 58, along the Elliott Bay shoreline in Seattle, Washington. The City is repairing structural and safety deficiencies and optimizing public access and recreational uses of the piers. The Pier 58 reconstruction project includes vibratory removal of existing in-water piles and vibratory and impact installation of new piles. The reconstructed pier requires installation of 120 permanent 30-inch steel piles by vibratory hammer and impact proofing. Under the initial IHA, 76 steel piles were successfully installed. The remaining 44 piles, which represent a subset of the originally planned 120 piles, would be installed under the renewal IHA. In addition, installation of 100 24-inch temporary steel template piles by vibratory hammer and impact proofing was analyzed for the initial IHA. The 24-inch piles were to be subsequently removed by vibratory extraction. However, none of the 100 24-inch temporary piles were installed during the Season 1 and these piles may not be required at all under the renewal IHA. At most, a subset of 33 24-inch temporary piles would be utilized. A total of 31 existing steel H-piles and timber piles were removed under the initial IHA by pulling the piles using vibratory extraction or the clamshell bucket method. The nearly identical activity included under the proposed renewal IHA is the removal of eight 12-inch creosote timber piles (1 day) by vibratory hammer and the vibratory installation of eight 16-inch steel piles (2 days) at the nearby Don Armeni Boat Ramp. All in-water work with the potential to affect marine mammals will occur during the work window allowed by NOAA, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and Washington State Department of Fish and Wildlife. For this renewal request, this window is anticipated to be September 1, 2023, through February 15, 2024. Pile removal and installation will occur during daylight hours, typically during a work shift of 8 hours or fewer. The work would include periods of vibratory removal of timber piles, vibratory installation of steel piles, and impact installation of steel piles.

Under the initial IHA, take by Level B harassment was authorized for 11 species/stocks and limited take by Level A harassment was authorized for 3 of these species (harbor porpoise (*Phocoena phocoena*), Dall's porpoise (*Phocoenoides dalli*), and harbor seal (*Phoca vitulina*)). No species were observed in the estimated Level A harassment zones during Season 1 pile driving. Observations in the Level B harassment zones during pile activity include 130 harbor seals out of 660 take incidents authorized; 92 California sea lions (*Zalophus californianus*) out of 700 incidents of take that were authorized; and one Steller sea lion (*Eumetopias jubatus*) out of 140 incidents of take that were authorized. No other species were observed in the Level B harassment zones during pile driving activity. The total number of potential takes by Level B harassment for Season 1 were only a small fraction of what were authorized in the IHA: potential harbor seal takes were only 20 percent of the authorized takes, potential California sea lion takes were only 13 percent of the authorized takes, and potential Steller sea lion takes were only 0.7 percent of the authorized takes.

As part of the originally authorized IHA, Season 1 in-water pile activity occurred at Pier 58 across 45 workdays between October 3, 2022, and February 15, 2023. Most workdays consisted of both vibratory and impact hammer installation of 30-inch steel piles; vibratory pile activity occurred on 36 workdays, and impact pile activity occurred on 36 workdays. Of the total 81 piles installed, 5 test piles and 76 production piles were installed via vibratory and impact hammer.

It is anticipated that approximately 8 additional days will be required for installation of the remaining 44 30-inch steel piles at Pier 58, and approximately 10 days will be required for impact proofing of the 30-inch steel piles. It is anticipated that only 1 day will be required to remove the eight timber piles at Don Armeni Boat Ramp, and 2 days will be required for the installation of eight 16-inch steel piles. This work could occur over a period of 3 months.

Detailed Description of the Activity

A detailed description of the construction activities for which take is proposed, including the installation of 30-inch permanent steel piles and 24-inch temporary template steel piles may be found in the notices of the proposed and final IHAs for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022). As previously mentioned, these specific

activities represent a subset of the activities authorized in the initial IHA that would not be completed prior to its expiration. The location, timing, and nature of the activities, including the types of equipment planned for use, are identical to those described in the previous notice for the initial IHA.

Minor changes to the initial scope include the removal of eight 12-inch creosote timber piles by vibratory hammer and the vibratory installation of eight 16-inch steel piles at the boat ramp. Vibratory removal of the 12-inch creosote timber piles, requiring an estimated 2 days, is nearly identical to the vibratory removal of H-piles and timber piles, which required 3 days, under the initial IHA. The installation of eight 16-inch steel piles under the proposed renewal IHA is nearly identical to the installation of 30-inch steel piles under the initial IHA with the only difference being the size of piles (30-inch vs. 16-inch) and the duration (36 days vs. 2 days). The proposed renewal would be effective for a period not exceeding 1 year from the date of expiration of the initial IHA. The effective dates would be from August 1, 2023, through July 31, 2024.

Description of Marine Mammals

A description of the marine mammals in the area of the activities for which authorization of take is proposed here, including information on abundance, status, distribution, and hearing, may be found in the Notice of the Proposed IHA for the initial authorization (87 FR 12089, March 3, 2022). NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects which species or stocks have the potential to be affected or the pertinent information in the Description of the Marine Mammals in the Area of Specified Activities contained in the supporting documents for the initial IHA (87 FR 12089, March 3, 2022).

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the activities for which the authorization of take is proposed here may be found in the Notice of the Proposed and Final IHA (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022) for the initial authorization. NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports,

information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

A detailed description of the methods and inputs used to estimate take for the specified activity are found in the Notice of the Proposed and/or Final IHAs for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022). Note that the sound source levels (SLs) for the vibratory and impact installation of 30-inch steel piles have been updated based on acoustic measurements from Season 1. The *Waterfront Park Reconstruction Project Acoustic Monitoring Report* by the Greenbusch Group (2023a) may be found as an attachment to the City's IHA renewal application. Data revealed that the SL for vibratory installation of steel 30-inch piles was 170 decibels (dB) root mean square (RMS), and the SL for impact installation of 30-inch steel piles was 187 dB RMS with a peak of 201.5 dB. Note that the unweighted value for impact driving of 30-inch steel piles (187 dB) was not listed in the Acoustic Monitoring Report but was provided directly by Greenbusch from the Season 1 monitoring data. These SLs were greater than those utilized for the initial IHA (163 dB RMS for vibratory installation; 180 dB RMS and 193 dB Peak for impact installation). Additionally, the total strikes per day during impact installation of 30-inch steel piles was increased from 1,200 strikes per day in Season 1 (3 piles at 400 strikes per pile) to 4,500 strikes per day (5 piles at 900 strikes per pile) under the proposed IHA renewal. The increase in strikes per pile (from 400 to 900 strikes) is based on data from the *Waterfront Park Reconstruction Project Acoustic Monitoring Report* (Greenbusch 2023a).

The source level used for the vibratory installation of 16-inch steel piles (158 dB RMS) at Don Armeni Boat Ramp was found in Caltrans (2020) while the source level used for the vibratory removal of 12-inch timber piles (145 dB RMS) at the Don Armeni Boat Ramp was taken from the *Pier 63 Removal Project Acoustic Monitoring Report* (Greenbusch 2023b).

Table 1 below shows the distances to the Level A and Level B harassment zones during Season 1 under the initial IHA while Table 2 shows the distances during Season 2 under the proposed IHA renewal.

TABLE 1—PIER 58 LEVEL A HARASSMENT AND LEVEL B HARASSMENT ZONES UNDER SEASON 1 AND INITIAL IHA

Pile size, type, and method	Level A harassment zone (m)					Level B harassment zone (m)	Number of days
	LF cetacean	MF cetacean	HF cetacean	Phocids	Otariids		
Timber and steel H-pile removal	6.1	0.5	9.0	3.7	0.3	1,359	9
30-in steel vibratory install, 24-in steel vibratory install and removal *	19.3	1.7	28.6	11.7	0.8	7,357	36
30-in steel impact install	153.3	5.5	182.6	82.0	6.0	215	.....

* No installation or removal of 24-in steel piles was conducted.

TABLE 2—PIER 58 LEVEL A HARASSMENT AND LEVEL B HARASSMENT ZONES FROM SEASON 2 UNDER PROPOSED IHA RENEWAL

Pile size, type, and method	Level A harassment zone (m)					Level B harassment zone (m)	Number of days
	LF cetacean	MF cetacean	HF cetacean	Phocids	Otariids		
Timber vibratory removal	1.1	0.1	1.6	0.7	0.0	453	1
30-in steel vibratory install, 24-in steel vibratory install and removal *	57.0	5.1	84.3	34.6	2.4	21,710	8
30-inch steel impact installation	550.7	19.6	655.9	294.7	21.5	616	10
16-inch steel vibratory installation	9.0	0.8	13.3	5.4	0.4	3,415	2

* Use of 24-inch temporary piles may not be necessary under the renewal IHA. At most, a subset of 33 24-inch piles would be utilized. Note that if the 24-inch steel pile installation and removal activities occur, it would be on the same days as vibratory and impact driving of the 30-inch piles, so there are no added extra days for this activity.

The Level A and Level B harassment zone sizes for 30-inch steel pile impact and vibratory installation were calculated to be larger for the Season 2 renewal IHA than those used in Season 1 under the initial IHA. This is due to the results from Season 1 acoustic measurements that demonstrated higher SLs for vibratory and impact driving. In addition, increased zone sizes result from an increase in the number of strikes per pile, number of piles per day and total number of strikes per day for impact driving. Additionally, while the behavioral harassment zone for 30-inch vibratory installation has been calculated to extend to just under 22 kilometers (km), the actual maximum ensonified distance is approximately 14 km since the sound field is constrained by the shoreline of Elliott Bay as well as by Bainbridge Island located west of Elliott Bay.

The stocks taken (11 total), methods of take (impact and vibratory installation; vibratory removal), and types of take (11 by Level B harassment; 3 by Level A harassment) remain unchanged from the previously issued IHA covering Season 1. The City utilized the same approach for estimating take for Season 2 and the renewal IHA as was used in support of the initial IHA. The results of the preliminary monitoring report were also considered. The 30-inch pile driving work for Pier 58 is anticipated to occur over 18 days within an estimated 2 month time period. The pile removal

and driving work for Don Armeni is anticipated to occur over 3 days within 1 month of work.

Detailed explanations describing how the take numbers were derived from observational data may be found in the notice of final IHA (87 FR 31985, May 26, 2022). Note that even though the Level A and Level B harassment zone sizes are larger in the renewal IHA compared to the initial IHA, as a result of NMFS' consideration of new site-specific data, we have concluded that the authorized take numbers remain appropriate and sufficient. As part of the Season 1 monitoring requirements, the City was required to station a protected species monitor on the Seattle-Bainbridge Ferry whenever vibratory installation was underway. The Ferry runs non-stop throughout the day and the PSO recorded all animal observations, even those outside of the specified harassment zones. The number of observations beyond the Level B harassment zone during Season 1 (7,357 m) was comparatively small. Only four species were observed beyond the behavioral harassment zone.

A brief summary of take assumptions for each species is provided here. For gray whales, minke whales, and northern elephant seals, the City, with NMFS' concurrence, assumed a single animal would be taken per month by Level B harassment. For long-beaked common dolphin and common bottlenose dolphin, the City assumed, and NMFS concurred, there would be

seven takes per month by Level B harassment. For transient killer whales it was assumed that six animals could be taken per month. The Level A harassment zone is larger than the Level B harassment zone for high-frequency cetaceans. For the harbor porpoise, it was assumed that six animals could be taken per day by Level B harassment. That is, they may enter into the larger Level A harassment zone, but are unlikely to remain long enough to accumulate energy at levels that would result in injury. Although the City must implement a shutdown zone of 660 m during this activity, due to the cryptic nature and lower detectability of harbor porpoises at large distances, the City anticipates that up to six of the harbor porpoises (two per month) that enter the Level A harassment zone could enter undetected and remain long enough to experience auditory injury. It was assumed that up to 12 Dall's porpoises could experience Level B harassment per month. As a high frequency cetacean, the Level A harassment zone is larger than the Level B harassment zone. As with harbor porpoises, the Dall's porpoise could enter into the Level A harassment zone, but are unlikely to remain long enough to sustain auditory injury. Therefore, the animal would be exposed to Level B harassment. The City must implement a shutdown zone of 660 m during this activity, but anticipates that due to the cryptic nature and lower detectability of harbor porpoises at large distances, up

to 6 of the Dall's porpoises (2 per month) that enter the Level A harassment zone could remain long enough to experience auditory injury. It was assumed that up to 10 California sea lions and 2 Steller sea lions could

be taken by Level B harassment each in-water work day. NMFS concurred with the City's request for take by Level B harassment of a single northern elephant seal per month. Finally, it was assumed that 10 harbor seals could

enter the Level B harassment zone per day and 1 seal may approach closer and enter the 82 m Level A harassment zone before the animal is detected and activities shut down.

TABLE 3—PROPOSED TAKE OF MARINE MAMMALS BY LEVEL A AND LEVEL B HARASSMENT FROM PIER 58 RENEWAL IHA BY SPECIES AND STOCK AND PERCENT OF TAKE BY STOCK

Species	Stock	Proposed take by Level A harassment	Proposed take by Level B harassment	Stock abundance	Percent of stock
Pacific harbor seal	Washington Northern Inland Waters stock.	21	189	11,036	1.90
Northern elephant seal	California breeding	0	3	187,386	<0.01
California sea lion	U.S.	0	210	257,606	0.08
Steller sea lion	Eastern U.S.	0	42	43,201	0.10
Harbor porpoise	Washington Inland Waters	6	120	11,233	1.12
Dall's porpoise	California/Oregon/Washington	6	30	16,498	0.22
Long-beaked common dolphin	California	0	21	83,379	0.03
Common bottlenose dolphin	California/Oregon/Washington Offshore	0	21	3,477	0.60
Transient killer whale	West Coast Transient	0	18	349	5.16
Gray whale	Eastern North Pacific	0	3	26,960	0.01
Minke whale	California/Oregon/Washington Stock ...	0	3	915	0.33

Description of Proposed Mitigation, Monitoring and Reporting Measures

The proposed mitigation, monitoring, and reporting measures included as requirements in this authorization are nearly identical to those included in the FR Notice announcing the issuance of the initial IHA (87 FR 31985, May 26, 2022), although the size of the shutdown and Level B harassment areas has been revised as appropriate, as shown in Table 4 below. The following identical measures are proposed for this renewal:

- Shut down construction operations (including in-water heavy machinery work other than pile driving) if a marine mammal comes within 10 m of construction activity or a vessel involved with construction activity (e.g., barge) to avoid direct physical interaction with marine mammals;
- Shut down during active pile driving if marine mammals approach

pile driving activities within hearing group-specific shutdown zones;

- Contact the local marine mammal sightings network (Orca Network) hourly to obtain real-time sightings reports of marine mammals in the project area;
- Shut down if any species for which take has not been authorized (e.g., Southern Resident killer whales, humpback whales), or a species for which take has been authorized but the authorized take numbers have been met, enters the Level B harassment zones;
- Implement impact pile driving soft starts whereby hammer energy is gradually ramped up;
- Use of a bubble curtain during all impact pile driving.
- Use of NMFS-approved protected species observers (PSOs) to monitor the entire Level A and Level B harassment zones;
- Submit draft reports on all monitoring within 90 calendar days of

the completion of marine mammal monitoring at each pier or 60 days prior to the issuance of any subsequent IHAs for these projects, whichever comes first;

- Prepare and submit final reports within 30 days following resolution of comments on the draft report from NMFS;
- Submit all PSO datasheets and/or raw sightings data (in a separate file from the final reports referenced above); and
- Report injured or dead marine mammals.

The shutdown and Level B harassment zones shown in Table 4 have been revised from the Season 1 initial IHA to reflect the updated SLs associated with 30-inch impact and vibratory driving as well as the increase in strikes per day for impact driving described previously.

TABLE 4—PROPOSED SHUTDOWN AND LEVEL B HARASSMENT ZONES FOR IHA RENEWAL

Pile size, type, and method	Minimum shutdown zone (m)					Level B harassment zone (m)
	LF cetacean	MF cetacean	HF cetacean	Phocid	Otariid	
Timber vibratory removal (Don Armeni)	10	10	10	10	10	453
30-inch steel vibratory installation	60	10	85	35	10	21,710
30-inch steel impact installation	555	20	660	295	25	616
16-inch steel vibratory installation (Don Armeni)	10	10	15	10	10	3,415

Comments and Responses

As noted previously, NMFS published a notice of a proposed IHA (87 FR 12089, March 3, 2022) and solicited

public comments on both our proposal to issue the initial IHA for the project and on the potential for a renewal IHA, should certain requirements be met. No

comments were submitted to NMFS during the public comment period in response to the publication of the notice

of a proposed IHA (87 FR 12089, March 3, 2022).

Preliminary Determinations

The City is in the process of reconstructing Waterfront Park which includes vibratory removal of existing in-water piles and vibratory and impact installation of new piles. The reconstructed pier requires installation of 120 permanent 30-inch steel piles by vibratory hammer and impact proofing. Under the initial IHA, 76 steel piles were successfully installed. The remaining 44 piles, which represent a subset of the originally planned 120 piles, would be installed under the renewal IHA. The pile type, size and method of installation (*i.e.*, vibratory, impact) would be identical to that conducted in Season 1. A total of 31 existing steel H-piles and timber piles were removed under the initial IHA by pulling the piles using a vibratory extraction method or clamshell bucket. A nearly identical activity proposed under the renewal IHA would be the removal of eight 12-inch creosote timber piles (1 day) by vibratory hammer and the vibratory installation of eight 16-inch steel piles (2 days) at the Don Armeni Boat Ramp.

A detailed description of the construction activities for which take is proposed, including the installation of 30-inch permanent steel piles and, potentially, 24-inch temporary template steel piles may be found in the notice of the proposed and final IHA for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022). As previously mentioned, these specific activities represent a subset of the activities authorized in the initial IHA that would not be completed prior to its expiration.

Minor changes to the initial scope as described in notice of the proposed and final IHA for the initial authorization (87 FR 12089, March 3, 2022; 87 FR 31985, May 26, 2022) include the removal of eight 12-inch creosote timber piles by vibratory hammer and the vibratory installation of eight 16-inch steel piles at the boat ramp. Vibratory removal of the 12-inch creosote timber piles, requiring an estimated 2 days, is nearly identical to the vibratory removal of H-piles and timber piles, which required 3 days, under the initial IHA. The installation of eight 16-inch steel piles under the proposed renewal IHA is nearly identical to the installation of 30-inch steel piles under the initial IHA with the only difference being the size of piles (30-inch vs. 16-inch) and the duration (36 days vs. 2 days).

There is no new information which would change our potential impacts to

the specified marine mammal species and stocks. The anticipated effects of the action under the renewal IHA are expected to be the same as those that may have occurred under the initial IHA. The species proposed for take are identical to those that were identified in the initial IHA. The same species that were authorized for limited take by Level A harassment under the initial IHA are proposed for take by Level A harassment under the renewal IHA. The Level A and Level B harassment zones for 30-inch pile installation under the renewal IHA are larger than those contained in the initial IHA. However, the number of animals of each species proposed for authorized take is less than what was authorized under the initial IHA since the number of in-water work days anticipated is less than half of the number of work days that occurred under the initial IHA. Furthermore, PSO monitoring of the renewal IHA's extended harassment zones demonstrated that most take occur closer to the in-water driving location. The mitigation and monitoring measures proposed for the renewal IHA are identical to those mandated in the initial IHA, with one exception. The shutdown and Level B harassment zones under the proposed renewal IHA are larger than those employed in Season 1.

After analyzing the City's application for the initial IHA, NMFS determined that the action would have a negligible impact on all affected stocks and that the taking of authorized species would be small relative to population size (< 6 percent of the total abundance for all stocks).

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. Based on the information and analysis contained here and in the referenced documents, NMFS has preliminarily determined the following: (1) the required mitigation measures will affect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) The City's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action, and; (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is authorized or expected to result from these activities. Therefore, NMFS has determined that consultation under section 7 of the ESA is not required for this action.

Proposed Renewal IHA and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to the City for conducting activities associated with the Pier 58 Reconstruction Project in Seattle, Washington from August 1, 2023 through July 31, 2024, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed and final initial IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. We request comment on our analyses, the proposed renewal IHA, and any other aspect of this notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: July 12, 2023.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2023-15088 Filed 7-14-23; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Charter Establishment of Department of Defense Federal Advisory Committees—Department of the Navy Science and Technology Board

AGENCY: Department of Defense (DoD).

ACTION: Establishment of Federal advisory committee.

SUMMARY: The DoD gives notice that it is establishing the Department of the

Navy Science and Technology Board (DoN S&T Board) as a discretionary Federal advisory committee.

FOR FURTHER INFORMATION CONTACT: Jim Freeman, DoD Advisory Committee Management Officer, 703-692-5952, james.d.freeman4.civ@mail.mil.

SUPPLEMENTARY INFORMATION: This committee is being established in accordance with the Federal Advisory Committee Act (FACA) and 41 CFR 102-3.50(a). The charter and contact information for the DoN S&T Board's Designated Federal Officer (DFO) are found at: <https://www.facadatabase.gov/FACA/apex/FACAPublicAgencyNavigation>.

The DoN S&T Board is a discretionary Federal advisory committee established to provide independent advice and recommendations on matters relating to the Department of the Navy's (DoN) scientific, technical, manufacturing, acquisition, logistics, medicine, and business management functions. These matters include, but are not limited to, the pressing and complex scientific and technological problems facing the DoD in such areas as research, engineering, organizational structure and process, business and functional concepts, and manufacturing, and will ensure the identification of new technologies and new applications of technology in those areas to strengthen national security.

The DoN S&T Board shall be composed of no more than 20 members who are prominent authorities in one or more of the following disciplines and fields: science, technology, manufacturing, acquisition, logistics, medicine, climate, and business management functions, as well as other matters of special interest to the DoN. Membership will consist of private and public leaders, fairly balanced to provide a diversity of background, experience, and thought in support of the DoN S&T Board mission.

Individual members are appointed according to DoD policy and procedures and serve a term of service of one-to-four years with annual renewals. One member will be appointed as Chair of the DoN S&T Board. No member, unless approved according to DoD policy and procedures, may serve more than two consecutive terms of service on the DoN S&T Board, or serve on more than two DoD Federal advisory committees at one time.

DoN S&T Board members who are not full-time or permanent part-time Federal civilian officers or employees are appointed as experts or consultants, pursuant to 5 U.S.C. 3109, to serve as special government employee members. DoN S&T Board members who are full-

time or permanent part-time Federal civilian officers or employees are appointed pursuant to 41 CFR 102-3.130(a), to serve as regular government employee members.

All DoN S&T Board members are appointed to provide advice based on their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Except for reimbursement of official DoN S&T Board-related travel and per diem, members serve without compensation.

The public or interested organizations may submit written statements about the DoN S&T Board mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meetings of the DoN S&T Board. All written statements shall be submitted to the DoN S&T Board's DFO, and this individual will ensure that the written statements are provided to the membership for their consideration.

Dated: July 12, 2023.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2023-15089 Filed 7-14-23; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

Applications for New Awards; Technical Assistance and Dissemination To Improve Services and Results for Children With Disabilities and School Safety National Activities Programs—National Technical Assistance Center on Positive Behavioral Interventions and Supports

AGENCY: Office of Special Education and Rehabilitative Services, Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a notice inviting applications for new awards for fiscal year (FY) 2023 for a National Technical Assistance Center on Positive Behavioral Interventions and Supports, Assistance Listing Number 84.326S. This notice relates to the approved information collection under OMB control number 1820-0028.

DATES:

Applications Available: July 17, 2023.
Deadline for Transmittal of Applications: August 31, 2023.

Pre-Application Webinar Information: No later than July 24, 2023, the Office

of Special Education and Rehabilitative Services will post pre-recorded informational webinars designed to provide technical assistance (TA) to interested applicants. The webinars may be found at <https://www2.ed.gov/fund/grant/apply/osep/new-osep-grants.html>.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 7, 2022 (87 FR 75045) and available at www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs. Please note that these Common Instructions supersede the version published on December 27, 2021.

FOR FURTHER INFORMATION CONTACT:

Mohamed Soliman, U.S. Department of Education, 400 Maryland Avenue SW, Room 5054B, Potomac Center Plaza, Washington, DC 20202-5067. Telephone: (202) 245-6335. Email: Mohamed.Soliman@ed.gov.

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. Funding Opportunity Description

Purpose of Program: The purpose of the Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities program is to promote academic achievement and to improve results for children with disabilities by providing TA, supporting model demonstration projects, disseminating useful information, and implementing activities that are supported by scientifically based research.

The School Safety National Activities Program provides support to State educational agencies (SEAs) and local educational agencies (LEAs) for activities to improve student safety and well-being.

Priorities: This competition includes two absolute priorities. Applicants must address both priorities, and we will make one award as a comprehensive investment designed to enhance local and State efforts to improve school climate, conditions for learning, and access to and engagement in the instructional environment, with a focus on students with behavioral challenges, by implementing comprehensive positive behavioral interventions and

supports (PBIS) frameworks.¹ Absolute Priority 1 is established in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA) (20 U.S.C. 1232(d)(1)). Absolute Priority 2 is from the Notice of Final priority and requirements—Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities and the School Safety National Activities—National Technical Assistance Center on Positive Behavioral Interventions and Supports (NFP), published elsewhere in this issue of the **Federal Register**.

Background:

Many students need additional supports to address social, emotional, and behavioral challenges that impact their full access to and participation in learning (Chafouleas, 2020). These challenges, if not properly addressed, can lead to student responses that are inconsistent with school or program expectations. The COVID-19 global pandemic exacerbated these challenges, accelerating the need to provide school-based social, emotional, behavioral, and mental health supports and leverage the existing evidence base to provide nurturing educational environments to meet the needs of our nation's youth.

MTSS frameworks such as PBIS² have been validated by numerous

randomized control trials (Bradshaw et al., 2012; Freeman et al., 2017). When implemented with fidelity, PBIS outcomes include reductions in removals of students from instruction; improved student exposure to and success in academics (grades and completion); improved educator satisfaction and retention; and improved overall ratings of school safety, belonging, and climate.

Despite improved outcomes and knowledge from PBIS implementation efforts over the last two decades, data from the Office for Civil Rights' Civil Rights Data Collection suggests students from underserved groups are more likely to experience exclusionary discipline (e.g., suspensions, expulsions) (U.S. Department of Education, Civil Rights Data Collection SY17–18, Office for Civil Rights, 2021). Disaggregated data shows that disproportionate use of discipline grows when considering race, sex, and disability. Id. Research consistently shows that students of color, particularly Black students, Native students, and Black students with disabilities are significantly more likely than their non-disabled or White peers to be subjected to exclusionary discipline practices, including office discipline referrals and suspensions (e.g., Gage et al., 2019; McIntosh et al., 2018; McIntosh et al., 2021; Civil Rights Data Collection SY17–18, Office for Civil Rights, 2021). While disproportionality with respect to Black boys has long been acknowledged, more recent data analysis indicates the disproportionality also exists for Black girls as compared to White girls (Hassan & Carter, 2021). Other studies show disproportionality based on gender, historically demonstrating boys receive suspensions and expulsions at higher rates than girls (Bradshaw et al., 2010). Higher rates of punitive discipline practices also exist for students who identify as LGBTQ and those with disabilities (Himmelstein & Brückner, 2011; Brobbey, 2018). When students are denied access to instruction and participation in school opportunities, they are more likely to experience negative outcomes in school and later in life, including poor academic outcomes, lower graduation rates, incarceration,

emotional, behavioral, mental health and academic outcomes by improving school climate, promoting positive social skills, promoting effective strategies to support and respond to student needs, and increasing learning time. PBIS is an evidence-based, tiered framework (Tier 1: Universal, Primary Prevention; Tier 2: Targeted, Secondary Prevention; and Tier 3: Intensive and Individualized, Tertiary Prevention) for supporting students' behavioral, academic, social, emotional, and mental health.

and employment and relationship challenges (Hemez et al., 2020; Lansford et al., 2016).

One of the most significant barriers to reducing exclusionary and aversive discipline practices for students, including students of color and students with disabilities, is the lack of culturally and linguistically inclusive pre-service and in-service training for teachers and leaders on effective practices for creating positive, safe learning environments to teach and support desired school behaviors and for responding to and mitigating behaviors that are inconsistent with school expectations and interfere with learning. The PBIS framework has provided an effective multi-tiered structure through the implementation and examination of systems, practices, and data to assist LEAs and schools in addressing inequities. When there is fidelity in implementing evidence-based practices (EBPs)³ to prevent, reduce, and mitigate interfering behaviors within a PBIS framework, studies have found the following statistically significant results: improved perception of school safety; reductions in overall behaviors that are inconsistent with classroom or school expectations and that interfere with learning; and reduction of bullying behaviors, office discipline referrals, chronic absenteeism, and suspensions (Waasdorp et al., 2012). The PBIS framework has solidified the importance of core strategies, including implementing EBPs, and providing the systems needed to support those practices and data-based decision-making, to create and sustain positive, safe, and predictable learning environments. Fidelity in the implementation of the core strategies has also demonstrated the importance of adult responses, including effectively supporting and responding to student behavior (Horner et al., 2020).

Although prior Department investments have led to successful implementation of the PBIS framework and positive outcome data in over 27,000 schools, based on persistent needs in the field, the Department has determined that additional and continued TA is needed to focus on: (1) students with more intensive social, emotional, behavioral, and mental health needs and those most likely to be excluded from the learning environment due to behavior that interferes with

¹ The term "positive behavioral interventions and supports" was first used in a priority published by the Department in 1997, and it is currently used in the IDEA (e.g., sections 601(c)(5)(F), 611(e)(2)(C)(iii), 614(d)(3)(B)(i), 662(b)(2)(A)(v), and 665) and the ESEA (e.g., section 4631(a)(1)(B)). We do not use PBIS to mean any specific program or curriculum. Rather, we use the term generically to reference a multi-tiered framework used to improve the integration and implementation of social, emotional, behavioral and mental health practices, data-driven decision-making systems, professional development opportunities, school leadership, supportive SEA and LEA policies, and evidence-based instructional strategies. A PBIS framework helps to organize practices to improve social, emotional, behavioral, mental health and academic outcomes by improving school climate, promoting positive social skills, promoting effective strategies to support and respond to student needs, and increasing learning time. PBIS is an evidence-based, tiered framework (Tier 1: Universal, Primary Prevention; Tier 2: Targeted, Secondary Prevention; and Tier 3: Intensive and Individualized, Tertiary Prevention) for supporting students' behavioral, academic, social, emotional, and mental health.

² The term "positive behavioral interventions and supports" was first used in a priority published by the Department in 1997, and it is currently used in the IDEA (e.g., sections 601(c)(5)(F), 611(e)(2)(C)(iii), 614(d)(3)(B)(i), 662(b)(2)(A)(v), and 665) and the ESEA (e.g., section 4631(a)(1)(B)). We do not use PBIS to mean any specific program or curriculum. Rather, we use the term generically to reference a multi-tiered framework used to improve the integration and implementation of social, emotional, behavioral and mental health practices, data-driven decision-making systems, professional development opportunities, school leadership, supportive SEA and LEA policies, and evidence-based instructional strategies. A PBIS framework helps to organize practices to improve social,

³ For the purposes of this priority, "evidence-based practices" (EBPs) means, at a minimum, demonstrating a rationale (as defined in 34 CFR 77.1) based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes.

learning; (2) pre-service and in-service training on culturally and linguistically inclusive practices that support students from underserved groups; (3) improving implementation fidelity; and (4) addressing other systemic inequities such as access to school funding, experienced educators, and advanced coursework opportunities. In addition, the Department has determined that SEAs and LEAs could benefit from further TA to develop, expand, and sustain school-wide frameworks and to build personnel capacity and expertise to promote safe, positive, predictable, and culturally and linguistically inclusive learning environments where students feel a sense of belonging. Such additional TA would be focused on increasing the use of EBPs to more effectively support and respond to student needs, such as teaching school and classroom expectations, building classroom cultures of respect and belonging, and implementing trauma-informed practices. Such additional TA also would be focused on using EBPs to reduce the use of restraints, seclusion, and corporal punishment; chronic absenteeism; incidents of bullying; the disproportionate application of disciplinary procedures, such as suspension and expulsion, for students, including students of color and those with disabilities; unnecessary referrals of students to law enforcement; and violent and traumatic school incidents.

The Center will support States and LEAs in implementing EBPs within a MTSS/PBIS framework that improves results for children, including those underrepresented based on race, color, national origin, gender, age, disability, LGBTQI+, English learner, or socioeconomic status. While PBIS is one evidence-based MTSS framework for addressing social, emotional, behavioral and mental health needs, the Department expects that the Center will stay abreast of developing frameworks and identify and incorporate a broad array of EBPs to support and respond to student needs, and tailor technical assistance in the settings established in the priority. This investment is aligned to the Secretary's Supplemental Priorities and Definitions for Discretionary Grant Programs published in the **Federal Register** on December 10, 2021 (86 FR 70612), in the areas of meeting student social, emotional, and academic needs, and promoting equity in student access to educational resources and opportunities.

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Absolute Priorities: For FY 2023 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are absolute priorities. Under 34 CFR 75.105(c)(3), we consider only applications that meet these priorities.

These priorities are:

Absolute Priority 1—Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities Program—National Technical Assistance Center on Positive Behavioral Interventions and Supports.

The purpose of this priority is to fund a cooperative agreement to establish and operate a National Technical Assistance Center on Positive Behavioral Interventions and Supports (PBIS) (Center). This Center will assist SEAs and LEAs to enhance their capacity to develop, implement, scale-up, and sustain school-wide frameworks for MTSS/PBIS to improve behavior and climate and to enable all students, especially those from culturally and linguistically diverse backgrounds, and those with disabilities, to fully participate in, and benefit from, a high-quality learning environment.

The Center must achieve, at a minimum, the following expected outcomes:

(a) Improved infrastructure at the national, regional, State, and district

levels to support, develop, sustain, and expand local implementation efforts (e.g., an increase in the number of schools) of MTSS/PBIS with fidelity to demonstrate improved student outcomes: academic performance, social-emotional competence, mental health and well-being, academic outcomes, reduced bullying behaviors, reduced student reports of alcohol and drug use for students with or at risk of disabilities and those with the most intensive needs.

(b) Improved capacity for systems implementation at the SEA and LEA levels, including new and existing LEAs and schools, to implement the components of a MTSS/PBIS framework (i.e., policies, funding, professional development, coaching, data collection, analysis, and use) and develop and utilize new and existing tools for selecting and aligning multiple initiatives within the SEA or LEA with a special focus on PBIS tiers beyond universal and the inclusion of EBPs to address mental health and well-being for children and youth with or at risk of disabilities, especially those with culturally and linguistically diverse backgrounds and those with the most intensive needs;

(c) Improved capacity of existing and new SEA and LEA personnel to enhance the knowledge and skills of members of school leadership teams and individualized education program (IEP) Teams to implement MTSS/PBIS policies and practices for students with or at risk of disabilities and those with the most intensive needs, including the development and implementation of IEPs and behavior intervention plans that are culturally responsive, particularly for students with culturally and linguistically diverse backgrounds, to support positive school behavior and respond to behaviors that interfere with a student's ability to fully participate in, and benefit from, a high-quality learning environment;

(d) Increased use by SEAs and LEAs of new and updated reliable and valid tools and processes for evaluating the fidelity of the implementation of a MTSS/PBIS framework and for measuring its outcomes, including reductions in violence and the illegal use of drugs, discipline referrals, suspensions, expulsions, and the use of restraints and seclusion; and improvements in school climate, time spent in instruction, mental health and well-being, and overall academic achievement, particularly for students with culturally and linguistically diverse backgrounds, and those with or at risk of disabilities, and those with the most intensive needs; and

(e) Increased body of knowledge to enhance implementation of MTSS/PBIS, particularly for students with culturally and linguistically diverse backgrounds, those with or at risk of disabilities, and for those with the most intensive needs, in high-poverty schools, low-performing schools, rural schools, high schools, alternative public schools, charter schools, mental health settings, private schools, and juvenile correction settings.

Absolute Priority 2: Technical Assistance—School Safety National Activities Program—National Technical Assistance Center on Positive Behavioral Interventions and Supports.

The purpose of this priority is to enhance the capacity of SEAs and LEAs to implement positive and safe school environments, and effectively support and respond to students' social, emotional, behavioral, and mental health needs to improve their learning, by implementing EBPs⁴ within an MTSS/PBIS framework in the following settings:

- (i) Programs or schools serving high percentages of students from low-income families in the following settings:
 - (1) Early learning programs.
 - (2) Elementary schools.
 - (3) Middle schools.
 - (4) High schools.
 - (5) Career and technical education programs.
 - (6) Rural schools.
- (ii) Alternative schools and programs.
- (iii) Juvenile justice system or correctional facilities.
- (iv) Low-performing schools.
- (v) Schools with a high student-to-mental health provider ratio.
- (vi) Schools with high rates of chronic absenteeism, exclusionary discipline, referrals to the juvenile justice system, bullying/harassment, community and school violence, or substance abuse.
- (vii) Schools in which students recently experienced a natural disaster, incident of violence, or traumatic event.
- (viii) Schools with high percentages of students with disabilities or English Learners.
- (ix) Federally supported elementary schools or secondary schools for Indian students.

To meet this priority, the applicant must propose to achieve, at a minimum, one or more of the following expected outcomes:

- (a) Improved systems and resources at the national, regional, State, and district

⁴ "Evidence-based practices" (EBPs) means, at a minimum, demonstrating a rationale (as defined in 34 CFR 77.1) based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes.

levels to support, develop, align, and sustain local implementation of MTSS/PBIS efforts to organize EBPs to support positive school climates and respond to student social, emotional, behavioral, and mental health needs to improve access to and engagement in learning.

(b) Improved capacity of SEA and LEA personnel to support the knowledge and skills development of school personnel, including administrators and practitioners, through efforts such as pre-service and in-service training and coaching, to implement MTSS/PBIS as a framework to organize EBPs to support and respond to student needs, particularly those from underserved and, culturally and linguistically diverse backgrounds, and students whose behaviors may interfere with a their ability to fully participate in, and benefit from, a high-quality learning environment.

(c) Increased use by SEAs, LEAs, and school-based personnel of reliable and valid tools and processes for enhancing and assessing the fidelity of implementation of an MTSS/PBIS Framework and for measuring intended outcomes, including improvements in school climate; time spent on instruction; well-being and belonging; overall academic achievement; and reductions in absenteeism, discipline referrals, suspensions, expulsions, the use of restraints or seclusion, illegal use of drugs, and referrals to law enforcement.

(d) Improved implementation of a MTSS/PBIS framework and EBPs, and assessment of SEA or LEA recipients of grant programs that focus on improving positive school climates and implementing EBPs to support and respond to students' social, emotional, behavioral, and mental health needs.

(e) Enhanced response and recovery assistance, as requested by and in collaboration with the Department, for violent or traumatic incidents that impact school communities, including intensive individualized support to facilitate recovery of the learning environment.

(f) Increased body of knowledge and evidence to enhance implementation of PBIS and other emerging MTSS frameworks and EBPs to address the social, emotional, behavioral, and mental health needs of underserved students in the settings established in the priority.

Common Application Requirements:

To be considered for funding under these priorities, applicants must meet the application and administrative requirements in these priorities, which are:

(a) Demonstrate how the proposed project will—

(1) Improve SEAs' and LEAs' implementation, scaling, and sustaining of EBPs within a MTSS/PBIS framework and policies that are designed to improve school climate and, as needed, to provide additional behavioral supports for students whose behavior impacts their ability to fully participate in, and benefit from, a high-quality learning environment, including students with disabilities and other underserved students in the settings established in the priority. To meet this requirement, the applicant must—

(i) Present applicable State, regional, or local data demonstrating SEAs' and LEAs' needs related to (A) implementation of EBPs and policies to improve school climate, student well-being, and belonging; and (B) increasing students' ability to fully participate in, and benefit from, a high-quality learning environment;

(ii) Demonstrate knowledge of current education issues and policy initiatives relating to MTSS/PBIS and school climate practices and policies and EBPs to effectively support and respond to student behavior that impacts learning; and

(iii) Present information about the current level of implementation of MTSS/PBIS, EBPs, policies, best practices, and benefits for all students, especially underserved students and those from culturally and linguistically diverse backgrounds;

(2) [See the *Unique Application Requirements* section below for the separate requirements applicable to Absolute Priority 1 and Absolute Priority 2 in paragraph (a)(2).]

(b) Demonstrate how the proposed project will—

(1) Ensure equal access and treatment for members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, disability, LGBTQI+, English learner, or socio-economic status. To meet this requirement, the applicant must describe how it will—

(i) Identify the TA and information needs of the intended recipients; and

(ii) Ensure that services and products meet the needs of the intended recipients of the TA;

(2) Achieve its goals, objectives, and intended outcomes. To meet this requirement, the applicant must provide—

(i) Measurable intended project outcomes; and

(ii) The logic model⁵ (by which the proposed project will achieve its

intended outcomes that depicts, at a minimum, the goals, activities, outputs, and intended outcomes of the proposed project;

(3) Use a conceptual framework to develop project plans and activities, describing any underlying concepts, assumptions, expectations, beliefs, or theories, as well as the presumed relationships or linkages among these variables, and any empirical support for this framework;

Note: The following websites provide more information on logic models and conceptual frameworks: https://osepideasthatwork.org/sites/default/files/2021-12/ConceptualFramework_Updated.pdf and www.osepideasthatwork.org/resources-grantees/program-areas/ta-ta/tad-project-logic-model-and-conceptual-framework.

(4) Be based on current research and make use of EBPs. To meet this requirement, the applicant must describe—

(i) The current research on the assessment of the implementation of MTSS/PBIS frameworks and related EBPs;

(ii) The current research about adult learning principles and implementation science that will inform the proposed TA; and

(iii) How the proposed project will incorporate current and emerging research and practices in the development and delivery of its products and services;

(5) Develop products and provide services that are of high quality and sufficient intensity and duration to achieve the intended outcomes of the proposed project. To address this requirement, the applicant must describe—

(i) How it proposes to identify or develop the knowledge base of MTSS/PBIS;

(ii) Its proposed approach to universal, general TA,⁶ which must identify the intended recipients, including the type and number of

that identifies key project components of the proposed project (*i.e.*, the active “ingredients” that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

⁶ “Universal, general TA” means TA and information provided to independent users through their own initiative, resulting in minimal interaction with Center staff and including one-time, invited or offered conference presentations by Center staff. This category of TA also includes information or products, such as newsletters, guidebooks, or research syntheses, downloaded from the Center's website by independent users. Brief communications by Center staff with recipients, either by telephone or email, are also considered universal, general TA.

recipients, that will receive the products and services, a description of the products and services that the Center proposes to make available, and the expected impact of those products and services under this approach;

(iii) Its proposed approach to targeted, specialized TA,⁷ which must identify—

(A) The intended recipients, including the type and number of recipients, that will receive the products and services, a description of the products and services that the Center proposes to make available, and the expected impact of those products and services under this approach; and

(B) Its proposed approach to measure the readiness of potential TA recipients to work with the project, assessing, at a minimum, their current systems, available resources, and ability to build capacity at the local level; and

(iv) Its proposed approach to intensive, sustained TA,⁸ which must identify—

(A) The intended recipients, including the type and number of recipients from a variety of settings and geographic distribution, that will receive the products and services designed to improve school climate and;

(B) Its proposed approach to measure the readiness of the State- and local-level personnel to work with the project, including their commitment to the initiative, alignment of the initiative to their needs, current systems, available resources, and ability to build capacity at the local level;

(C) Its proposed plan for assisting SEAs, LEAs, local Part C agencies, charter management organizations, and private school organizations to build or enhance training systems that include professional development based on adult learning principles and coaching; and

(D) Its proposed plan for working with appropriate levels of the education

⁷ “Targeted, specialized TA” means TA services based on needs common to multiple recipients and not extensively individualized. A relationship is established between the TA recipient and one or more Center staff. This category of TA includes one-time, labor-intensive events, such as facilitating strategic planning or hosting regional or national conferences. It can also include episodic, less labor-intensive events that extend over a period of time, such as facilitating a series of conference calls on single or multiple topics that are designed around the needs of the recipients. Facilitating communities of practice can also be considered targeted, specialized TA.

⁸ “Intensive, sustained TA” means TA services often provided on-site and requiring a stable, ongoing relationship between the Center staff and the TA recipient. “TA services” are defined as negotiated series of activities designed to reach a valued outcome. This category of TA should result in changes to policy, program, practice, or operations that support increased recipient capacity or improved outcomes at one or more systems levels.

⁵ As defined in 34 CFR 77.1, “logic model” (also referred to as a theory of action) means a framework

system (e.g., SEAs, regional TA providers, LEAs, schools, families, community providers) to ensure that there is communication between each level and that there are systems in place to support the use of MTSS/PBIS;

(6) Develop products and implement services that maximize efficiency. To address this requirement, the applicant must describe—

(i) How the proposed project will use technology to achieve the intended project outcomes;

(ii) With whom the proposed project will collaborate, including families, community providers, other federal investments as appropriate, and the intended outcomes of this collaboration; and

(iii) How the proposed project will use non-project resources to achieve the intended project outcomes; and

(7) Develop a dissemination plan that describes how the applicant will systematically distribute information, products, and services to varied intended audiences, using a variety of dissemination strategies, to promote awareness and use of the Center's products and services.

(c) Include an evaluation plan for the project as described in the following paragraphs. The evaluation plan must describe measures of progress in implementation, including the criteria for determining the extent to which the project's products and services have met the goals for reaching its target population; measures of intended outcomes or results of the project's activities in order to evaluate those activities; and how well the goals or objectives of the proposed project, as described in its logic model, have been met.

The applicant must provide an assurance that, in designing the evaluation plan, it will—

(1) Designate, with the approval of the Office of Special Education Programs (OSEP) project officer in consultation with Office of Elementary and Secondary Education (OESE) staff, a project liaison with sufficient dedicated time, experience in evaluation, and knowledge of the project to work in collaboration with the Center to Improve Program and Project Performance (CIPP),⁹ the project

director, and the OSEP project officer on the following tasks:

(i) Revise the logic model submitted in the application, as appropriate, to provide for a more comprehensive measurement of implementation and outcomes and to reflect any changes or clarifications to the model discussed at the kick-off meeting;

(ii) Refine the evaluation design and instrumentation proposed in the application, as appropriate, to be consistent with the revised logic model and using the most rigorous design suitable (e.g., prepare evaluation questions about significant program processes and outcomes; develop quantitative or qualitative data collections that permit both the collection of progress data, including fidelity of implementation, as appropriate, and the assessment of project outcomes; and identify analytic strategies); and

(iii) Revise the evaluation plan submitted in the application such that it clearly—

(A) Specifies the evaluation questions, measures, and associated instruments or sources for data appropriate to answer these questions, suggests analytic strategies for those data, provides a timeline for conducting the evaluation, and includes staff assignments for completing the evaluation activities;

(B) Delineates the data expected to be available by the end of the second project year for use during the project's evaluation (3+2 review) by OSEP for continued funding described under the heading *Fourth and Fifth Years of the Project*; and

(C) Can be used to assist the project director and the OSEP project officer in consultation with OESE staff, with the assistance of CIPP, as needed, to specify the project performance measures to be addressed in the project's annual performance report;

(2) Dedicate sufficient staff time and other resources during the first 6 months of the project to collaborate with CIPP staff, including regular meetings (e.g., weekly, biweekly, or monthly) with CIPP and the OSEP project officer, in order to accomplish the tasks described in paragraph (c)(1) of this section; and

(3) Dedicate sufficient funds in each budget year to cover the costs of carrying out the tasks described in paragraphs (C)(1) and (2) of this section and revising and implementing the evaluation plan. Please note in your budget narrative the funds dedicated for this activity.

designing the evaluations with due consideration of the project's budget. CIPP does not function as a third-party evaluator.

(d) Demonstrate how—

(1) The proposed project will encourage applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, disability, LGBTQI+, English learner, or socio-economic status, as appropriate;

(2) The proposed key project personnel, consultants, and subcontractors have the qualifications and experience to carry out the proposed activities and achieve the project's intended outcomes;

(3) The applicant and any key partners have adequate resources to carry out the proposed activities; and

(4) The proposed costs are reasonable in relation to the anticipated results and benefits.

(e) Demonstrate how—

(1) The proposed management plan will ensure that the project's intended outcomes will be achieved on time and within budget. To address this requirement, the applicant must describe—

(i) Clearly defined responsibilities for key project personnel, consultants, and subcontractors, as applicable; and

(ii) Timelines and milestones for accomplishing the project tasks;

(2) Key project personnel and any consultants and subcontractors will be allocated and how these allocations are appropriate and adequate to achieve the project's intended outcomes;

(3) The proposed management plan will ensure that the products and services provided are of high quality, relevant, and useful to recipients; and

(4) The proposed project will benefit from a diversity of perspectives, including those of families, educators, TA providers, researchers, and policymakers, among others, in its development and operation.

(f) Address the following application requirements. The applicant must—

(1) Include personnel-loading charts and timelines, as applicable, to illustrate the management plan described in the narrative;

(2) Include, in the budget, attendance at the following:

(i) A one and one-half day kick-off meeting in Washington, DC, after receipt of the award, and an annual planning meeting in Washington, DC, with the OSEP project officer, OESE representative, and other relevant staff during each subsequent year of the project period.

Note: Within 30 days of receipt of the award, a post-award teleconference must be held between the OSEP project officer and the grantee's project director or other authorized representative;

⁹ The major tasks of CIPP are to guide, coordinate, and oversee the design of formative evaluations for every large discretionary investment (i.e., those awarded \$500,000 or more per year and required to participate in the 3+2 process) in OSEP's Technical Assistance and Dissemination; Personnel Development; Parent Training and Information Centers; and Educational Technology, Media, and Materials programs. The efforts of CIPP are expected to enhance individual project evaluation plans by providing expert and unbiased TA in

(ii) A two- and one-half day project directors' conference in Washington, DC, during each year of the project period;

(iii) Three annual two-day trips to attend Department briefings, Department-sponsored conferences, and other meetings, as requested by OSEP or OESE; and

(iv) A one-day intensive 3+2 review meeting in Washington, DC, during the second year of the project period;

(3) Include, in the budget, a line item for an annual set-aside of 5 percent of the grant amount to support emerging needs that are consistent with the proposed project's intended outcomes, as those needs are identified in consultation with, and approved by, the OSEP project officer in consultation with OESE staff as appropriate. With approval from the OSEP project officer, the project must reallocate any remaining funds from this annual set-aside no later than the end of the third quarter of each budget period; and

(4) Maintain a high-quality website, with an easy-to-navigate design, that meets government or industry-recognized standards for accessibility;

(5) Ensure that annual project progress toward meeting project goals is posted on the project website; and

(6) Include an assurance to assist OSEP with the transfer of pertinent resources and products and to maintain the continuity of services to States during the transition to a new award at the end of this award period, as appropriate.

Fourth and Fifth Years of the Project:

In deciding whether to continue funding the project for the fourth and fifth years, the Secretary will consider the requirements of 34 CFR 75.253(a), including—

(a) The recommendations of a 3+2 review team consisting of experts and recipients of services who have experience and knowledge in MTSS/PBIS. This review will be conducted during a one-day intensive meeting that will be held during the last half of the second year of the project period;

(b) The timeliness with which, and how well, the requirements of the negotiated cooperative agreement have been or are being met by the project; and

(c) The quality, relevance, and usefulness of the project's products and services and the extent to which the project's products and services are aligned with the project's objectives and likely to result in the project achieving its intended outcomes.

Under 34 CFR 75.253, the Secretary may reduce continuation awards or discontinue awards in any year of the project period for excessive carryover

balances or a failure to make substantial progress. The Department intends to closely monitor unobligated balances and substantial progress under this program and may reduce or discontinue funding accordingly.

Requirements Unique to Absolute Priority 1:

Within Absolute Priority 1, we establish the following unique application requirements. In addition to the *Common Application Requirements*, in order to be considered for funding under Absolute Priority 1, applicants must, in their response to Application Requirement (a), demonstrate how the proposed project will:

(1) Under paragraph (a)(i)(B), present applicable State, regional, or local data demonstrating SEAs' and LEAs' needs related to increasing students' ability to fully participate in, and benefit from, a high-quality learning environment, particularly for students with the most significant behavioral challenges; and

(2) Under paragraph (a)(ii), demonstrate knowledge of current educational issues and policy initiatives relating to MTSS/PBIS and school climate practices and policies for students whose behavioral challenges interfere with their ability to fully participate in, and benefit from, a high-quality learning environment, including students with disabilities; and

(3) Under paragraph (a)(2), demonstrate how the proposed project will improve outcomes for students with behavioral challenges that interfere with their ability or the ability of their peers to fully participate in, and benefit from, a high-quality learning environment through the implementation of MTSS/PBIS frameworks, and indicate the likely magnitude or importance of the improvements.

Requirements Unique to Absolute Priority 2:

The following unique requirement, drawn from the NFP, applies to Absolute Priority 2. In addition to the *Common Application Requirements*, in order to be considered for funding under Absolute Priority 2, applicants must, in their response to Application Requirement (a)(2), demonstrate how the proposed project will improve the implementation of EBP within a MTSS/PBIS framework to effectively support and respond to student behaviors that impact access to and participation in learning.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities. Section 681(d) of IDEA,

however, makes the public comment requirements of the APA inapplicable to Absolute Priority 1 in this notice.

Program Authority: Sections 663 and 681(d) of the IDEA (20 U.S.C. 1463 and 1481); and section 4631(a)(1)(B) of the ESEA (20 U.S.C. 7281).

Note: Projects must be awarded and 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, 84, 86, 97, 98, and 99. (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 NFP.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian Tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education (IHEs) only.

II. Award Information

Type of Award: Cooperative agreement.

Estimated Available Funds: For Absolute Priority 1: \$1,850,000 from the Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities Program.

For Absolute Priority 2: \$2,500,000 from the School Safety National Activities Program.

Note: We will make one award comprised of separate funding under each of the two absolute priorities. Therefore, applicants must submit a separate ED 524 Form (Section A—Budget Summary and Section C—Budget Narrative) for each absolute priority. The Secretary may reject any application that does not separately address the requirements specified in Absolute Priority 1 and Absolute Priority 2 and include a separate budget summary and budget narrative for each of those priorities.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2024 from the list of unfunded applications from this competition.

Maximum Award: We will not make an award exceeding \$1,850,000 for Absolute Priority 1 for a single budget period of 12 months. We will not make

an award exceeding \$2,500,000 for Absolute Priority 2 for a single budget period of 12 months.

Project Period: Up to 60 months.

III. Eligibility Information

1. *Eligible Applicants:* SEAs; State lead agencies under Part C of IDEA; LEAs, including public charter schools that are considered LEAs under State law; IHEs; other public agencies; private nonprofit organizations; freely associated States and outlying areas; Indian Tribes or Tribal organizations; and for-profit organizations.

2. a. *Cost Sharing or Matching:* This competition does not require cost sharing or matching.

b. *Indirect Cost Rate Information:* This program uses an unrestricted indirect cost rate. For more information regarding indirect costs, or to obtain a negotiated indirect cost rate, please see <https://www2.ed.gov/about/offices/list/ocfo/intro.html>.

c. *Administrative Cost Limitation:* This program does not include any program-specific limitation on administrative expenses. All administrative expenses must be reasonable and necessary and conform to Cost Principles described in 2 CFR part 200 subpart E of the Uniform Guidance.

3. *Subgrantees:* Under 34 CFR 75.708(b) and (c), a grantee under this competition may award subgrants—to directly carry out project activities described in its application—to the following types of entities: IHEs, nonprofit organizations, and other public agencies. The grantee may award subgrants to entities it has identified in an approved application or that it selects through a competition under procedures established by the grantee, consistent with 34 CFR 75.708(b)(2).

4. Other General Requirements:

(a) Recipients of funding under this competition must make positive efforts to employ and advance in employment qualified individuals with disabilities (see section 606 of IDEA).

(b) Applicants for, and recipients of, funding must, with respect to the aspects of their proposed project relating to the Absolute Priority 1 involve individuals with disabilities, or parents of individuals with disabilities ages birth through 26, in planning, implementing, and evaluating the project (see section 682(a)(1)(A) of IDEA).

IV. Application and Submission Information

1. Application Submission

Instructions: Applicants are required to follow the Common Instructions for

Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on December 7, 2022 (87 FR 75045) and available at www.federalregister.gov/documents/2022/12/07/2022-26554/common-instructions-for-applicants-to-department-of-education-discretionary-grant-programs, which contain requirements and information on how to submit an application. Please note that these Common Instructions supersede the version published on December 27, 2021.

2. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. However, under 34 CFR 79.8(a), we waive intergovernmental review in order to make an award by the end of FY 2023.

3. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

4. *Recommended Page Limit:* The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 70 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, reference citations, and captions, as well as all text in charts, tables, figures, graphs, and screen shots.
- Use a font that is 12 point or larger.
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the abstract (follow the guidance provided in the application package for completing the abstract), the table of contents, the list of priority requirements, the resumes, the reference list, the letters of support, or the appendices. However, the recommended page limit does apply to all of the application narrative, including all text in charts, tables, figures, graphs, and screen shots.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition are from 34 CFR 75.210 and are listed below:

- (a) *Significance (10 points).*

(1) The Secretary considers the significance of the proposed project.

(2) In determining the significance of the proposed project, the Secretary considers the following factors:

(i) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.

(ii) The importance or magnitude of the results or outcomes likely to be attained by the proposed project.

(b) *Quality of project services (35 points).*

(1) The Secretary considers the quality of the services to be provided by the proposed project.

(2) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(3) In addition, the Secretary considers the following factors:

(i) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(ii) The extent to which there is a conceptual framework underlying the proposed research or demonstration activities and the quality of that framework.

(iii) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice.

(iv) The extent to which the training or professional development services to be provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services.

(v) The extent to which the TA services to be provided by the proposed project involve the use of efficient strategies, including the use of technology, as appropriate, and the leveraging of non-project resources.

(c) *Quality of the project evaluation (20 points).*

(1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.

(2) In determining the quality of the evaluation, the Secretary considers following factors:

(i) The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(ii) The extent to which the methods of evaluation provide for examining the effectiveness of project implementation strategies.

(iii) The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(iv) The extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible.

(d) *Adequacy of resources and quality of project personnel (15 points).*

(1) The Secretary considers the adequacy of resources for the proposed project and the quality of the personnel who will carry out the proposed project.

(2) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(3) In addition, the Secretary considers the following factors:

(i) The qualifications, including relevant training and experience, of the project director or principal investigator.

(ii) The qualifications, including relevant training and experience, of key project personnel.

(iii) The qualifications, including relevant training and experience, of project consultants or subcontractors.

(iv) The qualifications, including relevant training, experience, and independence, of the evaluator.

(v) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.

(vi) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project.

(vii) The extent to which the budget is adequate to support the proposed project.

(viii) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(e) *Quality of the management plan (20 points).*

(1) The Secretary considers the quality of the management plan for the proposed project.

(2) In determining the quality of the management plan for the proposed

project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(iii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project.

(iv) How the applicant will ensure that a diversity of perspectives is brought to bear in the operation of the proposed project, including those of parents, teachers, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or others, as appropriate.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Additional Review and Selection Process Factors:* In the past, the Department has had difficulty finding peer reviewers for certain competitions because so many individuals who are eligible to serve as peer reviewers have conflicts of interest. The standing panel requirements under section 682(b) of IDEA also have placed additional constraints on the availability of reviewers. Therefore, the Department has determined that for some discretionary grant competitions, applications may be separated into two or more groups and ranked and selected for funding within specific groups. This procedure will make it easier for the Department to find peer reviewers by ensuring that greater numbers of

individuals who are eligible to serve as reviewers for any particular group of applicants will not have conflicts of interest. It also will increase the quality, independence, and fairness of the review process, while permitting panel members to review applications under discretionary grant competitions for which they also have submitted applications.

4. *Risk Assessment and Specific Conditions:* Consistent with 2 CFR 200.206, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may impose specific conditions, and under 2 CFR 3474.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

5. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

6. *In General:* In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice

inviting applications in accordance with—

(a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

(b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. 115–232) (2 CFR 200.216);

(c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322); and

(d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Open Licensing Requirements:* Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted

after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

5. *Performance Measures:* For the purposes of Department reporting under 34 CFR 75.110, we have established a set of performance measures, including long-term measures, that are designed to yield information on various aspects of the effectiveness and quality of the Technical Assistance and Dissemination to Improve Services and Results for Children with Disabilities and School Safety National Activities Programs—National Technical Assistance Center on Positive Behavioral Interventions and Supports.

These performance measures will apply to grant activities under both absolute priorities. These measures are:

- *Program Performance Measure #1:* The percentage of Technical Assistance and Dissemination products and services deemed to be of high quality by an independent review panel of experts qualified to review the substantive content of the products and services.

- *Program Performance Measure #2:* The percentage of Technical Assistance and Dissemination products and services deemed by an independent review panel of qualified experts to be of high relevance to educational and early intervention policy or practice.

- *Program Performance Measure #3:* The percentage of all Technical Assistance and Dissemination products and services deemed by an independent review panel of qualified experts to be useful in improving educational or early intervention policy or practice.

- *Program Performance Measure #4:* The cost efficiency of the Technical Assistance and Dissemination Program includes the percentage of milestones achieved in the current annual performance report period and the percentage of funds spent during the current fiscal year.

- *Long-term Program Performance Measure:* The percentage of States receiving Technical Assistance and Dissemination services regarding scientifically or evidence-based practices for children, and youth that successfully promote the implementation of those practices in school districts and service agencies.

The measures apply to projects funded under this competition, and grantees are required to submit data on these measures as directed by OSEP/OESE. Grantees will be required to report information on their project's performance in annual and final performance reports to the Department (34 CFR 75.590). The Department will also closely monitor the extent to which the products and services provided by the Center meet needs identified by stakeholders and may require the Center to report on such alignment in their annual and final performance reports.

6. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: On request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**, individuals with disabilities can obtain this document and a copy of the application package in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Glenna Wright-Gallo,

Assistant Secretary for Special Education and Rehabilitative Services.

James F. Lane,

Principal Deputy Assistant Secretary, Delegated the Authority to Perform the Functions and Duties of Assistant Secretary for the Office of Elementary and Secondary Education.

[FR Doc. 2023–15159 Filed 7–13–23; 4:15 pm]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Agency Information Collection Extension

AGENCY: Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy (DOE).

ACTION: Submission for Office of Management and Budget (OMB) review; comment request.

SUMMARY: The Department of Energy has submitted an information collection request to the OMB for extension under the provisions of the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its Clean Cities Vehicle Programs Information Collection, OMB Control Number 1910–5171.

DATES: Comments regarding this proposed information collection must be received on or before August 16, 2023. If you anticipate difficulty in submitting comments within that period, contact the person(s) listed below as soon as possible. The Desk Officer may be telephoned at (202) 881–8585.

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: Mr. Mark Smith, at telephone: (202) email: Mark.Smith@ee.doe.gov. Please put “2023 DOE Agency Information Collection Renewal-Clean Cities Vehicle Programs” in the subject line when sending an email.

SUPPLEMENTARY INFORMATION: DOE is proposing to extend an information collection pursuant to the Paperwork Reduction Act of 1995. The approved collection is presently being used for three Clean Cities programmatic efforts. The first initiative is the collection of information for a voluntary plug-in electric vehicle (PEV) questionnaire that assists communities and DOE Clean Cities coalitions in assessing the level of readiness of their communities for PEVs. The second effort is intended to develop information that enables DOE to review the progress of DOE’s National Clean Fleets Partnership (Partnership). The third effort is referred to as “Ride and Drive Surveys”. DOE is not proposing to expand the scope of these information collection efforts. Previously DOE proposed to include a new information collection instrument to address active and effective Clean Cities Coalition self-assessments to ensure its coalitions can remain in good standing for designation purposes, however, DOE has determined that a specific information collection will not be needed for this work. For this reason, DOE is no longer proposing this specific effort. The net result is that DOE is not proposing to expand the scope of the existing ICR.

Comments are invited on: (a) whether the extended collection of information is necessary for the proper performance of the functions of DOE, including whether the information shall have practical utility; (b) the accuracy of DOE’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.: 1910–5171; (2) *Information Collection Request Title:*

Clean Cities Vehicle Programs; (3) *Type of Review:* Extension; (4) *Purpose:* DOE’s Clean Cities initiative has developed three voluntary mechanisms by which communities, certain fleets, and the purchasing public can get a better understanding of their readiness for plug-in electric vehicles (PEVs), and to help DOE’s Clean Cities coalitions prepare for the adoption of these vehicles review their progress in doing so. The voluntary PEV Scorecard is intended to assist communities and the coalitions in assessing the level of readiness of their communities for PEVs. The principal objectives of the questionnaire are to provide respondents with an objective assessment and estimate of their respective community’s readiness for PEVs as well as understand the respective community’s goals related to integrating these vehicles, and allow communities to assess the magnitude of gaps in their readiness to achieve their goals. DOE intends the questionnaire to be completed by a city/county/regional sustainability or energy coordinator. As the intended respondent may not be aware of every aspect of local or regional PEV readiness, coordination among local stakeholders to gather appropriate information may be necessary.

DOE expects a total respondent population of approximately 1,250 respondents. Selecting the multiple-choice answers in completing a questionnaire is expected to take under 30 minutes, although additional time of no more than 20 hours may be needed to assemble information necessary to be able to answer the questions, leading to a total burden of approximately 25,625 hours. Assembling information to update questionnaire answers in the future on a voluntary basis would be expected to take less time, on the order of 10 hours, as much of any necessary time and effort needed to research information would have been completed previously.

For the Clean Fleets Partnership information collection, the Partnership is targeted at large, private-sector fleets that own or have contractual control over at least 50 percent of their vehicles and have vehicles operating in multiple States. DOE expects approximately 50 fleets to participate in the Partnership and, as a result, DOE expects a total respondent population of approximately 50 respondents. Providing initial baseline information for each participating fleet, which occurs only once, is expected to take 60 minutes. Follow-up questions and clarifications for the purpose of ensuring accurate analyses are expected to take up to 90

minutes. The total burden is expected to be 125 hours.

For the DOE Clean Cities initiative that involves the ride-and-drive surveys, DOE has developed a three-part voluntary survey to assist its coalitions and stakeholders in assessing the level of interest, understanding, and acceptance of PEVs and alternative fuel vehicles (AFV) by the purchasing public. DOE intends the surveys to be completed by individuals who are participating in one of many ride-and-drive events. There are three phases to the Survey: (1) pre Ride-and-Drive; (2) post Ride-and-Drive; and (3) a few months/some time later to discern if the respondent followed through with acquisition of a PEV or another AFV. Respondents provide answers in the first two phases through a user-friendly paper survey and on-line survey, and in the third phase they answer questions via an electronic interface, although a paper survey may be used for those lacking access to an electronic device or computer.

The Surveys' effort relies on responses to questions the respondent chooses to answer. The multiple-choice questions address the following topic areas: (1) Demographics; (2) Current vehicle background; (3) How they learned about ride and drive event; (4) Perceptions of PEVs before and after driving; (5) Post-drive vehicle experience; (6) Purchase expectations; (7) Follow-up survey regarding subsequent behaviors; (8) Purchase information; (9) Barriers; and (10) Future intentions. The survey is expected to take 30 minutes, leading to a total burden of approximately 2,500 hours for the Ride and Drive surveys.

(5) *Type of Respondents:* Public;
(6) *Annual Estimated Number of Respondents:* 6,300;
(7) *Annual Estimated Number of Total Responses:* 16,300;
(8) *Annual Estimated Number of Burden Hours:* 28,250 (25,625 for PEV Scorecard, 125 for Clean Fleets Partnership, and 2,500 for the Ride and Drive Surveys); and
(9) *Annual Estimated Reporting and Recordkeeping Cost Burden:* \$2,278,480.
Statutory Authority: 42 U.S.C. 13233; 42 U.S.C. 13252 (a)–(b); 42 U.S.C. 13255.

Signing Authority

This document of the Department of Energy was signed on July 10, 2023, by Michael Berube, Acting Program Director, Vehicle Technologies, Office Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature

and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on July 12, 2023.

Treena V. Garrett,
*Federal Register Liaison Officer, U.S.
Department of Energy.*

[FR Doc. 2023–15054 Filed 7–14–23; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1922–052]

Ketchikan Public Utilities, Alaska; Notice Soliciting Scoping Comments

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

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 1922–052.

c. *Date Filed:* October 27, 2022.

d. *Applicant:* Ketchikan Public Utilities (KPU).

e. *Name of Project:* Beaver Falls Hydroelectric Project (project).

f. *Location:* On Beaver Falls Creek in Ketchikan Gateway Borough, Alaska. The project currently occupies 478.4 acres of United States lands administered by U.S. Forest Service.

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

h. *Applicant Contact:* Jennifer Holstrom, Senior Project Engineer, Ketchikan Public Utilities, 1065 Fair Street, Ketchikan, Alaska 99901; (907) 228–4733; or email at jenniferh@ktn-ak.us.

i. *FERC Contact:* Kristen Sinclair at (202) 502–6587, or kristen.sinclair@ferc.gov.

j. *Deadline for filing scoping comments:* August 10, 2023.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at <https://ferconline.ferc.gov/FEROnline.aspx>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system

at <https://ferconline.ferc.gov/QuickComment.aspx>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FEROnlineSupport@ferc.gov, (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Beaver Falls Hydroelectric Project (P–1922–052).

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. The application is not ready for environmental analysis at this time.

l. The existing Beaver Falls Project consists of two developments, Silvis and Beaver Falls. The Silvis development consists of: (1) a 60-foot-high, 135-foot-long concrete-face, rock-filled Upper Silvis Lake dam; (2) an 800-foot-long excavated rock spillway channel leading from Upper Silvis Lake to Lower Silvis Lake; (3) a 300-acre reservoir (Upper Silvis Lake) with gross storage capacity of approximately 38,000 acre-feet; (4) a 980-foot-long underground power tunnel connecting to a 342-foot-long, 36-inch-diameter steel penstock that conveys water to the Silvis Powerhouse; (5) a 30-feet by 40-feet by 25-feet-high Silvis powerhouse containing a single Francis-type turbine with a rated capacity of 2.1 megawatts; (6) a 150-foot-long trapezoidal shaped channel tailrace discharging into Lower Silvis Lake; (7) a 2,900-foot-long, 5-kilovolt submarine cable beneath Lower Silvis Lake; (8) a 7,000-foot-long, 34.5-kilovolt aerial transmission line; and (9) appurtenant facilities.

The Beaver Falls development consists of: (1) a 32-foot-high, 140-foot-long concrete-face, rock-filled Lower Silvis dam; (2) a spillway with an ungated control weir and unlined rock discharge channel; (3) a 67.5-acre

reservoir (Lower Silvis Lake) with gross storage capacity of approximately 8,052 acre-feet; (4) a 3-foot-high, 40-foot-long concrete diversion dam on Beaver Falls Creek; (5) a 3,800-foot-long underground power tunnel connecting to a 3,610-foot-long above ground steel penstock that conveys water from Lower Silvis Lake to the Beaver Falls powerhouse and supplies water to Units 3 and 4 in the powerhouse; (6) a 225-foot-long adit that taps the 3,800-foot-long underground power tunnel and discharges water into Beaver Falls Creek approximately 500-feet upstream of the Beaver Falls diversion dam; (7) a 4,170-foot-long above ground steel penstock that conveys water from the Beaver Falls Creek diversion dam to the Beaver Falls powerhouse and supplies Unit 1 in the powerhouse; (8) a 30-foot by 147-foot by 25-foot-high Beaver Falls powerhouse containing three horizontal Pelton generating units with a total installed capacity of 5 MW (Units 1, 3 and 4; Unit 2 is decommissioned); (9) a Beaver Falls substation; and (10) appurtenant facilities. The project generates an annual average of 54,711,280 megawatt-hours.

KPU operates the project in peaking mode utilizing a combination of river inflow and storage in the reservoirs to meet the power demands of the City of Ketchikan (particularly in the summer). Upper Silvis Lake provides the primary storage for the project.

KPU proposes to continue operating the project in peaking mode with no new developments or modifications to its existing facilities or operation.

KPU also proposes to remove 77 acres of land from the Beaver Falls project boundary to more closely align with the footprint of its facilities and maintenance needs. KPU's proposed Beaver Falls project boundary would include 408.8 acres of land within Tongass National Forest, and approximately 14.2 acres of Federal lands subject to FPA Section 24, for a total of 423 acres.

m. At this time, the Commission has suspended access to the Commission's Public Reference Room. Copies of the application can be viewed on the Commission's website at <https://www.ferc.gov> using the "eLibrary" link. Enter the project's docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov.

You may also register at <https://ferconline.ferc.gov/FEROnline.aspx> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please

contact FERC Online Support at FERCOnlineSupport@ferc.gov.

n. 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.

o. Scoping Process

Pursuant to the National Environmental Policy Act (NEPA), Commission staff intends to prepare either an environmental assessment (EA) or an environmental impact statement (EIS) (collectively referred to as the "NEPA document") that describes and evaluates the probable effects, including an assessment of the site-specific and cumulative effects, if any, of the proposed action and alternatives. The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission issues an EA or an EIS. At this time, we do not anticipate holding an on-site scoping meeting. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued July 11, 2023.

Copies of the SD1 outlining the subject areas to be addressed in the NEPA document were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1-866-208-3676 or for TTY, (202) 502-8659.

Dated: July 11, 2023.

Kimberly D. Bose,

Secretary.

[FR Doc. 2023-15081 Filed 7-14-23; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC23-9-000]

Commission Information Collection Activities (FERC-600); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission, Department of Energy.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC-600 (Rules of Practice and Procedure: Complaint Procedures), which will be submitted to the Office of Management and Budget (OMB) for a review of the information collection requirements.

DATES: Comments on the collection of information are due August 16, 2023.

ADDRESSES: Send written comments on FERC-600 to OMB through www.reginfo.gov/public/do/PRAMain, Attention: Federal Energy Regulatory Commission Desk Officer. Please identify the OMB control number (1902-0180) in the subject line. Your comments should be sent within 30 days of publication of this notice in the **Federal Register**.

Please submit copies of your comments (identified by Docket No. IC23-9-000) to the Commission as noted below. Electronic filing through <https://www.ferc.gov> is preferred.

- **Electronic Filing:** Documents must be filed in acceptable native applications and print-to-PDF, but not in scanned or picture format.

- For those unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery.

- Mail via U.S. Postal Service Only: Addressed to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

- Hand (including courier) delivery: Deliver to: Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Instructions:

OMB submissions must be formatted and filed in accordance with submission guidelines at www.reginfo.gov/public/do/PRAMain; Using the search function under the "Currently Under Review field," select Federal Energy Regulatory

Commission; click “submit” and select “comment” to the right of the subject collection.

FERC submissions must be formatted and filed in accordance with submission guidelines at: <https://www.ferc.gov>. For user assistance, contact FERC Online Support by email at ferconlinesupport@ferc.gov, or by phone at: (866) 208-3676 (toll-free).

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at <https://www.ferc.gov>.

FOR FURTHER INFORMATION CONTACT:

Ellen Brown may be reached by email at DataClearance@FERC.gov and telephone at (202) 502-8663.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (44 U.S.C. 3501 through 3521), the Commission published a notice on March 22, 2023 in the **Federal Register** regarding FERC-600 (88 FR 17206). The notice sought public comment for a period of 60 days as to the information collection’s necessity; the accuracy of the estimated burdens; the quality, utility, and clarity of the information to be collected; and how to minimize the burden of the information collection on those who are to respond. The comment period expired on May 22, 2023. No comments were submitted.

Title: FERC-600, Rules of Practice and Procedure: Complaint Procedures.

OMB Control No.: 1902-0180.

Type of Request: Three-year extension without change of the current information collection.

Abstract: In accordance with 18 CFR 385.206, any person may file a complaint seeking Commission action against any other person alleged to be in violation of “any statute, rule, order, or other law administered by the Commission, or for any other alleged wrong over which the Commission may have jurisdiction.” Paragraph (b) of section 385.206 states that a complaint must: (1) Clearly identify the action or inaction which is alleged to violate applicable statutory standards or regulatory requirements; (2) Explain how the action or inaction violates applicable statutory standards or regulatory requirements; (3) Set forth the business, commercial, economic or other issues presented by the action or inaction as such relate to or affect the complainant; (4) Make a good faith

effort to quantify the financial impact or burden (if any) created for the complainant as a result of the action or inaction; (5) Indicate the practical, operational, or other nonfinancial impacts imposed as a result of the action or inaction, including, where applicable, the environmental, safety or reliability impacts of the action or inaction; (6) State whether the issues presented are pending in an existing Commission proceeding or a proceeding in any other forum in which the complainant is a party, and if so, provide an explanation why timely resolution cannot be achieved in that forum; (7) State the specific relief or remedy requested, including any request for stay or extension of time, and the basis for that relief; (8) Include all documents that support the facts in the complaint in possession of, or otherwise attainable by, the complainant, including, but not limited to, contracts and affidavits; (9) State whether the Enforcement Hotline, Dispute Resolution Service, tariff based dispute resolution mechanisms, or other informal dispute resolution procedures were used, or why these procedures were not used; (10) State whether the complainant believes that alternative dispute resolution (ADR) under the Commission’s supervision could successfully resolve the complaint; (11) State what types of ADR procedures could be used; and (12) State any process that has been agreed on for resolving the complaint; (13) Include a form of notice of the complaint on electronic media suitable for publication in the **Federal Register** in accordance with the specifications in 18 CFR 385.203(d); and (14) Explain with respect to requests for Fast Track processing pursuant to 18 CFR 385.206(h), why the standard processes will not be adequate for expeditiously resolving the complaint.

Any person filing a complaint must serve a copy of the complaint on the respondent, affected regulatory agencies, and others the complainant reasonably knows may be expected to be affected by the complaint. Service must be simultaneous with filing at the Commission for respondents. Simultaneous service may be accomplished by electronic mail in accordance with 18 CFR 385.2010(f)(3), facsimile, express delivery, or messenger.

Regulations at 18 CFR part 343 provide for additional procedures and information collection requirements for protests and complaints¹ that pertain to most carriers (*i.e.*, oil pipelines) under the Interstate Commerce Act.² Two sections of Part 343 (*i.e.*, sections 343.2(c)(1) and 343.2(c)(2)) apply to protests and complaints against pipelines’ increased proposed or established rates. Both of these sections provide that protests and complaints must comply with 18 CFR 385.206, and require protestors and complainants to allege reasonable grounds for asserting that an increased rate is so substantially in excess of the pipeline’s actual cost increases that it is unjust and unreasonable. Alternatively, one of the regulations focused on rates (*i.e.*, 18 CFR 343.2(c)(1)) authorize protests and complaints to allege that the challenged rate exceeds an applicable ceiling level.

A third section of Part 343 (*i.e.*, section 343.2(c)(3)) addresses complaints against a pipeline’s operations or practices, other than rates. Complaints under this regulation must allege reasonable grounds for asserting that the operations or practices violate a provision of the Interstate Commerce Act or violate a provision of the Commission’s regulations. Like the other two sections of Part 343 discussed above, this section requires complaints to comply with 18 CFR 385.206.

Type of Respondents: Any person that files a complaint for Commission review and resolution.

Estimate of Annual Burden: The Commission estimates the annual public reporting burden³ and cost⁴ for the information collection as shown in the following table.

¹ Protests apply to rates proposed by oil pipelines. Complaints apply to established rates of oil pipelines.

² The regulations at Part 343 do not apply to the Trans-Alaska Pipeline or to any pipeline delivering oil directly or indirectly to the Trans-Alaska Pipeline. See 18 CFR 342.0(b).

³ Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, refer to 5 CFR 1320.3.

⁴ The Commission staff expects that the average respondent for this collection is similarly situated to the Commission, in terms of salary plus benefits. Based upon the Commission’s 2022 average cost for salary plus benefits, the average hourly cost is \$91/hour.

FERC-600—ESTIMATED ANNUAL BURDENS

A. Number of respondents	B. Annual number of responses	C. Total number of responses	D. Average burden hour and cost per response (column A × column B)	E. Total annual burden hour and cost (column C × column D)	F. Cost per respondent (column E ÷ column A)
62	1	62	160 hrs.; \$14,560	9,920 hrs.; \$902,720	\$14,560

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

Dated: July 11, 2023.

Kimberly D. Bose,
Secretary.

[FR Doc. 2023-15082 Filed 7-14-23; 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 and Oil Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP23-715-000.
Applicants: Midship Pipeline Company, LLC.
Description: Midship Pipeline Company, LLC submits Response to the June 27, 2023, Data Request re the Cost and Revenue Study.

Filed Date: 7/10/23.

Accession Number: 20230710-5053.

Comment Date: 5 p.m. ET 7/24/23.

Docket Numbers: RP23-891-000.

Applicants: Texas Eastern Transmission, LP.

Description: § 4(d) Rate Filing: Negotiated Rates—UGI to Colonial 8984394 eff 7-12-23 to be effective 7/12/2023.

Filed Date: 7/11/23.

Accession Number: 20230711-5066.

Comment Date: 5 p.m. ET 7/24/23.

Any person desiring to intervene, to protest, or to answer a complaint in any

of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

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: July 11, 2023.

Debbie-Anne A. Reese,
Deputy Secretary.

[FR Doc. 2023-15050 Filed 7-14-23; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG23-223-000.

Applicants: Vineyard Wind 1 LLC.

Description: Vineyard Wind 1 LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/11/23.

Accession Number: 20230711-5001.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: EG23-224-000.

Applicants: Derby Fuel Cell, LLC.

Description: Derby Fuel Cell, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 7/11/23.

Accession Number: 20230711-5060.

Comment Date: 5 p.m. ET 8/1/23.

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

Docket Numbers: ER18-1182-006.

Applicants: System Energy Resources, Inc.

Description: Compliance filing: SERI Deficiency Response (ER18-1182 and EL23-11) to be effective 12/31/9998.

Filed Date: 7/11/23.

Accession Number: 20230711-5014.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: ER21-2892-003.

Applicants: Prairie Wolf Solar, LLC.

Description: Compliance filing: Revised Tariff Records in Docket ER21-2892 to be effective 12/1/2021.

Filed Date: 7/11/23.

Accession Number: 20230711-5046.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: ER23-1851-001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Response to Deficiency Letter in ER23-1851-000 to be effective 7/8/2023.

Filed Date: 7/10/23.

Accession Number: 20230710-5156.

Comment Date: 5 p.m. ET 7/31/23.

Docket Numbers: ER23-1905-001.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Request to Defer Action: ISA No. 6914; Queue NQ178; Docket ER23-1905 to be effective 12/31/9998.

Filed Date: 7/10/23.

Accession Number: 20230710-5157.

Comment Date: 5 p.m. ET 7/31/23.

Docket Numbers: ER23-2365-000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of WMPA, Service Agreement No. 6230; Queue No. AG1-315 to be effective 9/11/2023.

Filed Date: 7/11/23.

Accession Number: 20230711–5004.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: ER23–2366–000.

Applicants: Virginia Electric and Power Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Virginia Electric and Power Company submits tariff filing per 35.13(a)(2)(iii): VEPCO submits one WDSA, SA No. 6996 to be effective 6/15/2023.

Filed Date: 7/11/23.

Accession Number: 20230711–5026.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: ER23–2367–000.

Applicants: Wildflower Solar 2 LLC.

Description: Baseline eTariff Filing: Certificate of Concurrence to be effective 9/6/2023.

Filed Date: 7/11/23.

Accession Number: 20230711–5106.

Comment Date: 5 p.m. ET 8/1/23.

Docket Numbers: ER23–2368–000.

Applicants: Derby Fuel Cell, LLC.

Description: Baseline eTariff Filing: Baseline new to be effective 7/12/2023.

Filed Date: 7/11/23.

Accession Number: 20230711–5113.

Comment Date: 5 p.m. ET 8/1/23.

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, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) 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.

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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: July 11, 2023.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2023–15051 Filed 7–14–23; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–11123–01–OA]

Public Meeting of the Chartered Clean Air Scientific Advisory Committee (CASAC) and CASAC Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter Secondary National Ambient Air Quality Standards (NAAQS) Panel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public meeting of the Chartered Clean Air Scientific Advisory Committee (CASAC) and CASAC Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter Secondary National Ambient Air Quality Standards (NAAQS) Panel, hereafter, referred to as the CASAC NO_x/SO_x/PM Panel to discuss a draft CASAC report on EPA's *Policy Assessment (PA) for the Review of the Secondary National Ambient Air Quality Standards for Oxides of Nitrogen, Oxides of Sulfur and Particulate Matter, External Review Draft*.

DATES: The Chartered CASAC and CASAC Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter Secondary National Ambient Air Quality Standards (NAAQS) Panel will meet on the following dates. All times listed are in Eastern Time.

1. September 5, 2023, from 11:00 a.m. to 3:00 p.m.

2. September 6, 2023, from 11:00 a.m. to 3:00 p.m.

ADDRESSES: The meeting will be conducted virtually. Please refer to the CASAC website at <https://casac.epa.gov> for details on how to access the meeting.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding this notice may contact Mr. Aaron Yeow, Designated Federal Officer (DFO), SAB Staff Office, by telephone at (202) 564–2050 or via email at yeow.aaron@epa.gov. General information concerning the CASAC, as well as any updates concerning the

meetings announced in this notice can be found on the CASAC website: <https://casac.epa.gov>.

SUPPLEMENTARY INFORMATION:

Background: The CASAC was established pursuant to the Clean Air Act (CAA) Amendments of 1977, codified at 42 U.S.C. 7409(d)(2), to review air quality criteria and NAAQS and recommend to the EPA Administrator any new NAAQS and revisions of existing criteria and NAAQS as may be appropriate. The CASAC shall also: advise the EPA Administrator of areas in which additional knowledge is required to appraise the adequacy and basis of existing, new, or revised NAAQS; describe the research efforts necessary to provide the required information; advise the EPA Administrator on the relative contribution to air pollution concentrations of natural as well as anthropogenic activity; and advise the EPA Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such NAAQS. As amended, 5 U.S.C., App. Section 109(d)(1) of the Clean Air Act (CAA) requires that EPA carry out a periodic review and revision, as appropriate, of the air quality criteria and the NAAQS for the six "criteria" air pollutants, including oxides of nitrogen, oxides of sulfur, and PM.

The CASAC is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., app. 2, and conducts business in accordance with FACA and related regulations. The CASAC and the CASAC NO_x/SO_x/PM Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the Chartered CASAC and NO_x/SO_x/PM Panel will hold a public meeting to discuss a draft CASAC report on EPA's PA.

Technical Contacts: Any technical questions concerning EPA's PA should be directed to Ms. Ginger Tennant (tennant.ginger@epa.gov).

Availability of Meeting Materials: Prior to the meeting, the review documents, agenda and other materials will be accessible on the CASAC website: <https://casac.epa.gov>.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal

advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments on the topic of this advisory activity, including the charge to the CASAC and the EPA review documents, and/or the group conducting the activity, for the CASAC to consider as it develops advice for EPA. Input from the public to the CASAC will have the most impact if it provides specific scientific or technical information or analysis for CASAC to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should follow the instructions below to submit comments.

Oral Statements: Individuals or groups requesting an oral presentation during the public meeting will be limited to three minutes. Each person making an oral statement should consider providing written comments as well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Mr. Aaron Yeow, DFO, in writing (preferably via email) at the contact information noted above by August 29, 2023, to be placed on the list of public speakers.

Written Statements: Written statements will be accepted throughout the advisory process; however, for timely consideration by CASAC members, statements should be supplied by August 29, 2023. Written statements should be supplied to the DFO at the contact information above via email. Submitters are requested to provide an unsigned version. Members of the public should be aware that their personal contact information if included in any written comments, may be posted to the SAB website. Copyrighted material will not be posted without the explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Mr. Aaron Yeow at (202) 564–2050 or yeow.aaron@epa.gov. To request accommodation of a disability, please contact the DFO, at the contact information noted above, preferably at least ten days prior to each meeting, to give EPA as much time as possible to process your request.

V. Khanna Johnston,
Deputy Director, Science Advisory Board Staff Office.

[FR Doc. 2023–15036 Filed 7–14–23; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–11122–01–OA]

Notification of a Public Meeting of the Chartered Clean Air Scientific Advisory Committee (CASAC) and CASAC Lead Review Panel

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) Science Advisory Board (SAB) Staff Office announces a public meeting of the Chartered Clean Air Scientific Advisory Committee (CASAC) and CASAC Lead Review Panel to discuss a draft CASAC report on EPA's Integrated Science Assessment (ISA) for Lead.

DATES: The CASAC Lead Review Panel will meet on the following dates. All times listed are in Eastern Time.

1. August 23, 2023, from 11:00 a.m. to 3:00 p.m.

2. August 24, 2023, from 11:00 a.m. to 3:00 p.m.

ADDRESSES: The meeting will be conducted virtually. Please refer to the CASAC website at <https://casac.epa.gov> for details on how to access the meeting.

FOR FURTHER INFORMATION CONTACT: Any member of the public wishing further information regarding this notice may contact Mr. Aaron Yeow, Designated Federal Officer (DFO), SAB Staff Office, by telephone at (202) 564–2050 or via email at yeow.aaron@epa.gov. General information concerning the CASAC, as well as any updates concerning the meetings announced in this notice can be found on the CASAC website: <https://casac.epa.gov>.

SUPPLEMENTARY INFORMATION:

Background: The CASAC was established pursuant to the Clean Air Act (CAA) Amendments of 1977, codified at 42 U.S.C. 7409(d)(2), to review air quality criteria and NAAQS and recommend to the EPA Administrator any new NAAQS and revisions of existing criteria and NAAQS as may be appropriate. The CASAC shall also: advise the EPA Administrator of areas in which additional knowledge is required to appraise the adequacy and basis of existing, new, or revised NAAQS; describe the research efforts necessary to provide the required information; advise the EPA Administrator on the relative contribution to air pollution concentrations of natural as well as anthropogenic activity; and advise the EPA Administrator of any adverse public health, welfare, social, economic,

or energy effects which may result from various strategies for attainment and maintenance of such NAAQS. As amended, 5 U.S.C., app. section 109(d)(1) of the Clean Air Act (CAA) requires that EPA carry out a periodic review and revision, as appropriate, of the air quality criteria and the NAAQS for the six “criteria” air pollutants, including lead.

The CASAC is a Federal Advisory Committee chartered under the Federal Advisory Committee Act (FACA), 5 U.S.C., app. 2, and conducts business in accordance with FACA and related regulations. The CASAC and the CASAC Lead Review Panel will comply with the provisions of FACA and all appropriate SAB Staff Office procedural policies. Pursuant to FACA and EPA policy, notice is hereby given that the Chartered CASAC and CASAC Lead Review Panel will hold a public meeting to discuss a draft CASAC report on EPA's Lead ISA.

Technical Contacts: Any technical questions concerning EPA's Lead ISA should be directed to Dr. Evan Coffman (coffman.evan@epa.gov).

Availability of Meeting Materials:

Prior to the meeting, the review documents, agenda and other materials will be accessible on the CASAC website: <https://casac.epa.gov>.

Procedures for Providing Public Input: Public comment for consideration by EPA's federal advisory committees and panels has a different purpose from public comment provided to EPA program offices. Therefore, the process for submitting comments to a federal advisory committee is different from the process used to submit comments to an EPA program office. Federal advisory committees and panels, including scientific advisory committees, provide independent advice to EPA. Members of the public can submit relevant comments on the topic of this advisory activity, including the charge to the CASAC and the EPA review documents, and/or the group conducting the activity, for the CASAC to consider as it develops advice for EPA. Input from the public to the CASAC will have the most impact if it provides specific scientific or technical information or analysis for CASAC to consider or if it relates to the clarity or accuracy of the technical information. Members of the public wishing to provide comment should follow the instructions below to submit comments.

Oral Statements: Individuals or groups requesting an oral presentation during the public meeting will be limited to three minutes. Each person making an oral statement should consider providing written comments as

well as their oral statement so that the points presented orally can be expanded upon in writing. Interested parties should contact Mr. Aaron Yeow, DFO, in writing (preferably via email) at the contact information noted above by August 16, 2023, to be placed on the list of public speakers.

Written Statements: Written statements will be accepted throughout the advisory process; however, for timely consideration by CASAC members, statements should be supplied to the DFO (preferably via email) at the contact information noted above by August 16, 2023. Written statements should be supplied to the DFO at the contact information above via email. Submitters are requested to provide an unsigned version. Members of the public should be aware that their personal contact information if included in any written comments, may be posted to the SAB website. Copyrighted material will not be posted without the explicit permission of the copyright holder.

Accessibility: For information on access or services for individuals with disabilities, please contact Mr. Aaron Yeow at (202) 564-2050 or yeow.aaron@epa.gov. To request accommodation of a disability, please contact the DFO, at the contact information noted above, preferably at least ten days prior to each meeting, to give EPA as much time as possible to process your request.

V. Khanna Johnston,

Deputy Director, Science Advisory Board Staff Office.

[FR Doc. 2023-15035 Filed 7-14-23; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2023-0349; FRL-11156-01-OGC]

Proposed Consent Decree, Clean Air Act Citizen Suit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed consent decree; request for public comment.

SUMMARY: In accordance with the Clean Air Act, as amended (CAA or the Act), notice is given of a proposed consent decree in *Sierra Club v. U.S. EPA, et al.*, No. 3:23-cv-00780-TLT. On February 22, 2023, Plaintiff Sierra Club filed a complaint in the United States District Court for the Northern District of California Oakland Division, alleging that the Environmental Protection Agency (EPA or the Agency) failed to

perform certain non-discretionary duties in accordance with the Act to promulgate a Federal implementation plan (FIP) within two years of finding that Texas failed to submit a state implementation plan (SIP) for the Rusk/Panola 2010 SO₂ National Ambient Air Quality Standard (SO₂ NAAQS) nonattainment area. EPA is providing notice of this proposed consent decree, which would resolve all claims in the case by establishing a deadline for EPA to take final action as specified in the decree.

DATES: Written comments on the proposed consent decree must be received by August 16, 2023.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0349, online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the "Additional Information about Commenting on the Proposed Consent Decree" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Hali Kerr, Air and Radiation Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone (202) 564-2286; email address Kerr.Hali@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Consent Decree

The official public docket for this action (identified by Docket ID No. EPA-HQ-OGC-2023-0349) contains a copy of the proposed consent decree. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202)566-1744 and the telephone number for the OEI Docket is (202)566-1752.

The electronic version of the public docket for this action contains a copy of the proposed consent decree and is available through [https://](https://www.regulations.gov)

www.regulations.gov. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

II. Additional Information About the Proposed Consent Decree

On December 13, 2016, the EPA designated portions of Rusk and Panola Counties, Texas as a "nonattainment" area for the 2010 SO₂ NAAQS (effective January 12, 2017). 81 FR 89870. The CAA required the State of Texas to submit a SIP within 18 months of the effective date of the designation that would provide pollution reductions necessary for the Rusk-Panola nonattainment area to attain the SO₂ NAAQS. Texas did not submit a SIP by the 18-month deadline. On August 10, 2020, the EPA issued a statutorily required Finding of Failure to Submit a SIP for the nonattainment area; this created a duty for the EPA to promulgate a FIP for the nonattainment area unless EPA takes final action approving a corrective SIP from the State within two years of the effective date of the Finding of Failure to Submit (by September 9, 2022). Texas did not obtain approval of a corrective SIP by September 9, 2022.

On February 22, 2023, Plaintiff Sierra Club filed a complaint in the United States District Court for the Northern District of California Oakland Division, alleging that the EPA failed to promulgate a FIP within two years of finding that Texas failed to submit a SIP for the Rusk/Panola 2010 SO₂ NAAQS nonattainment area.¹

The proposed consent decree would establish a deadline of December 13, 2024 for EPA to take final action promulgating a FIP for the nonattainment area unless the EPA approves a corrective SIP for the area satisfying the requirements of CAA section 172(c), 42 U.S.C. 7502(c), before that deadline.

In accordance with section 113(g) of the CAA, for a period of thirty (30) days following the date of publication of this document, the Agency will accept written comments relating to the proposed consent decree. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose

¹ On February 28, 2022, the State of Texas submitted a SIP for the nonattainment area; this SIP is currently being reviewed by the EPA.

facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

III. Additional Information About Commenting on the Proposed Consent Decree

Submit your comments, identified by Docket ID No. EPA-HQ-OGC-2023-0349, via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document. Note that written comments containing CBI and submitted by mail may be delayed and deliveries or couriers will be received by scheduled appointment only.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA's preferred method for receiving comments. The electronic public docket system is an "anonymous access" system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

Gautam Srinivasan,
Associate General Counsel.

[FR Doc. 2023-15083 Filed 7-14-23; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2023-0288; FRL-11108-01-OCSP]

Draft Guidance for the Evaluation of Products for Claims Against Viruses; Notice of Availability and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) is announcing the availability of and soliciting comment on draft guidance to expand the availability of virucidal claims for antimicrobial pesticides and provide framework for registrants who seek to make such claims.

This draft guidance reiterates recommended test methods and guidance for the addition of virucidal claims to products that meet the criteria for hard surface disinfections claims and the addition of virucidal claims to products that meet the criteria for food/non-food contact sanitizer claims consistent with current test guidelines. This draft guidance specifically covers the addition of a virucidal claims to a product that has met the criteria for a bactericidal disinfectant and/or sanitizer. The methods and performance standards applicable to this expanded availability of virucidal claims are the same test methods and performance standards that are currently used to support existing virucidal claims and thus there are no expectations on reduction of product performance against viruses.

DATES: Submit your comments on or before September 15, 2023.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2023-0288, through the Federal eRulemaking Portal at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Luisa Samalot, Office of Chemical Safety and Pollution Prevention, Antimicrobial Division (7510M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 566-0609; email address: samalot.luisa@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This notice is directed to the general public and may be of specific interest to persons or entities that register antimicrobial pesticides. Because other entities may also be interested in this notice, the agency has not attempted to describe all the specific entities that may be interested in this subject. If you have any questions regarding the applicability of this action to a particular entity, contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit CBI information to EPA through [regulations.gov](https://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When preparing and submitting your comments, see Tips for Effective Comments at <https://www.epa.gov/dockets>. Please note that once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket.

II. Background

Historically, EPA has approved claims for efficacy against viruses only as additional claims on certain antimicrobial products, such as those with sterilant and disinfectant claims, but not those that bear only sanitizer claims.

EPA received requests for guidance to add virucidal claims to products with sanitizing claims on hard surfaces. There is a significant interest from stakeholders and the public to add these virucidal claims to products with sanitizer label claims.

This draft guidance is intended to allow registrants to provide consumers with additional products that are effective against viruses including SARS-CoV-2. This draft guidance reiterates recommended test methods and guidance for the addition of virucidal claims to products that meet the criteria for hard surface disinfections claims in OCSPP 810.2200, Disinfectants for Use on Environmental Surfaces, Guidance for Efficacy Testing (EPA publication No. 712-C-17-004 (2018)).

Products should meet the test guidance requirements as described in OCSPP 810.2300 Sanitizers for Use on Hard Surfaces—Efficacy Data Recommendations (EPA publication No. 712-C-07-091 (2012)), (food or non-food contact sanitization) to treat hard, non-porous surfaces before a virucidal claim is added.

OCSPP test guidelines can be accessed online through <https://www.epa.gov/test-guidelines-pesticides-and-toxic-substances>.

Since there will be no changes to the test methods or performance standards recommended for virus claims, there is no concern about a reduced level of efficacy against viruses. Products that meet the basic criteria to allow for sanitizer claims and have data to support the addition of virucidal label claims, may be used only in non-healthcare use-sites in residential, commercial and institutional settings (e.g., cafeterias, waiting rooms) specifically on hard non-porous surfaces.

Additional anticipated benefits include the availability of more products with reduced contact times (time the surface must remain wet) and/or more products on EPA's Design for the Environment list that are also effective against viruses. The expansion of the availability of virucidal claims under this draft guidance will facilitate the addition of virus claims to products bearing only sanitizer claims.

III. Do guidance documents contain binding requirements?

As guidance, these documents are not binding on the Agency or any outside parties, and the Agency may depart from it where circumstances warrant and without prior notice. While EPA has made every effort to ensure the accuracy of the discussion in the guidance, the obligations of EPA and the regulated community are determined by statutes, regulations, or other legally binding documents. In the event of a conflict between the discussion in the guidance documents and any statute, regulation, or other legally binding document, the guidance documents will not be controlling.

Authority: 7 U.S.C. 136 *et seq.*

Michal Freedhoff,

Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2023-15077 Filed 7-14-23; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OGC-2019-0478; FRL-11160-01-OGC]

Proposed Stipulated Partial Settlement Agreement, Endangered Species Act Claims

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed stipulated settlement agreement; request for public comment.

SUMMARY: In accordance with the Environmental Protection Agency (EPA) Administrator's March 18, 2022 Memorandum, *Consent Decrees and Settlement Agreements to Resolve Environmental Claims Against the Agency*, notice is hereby given of a proposed stipulated settlement agreement in the United States District Court for the Northern District of California in the case of *Center for Biological Diversity, et. al., v. United States Environmental Protection Agency, et al.*, No. 3:11-cv-0293 (N.D. Cal.). Plaintiffs alleged that EPA failed to comply with certain duties under the Endangered Species Act (ESA). Defendant-Intervenors join this proposed stipulated settlement agreement.

DATES: Written comments on the proposed stipulated settlement agreement must be received by August 16, 2023.

ADDRESSES: Submit your comments, identified by Docket ID number EPA-

HQ-OGC-2019-0478 online at <https://www.regulations.gov> (EPA's preferred method). Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID number for this action. Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments, see the "Additional Information about Commenting on the Proposed Stipulation and Stipulated Dismissal" heading under the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Michele Knorr, Pesticides and Toxic Substances Law Office, Office of General Counsel, U.S. Environmental Protection Agency; telephone: (202) 564-5631; email address: knorr.michele@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining a Copy of the Proposed Stipulated Settlement Agreement

The official public docket for this action (identified by EPA-HQ-OGC-2019-0478) contains a copy of the proposed stipulated settlement agreement. The official public docket is available for public viewing at the Office of Environmental Information (OEI) Docket in the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OEI Docket is (202) 566-1752.

The electronic version of the public docket for this action contains a copy of the proposed stipulated settlement agreement and is available through <https://www.regulations.gov>. You may use <https://www.regulations.gov> to submit or view public comments, access the index listing of the contents of the official public docket, and access those documents in the public docket that are available electronically. Once in the system, key in the appropriate docket identification number then select "search."

II. Additional Information About the Proposed Stipulated Settlement Agreement

On January 20, 2011, Plaintiffs (non-governmental environmental organizations) filed a complaint in the United States District Court in the Northern District of California asserting

a single claim against EPA for allegedly violating section 7(a)(2) of the ESA by failing to initiate and reinstate consultation with the U.S. Fish and Wildlife Service (“FWS”) and National Marine Fisheries Service (“NMFS”) with respect to 382 pesticide active ingredients. After motions practice and an appeal to the Ninth Circuit Court of Appeals, the plaintiffs filed their fourth amended complaint on June 29, 2018 for failure to initiate consultation under ESA section 7(a)(2) for certain pesticide products containing 35 pesticide active ingredients. In October 2019, the parties entered a partial settlement agreement, in which EPA committed to a schedule to complete effects determinations for eight active ingredients and request initiation of any necessary ESA Section 7(a)(2) consultations with NMFS and/or FWS. This proposed stipulated settlement agreement incorporates all still outstanding obligations from the prior partial settlement agreement and resolves the remaining claims.

Among other provisions, the proposed agreement sets a deadline of no later than September 30, 2027 for EPA to complete final Biological Evaluations on the potential effects of the following eight active ingredients on ESA-listed species and designated critical habitat: acephate, bensulide, dimethoate, ethoprop, naled, phorate, phosmet, and s,s,s-tributyl phosphorotrithioate (tribufos); and to request initiation of any necessary ESA section 7(a)(2) consultations with NMFS and/or FWS. The proposed agreement also includes statements of EPA’s intent to take preceding actions, including: to complete draft biological evaluations no later than one year prior to the deadline for the final biological evaluations; to provide notice and a 60-day opportunity for public comment on any such draft; and, consistent with current practice, to conduct nationwide-scale effects determinations.

Additionally, the proposed agreement sets deadlines for EPA to issue certain ESA “strategies” that were contemplated in its work plan issued on April 12, 2022, entitled *Balancing Wildlife Protection and Responsible Pesticide Use: How EPA’s Pesticide Program Will Meet its Endangered Species Act Obligations*. These strategies aim to identify mitigation measures to address the effects of pesticides to ESA-listed species based on certain criteria that EPA has or expects to develop based on what it has learned from its ESA section 7 consultations to date.

The proposed agreement also includes, as well as other related commitments, a commitment by the

agricultural industry Defendant-Intervenors to organize and fund a workshop for interested stakeholders to explore how offsets may be used to address the effects of pesticide registrations on ESA-listed species and how such offsets could be incorporated into the pesticide registration process.

For a period of thirty (30) days following the date of publication of this notice, EPA will accept written comments relating to the proposed settlement from persons who are not named as parties to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to enter the proposed agreement if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the ESA or the Federal Insecticide, Fungicide, and Rodenticide Act. Unless EPA or the Department of Justice determines that consent should be withdrawn, the terms of the proposed agreement will be affirmed.

III. Additional Information About Commenting on the Proposed Stipulated Settlement Agreement

Submit your comments, identified by Docket ID No. EPA–HQ–OGC–2019–0478 via <https://www.regulations.gov>. Once submitted, comments cannot be edited or removed from this docket. EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>. For additional information about submitting information identified as CBI, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

If you submit an electronic comment, EPA recommends that you include your name, mailing address, and an email address or other contact information in

the body of your comment. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. Any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket and made available in EPA’s electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Use of the <https://www.regulations.gov> website to submit comments to EPA electronically is EPA’s preferred method for receiving comments. The electronic public docket system is an “anonymous access” system, which means EPA will not know your identity, email address, or other contact information unless you provide it in the body of your comment.

Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked “late.” EPA is not required to consider these late comments.

Dated: July 11, 2023.

Randolph L. Hill,
Associate General Counsel.

[FR Doc. 2023–15084 Filed 7–14–23; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL 11154–01–OAR]

Announcing Upcoming Meeting of Mobile Sources Technical Review Subcommittee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Pursuant to the Federal Advisory Committee Act, the Environmental Protection Agency (EPA) announces an upcoming meeting of the Mobile Sources Technical Review Subcommittee (MSTRS), which is a subcommittee under the Clean Air Act Advisory Committee (CAAAC). This is a virtual meeting and open to the public. The meeting will include discussion of current topics and presentations about activities being conducted by EPA’s Office of Transportation and Air Quality related to developing a workgroup charge around locomotives. MSTRS listserv subscribers will receive

notification when the agenda is available on the Subcommittee website. To subscribe to the MSTRS listserv, send an email to MSTRS@epa.gov.

DATES: EPA will hold a virtual public meeting on Monday, July 31, 2023, from 3 p.m. to 5 p.m. Eastern Daylight Time (EDT). Due to unforeseen administrative circumstances, EPA is announcing this meeting with less than 15 calendar days public notice. Please monitor the website <https://www.epa.gov/caaac/mobile-sources-technical-review-subcommittee-mstrs-caaac> for any changes to meeting logistics. The final meeting agenda will be posted on the website.

ADDRESSES: For information on the public meeting or to register to attend, please contact MSTRS@epa.gov.

FOR FURTHER INFORMATION CONTACT: Any member of the public who wishes to attend the meeting or provide comments should express this intent by emailing MSTRS@epa.gov no later than Wednesday, July 26, 2023. Further information concerning this public meeting and general information concerning the MSTRS can be found at: <https://www.epa.gov/caaac/mobile-sources-technical-review-subcommittee-mstrs-caaac>. Other MSTRS inquiries can be directed to Jessie Mroz, the Designated Federal Officer for MSTRS, Office of Transportation and Air Quality, at 202-564-1094 or mroz.jessica@epa.gov.

SUPPLEMENTARY INFORMATION: During the meeting, the Subcommittee may also hear progress reports from its workgroups as well as updates and announcements on Office of Transportation and Air Quality activities of general interest to attendees.

Participation in virtual public meetings. The virtual public meeting will provide interested parties the opportunity to participate in this Federal Advisory Committee meeting.

For individuals with disabilities: For information on access or services for individuals with disabilities, please email MSTRS@epa.gov. To request accommodation of a disability, please email MSTRS@epa.gov, preferably at least 10 business days prior to the meeting, to give EPA as much time as possible to process your request.

EPA is asking all meeting attendees, even those who do not intend to speak, to register for the meeting by sending an email to the address listed in the **FOR FURTHER INFORMATION CONTACT** section above, by Wednesday, July 26, 2023. This will help EPA ensure that sufficient participation capacity will be available.

Please note that any updates made to any aspect of the meeting logistics, including potential additional sessions, will be posted online at <https://www.epa.gov/caaac/mobile-sources-technical-review-subcommittee-mstrs-caaac>. While EPA expects the meeting to go forward as set forth above, please monitor the website for any updates.

Jessica Mroz,

Designated Federal Officer, Mobile Source Technical Review Subcommittee, Office of Transportation and Air Quality.

[FR Doc. 2023-15090 Filed 7-14-23; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0573; FR ID 154807]

Information Collections Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

DATES: Written comments should be submitted on or before September 15, 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, you should advise the contacts below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION: The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060-0573.

Title: Application for Franchise Authority Consent to Assignment or Transfer of Control of Cable Television Franchise, FCC Form 394.

Form Number: FCC Form 394.

Type of Review: Extension of a currently approved collection.

Respondents: Business of other for-profit entities; State, local or Tribal government.

Number of Respondents and Responses: 2,000 respondents; 1,000 responses.

Estimated Time per Response: 1-5 hours.

Frequency of Response: Third Party Disclosure Requirement.

Total Annual Burden: 7,000 hours.

Total Annual Costs: \$750,000.

Needs and Uses: FCC Form 394 is a standardized form that is completed by cable operators in connection with the assignment and transfer of control of cable television systems. On July 23, 1993, the Commission released a Report and Order and Further Notice of Proposed Rulemaking in MM Docket No. 92-264, FCC 93-332,

Implementation of Sections 11 and 13 of the Cable Television Consumer Protection and Competition Act of 1992, Horizontal and Vertical Ownership Limits, Cross-Ownership Limitations and Anti-Trafficking Provisions. Among other things, this Report and Order established procedures for use of the FCC Form 394.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2023–15071 Filed 7–14–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0920, OMB 3060–1039; FR ID 154747]

Information Collections 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 16, 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 <https://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 Number: 3060–0920.

Title: Form 2100, Schedule 318—Low Power FM Station Construction Permit Application; Report and Order in MM Docket No. 99–25 Creation of Low

Power Radio Service; Sections 73.801, 73.807, 73.809, 73.810, 73.816, 73.827, 73.850, 73.865, 73.870, 73.871, 73.872, 73.877, 73.878, 73.318, 73.1030, 73.1207, 73.1212, 73.1300, 73.1350, 73.1610, 73.1620, 73.1750, 73.1943, 73.3525, 73.3550, 73.3598, 11.61(ii).

Form No.: FCC Form 2100, Schedule 318.

Type of Review: Extension of a currently approved collection.

Respondents: Not-for-profit institutions; State, local or Tribal governments.

Number of Respondents and Responses: 24,606 respondents with multiple responses; 31,324 responses.

Estimated Time per Response: .0025–12 hours.

Frequency of Response:

Recordkeeping requirement; On occasion reporting requirement; Monthly reporting requirement; Third party disclosure requirement.

Obligation To Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in sections 154(i), 303, 308 and 325(a) of the Communications Act of 1934, as amended.

Total Annual Burden: 52,889 hours.

Total Annual Costs: \$1,229,370.

Needs and Uses: FCC Form 2100, Schedule 318, Low Power FM (LPFM) Station Construction Permit Application (Schedule 318), is used to: (1) apply to construct a new Low Power FM (LPFM) broadcast station; (2) make changes to an authorized LPFM broadcast station; (3) amend a pending LPFM construction permit application; or (4) propose mandatory time-sharing.

Schedule 318’s Online Notice (third party disclosure) Requirement: 47 CFR 73.3580, as amended in the Commission’s 2020 Public Notice Second Report and Order, discussed below, requires local public notice of the filing of all applications to construct a new LPFM broadcast station. Notice is given by an applicant posting notice of the application filing on its station website, its licensee website, its parent entity website, or on a publicly accessible, locally targeted website, for 30 consecutive days beginning within five business days of acceptance of the application for filing. The online notice must link to a copy of the application as filed in the Commission’s LMS licensing database. In the 2020 Public Notice Second Report and Order, the Commission also clarified LPFM stations’ obligations to provide local public notice, and amended section 73.801 of the rules to indicate that the local public notice rule, 47 CFR 73.3580, applies to the LPFM service.

FCC staff uses the data to determine whether an applicant meets basic statutory and regulatory requirements to become a Commission licensee and to ensure that the public interest would be served by grant of the application. In addition, the information contained within this information collection ensures that (1) the integrity of the FM spectrum is not compromised, (2) unacceptable interference will not be caused to existing radio services, (3) statutory requirements are met, and (4) the stations operate in the public interest.

OMB Control No.: 3060–1039.

Title: Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act—Review Process, WT Docket No. 03–128.

Form No.: FCC Form 620 and 621, TCNS E-filing.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not-for-profit institutions; State, Local or Tribal Government.

Number of Respondents and Responses: 70,152 respondents and 70,152 responses.

Estimated Time per Response: 1–5 hours.

Frequency of Response: Recordkeeping requirement; on occasion reporting requirement; third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in sections 1, 4(i), 303(q), 303(r), 309(a), 309(j) and 319 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 303(q), 303(r), 309(a), 309(j) and 319, sections 101(d)(6) and 106 of the National Historic Preservation Act (NHPA) of 1966, 16 U.S.C. 470a(d)(6) and 470f, and section 800.14(b) of the rules of the Advisory Council on Historic Preservation, 36 CFR 800.14(b).

Total Annual Burden: 97,929 hours.

Annual Cost Burden: \$13,087,425.

Needs and Uses: FCC staff, State Historic Preservation Officers (SHPO), Tribal Historic Preservation Officers (THPO) and the Advisory Council of Historic Preservation (ACHP) use the data to take such action as may be necessary to ascertain whether a proposed action may affect sites of cultural significance to tribal nations and historic properties that are listed or eligible for listing on the National Register as directed by section 106 of the National Historic Preservation Act (NHPA) and the Commission's rules.

FCC Form 620, New Tower (NT) Submission Packet is to be completed

by or on behalf of applicants to construct new antenna support structures by or for the use of licensees of the FCC. The form is to be submitted to the State Historic Preservation Office ("SHPO") or to the Tribal Historic Preservation Office ("THPO"), as appropriate, and the Commission before any construction or other installation activities on the site begins. Failure to provide the form and complete the review process under section 106 of the NHPA prior to beginning construction may violate section 110(k) of the NHPA and the Commission's rules.

FCC Form 621, Collocation (CO) Submission Packet is to be completed by or on behalf of applicants who wish to collocate an antenna or antennas on an existing communications tower or non-tower structure by or for the use of licensees of the FCC. The form is to be submitted to the State historic Preservation Office ("SHPO") or to the Tribal Historic Preservation Office ("THPO"), as appropriate, and the Commission before any construction or other installation activities on the site begins. Failure to provide the form and complete the review process under section 106 of the NHPA prior to beginning construction or other installation activities may violate section 110(k) of the NHPA and the Commission's rules.

The Tower Construction Notification System (TCNS) is used by or on behalf of Applicants proposing to construct new antenna support structures, and some collocations, to ensure that Tribal Nations have the requisite opportunity to participate in review prior to construction. To facilitate this coordination, Tribal Nations have designated areas of geographic preference, and they receive automated notifications based on the site coordinates provided in the filing. Applicants complete TCNS before filing a 620 or 621 and all the relevant data is pre-populated on the 620 and 621 when the forms are filed electronically.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2023–15076 Filed 7–14–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0249; FR ID 154825]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before September 15, 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, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0249.

Title: Sections 74.781, 74.1281 and 78.69, Station Records.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities; not-for-profit institutions; State, Federal or Tribal governments.

Number of Respondents and Responses: 14,052 respondents; 19,077 responses.

Estimated Time per Response: 0.375 hour–1 hour.

Frequency of Response:

Recordkeeping requirement.

Total Annual Burden: 12,751 hours.

Total Annual Cost: \$6,030,000.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in Section 154(i) of the Communications Act of 1934, as amended.

Needs and Uses: The information collection requirements contained in this collection are as follows:

47 CFR 74.781 information collection requirements include the following: (a) The licensee of a low power TV, TV translator, or TV booster station shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, contracts, permission for rebroadcasts, and other pertinent documents.

(b) Entries required by § 17.49 of this Chapter concerning any observed or otherwise known extinguishment or improper functioning of a tower light: (1) The nature of such extinguishment or improper functioning. (2) The date and time the extinguishment or improper operation was observed or otherwise noted. (3) The date, time and nature of adjustments, repairs or replacements made.

(c) The station records shall be maintained for inspection at a residence, office, or public building, place of business, or other suitable place, in one of the communities of license of the translator or booster, except that the station records of a booster or translator licensed to the licensee of the primary station may be kept at the same place where the primary station records are kept. The name of the person keeping station records, together with the address of the place where the records are kept, shall be posted in accordance with § 74.765(c) of the rules. The station records shall be made available upon request to any authorized representative of the Commission.

(d) Station logs and records shall be retained for a period of two years.

47 CFR 74.1281 information collection requirements include the following: (a) The licensee of a station

authorized under this Subpart shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, maintenance records, contracts, permission for rebroadcasts, and other pertinent documents.

(b) Entries required by § 17.49 of this chapter concerning any observed or otherwise known extinguishment or improper functioning of a tower light:

(1) The nature of such extinguishment or improper functioning.

(2) The date and time the extinguishment of improper operation was observed or otherwise noted.

(3) The date, time and nature of adjustments, repairs or replacements made.

(c) The station records shall be maintained for inspection at a residence, office, or public building, place of business, or other suitable place, in one of the communities of license of the translator or booster, except that the station records of a booster or translator licensed to the licensee of the primary station may be kept at the same place where the primary station records are kept. The name of the person keeping station records, together with the address of the place where the records are kept, shall be posted in accordance with § 74.1265(b) of the rules. The station records shall be made available upon request to any authorized representative of the Commission.

(d) Station logs and records shall be retained for a period of two years.

47 CFR 78.69 requires each licensee of a CARS station shall maintain records showing the following: (a) For all attended or remotely controlled stations, the date and time of the beginning and end of each period of transmission of each channel;

(b) For all stations, the date and time of any unscheduled interruptions to the transmissions of the station, the duration of such interruptions, and the causes thereof;

(c) For all stations, the results and dates of the frequency measurements made pursuant to § 78.113 and the name of the person or persons making the measurements;

(d) For all stations, when service or maintenance duties are performed, which may affect a station's proper operation, the responsible operator shall sign and date an entry in the station's records, giving:

(1) Pertinent details of all transmitter adjustments performed by the operator or under the operator's supervision.

(e) When a station in this service has an antenna structure which is required

to be illuminated, appropriate entries shall be made as follows:

(1) The time the tower lights are turned on and off each day, if manually controlled.

(2) The time the daily check of proper operation of the tower lights was made, if an automatic alarm system is not employed.

(3) In the event of any observed or otherwise known failure of a tower light:

(i) Nature of such failure.

(ii) Date and time the failure was observed or otherwise noted.

(iii) Date, time, and nature of the adjustments, repairs, or replacements made.

(iv) Identification of Flight Service Station (Federal Aviation Administration) notified of the failure of any code or rotating beacon light not corrected within 30 minutes, and the date and time such notice was given.

(v) Date and time notice was given to the Flight Service Station (Federal Aviation Administration) that the required illumination was resumed.

(4) Upon completion of the 3-month periodic inspection required by § 78.63(c):

(i) The date of the inspection and the condition of all tower lights and associated tower lighting control devices, indicators, and alarm systems.

(ii) Any adjustments, replacements, or repairs made to insure compliance with the lighting requirements and the date such adjustments, replacements, or repairs were made.

(f) For all stations, station record entries shall be made in an orderly and legible manner by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the station record when starting duty and again when going off duty.

(g) For all stations, no station record or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention required by rule. Any necessary correction may be made only by the person who made the original entry who shall strike out the erroneous portion, initial the correction made, and show the date the correction was made.

(h) For all stations, station records shall be retained for a period of not less than 2 years. The Commission reserves the right to order retention of station records for a longer period of time. In cases where the licensee or permittee has notice of any claim or complaint, the station record shall be retained until such claim or complaint has been fully satisfied or until the same has been

barred by statute limiting the time for filing of suits upon such claims.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2023–15072 Filed 7–14–23; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission (FTC or Commission) is seeking public comment on its proposal to extend for an additional three years the current Paperwork Reduction Act clearance to participate in the Office of Management and Budget program “Generic Clearance for the Collection of Qualitative Feedback on Service Delivery.” The current clearance expires on July 31, 2023.

DATES: Comments must be filed by August 16, 2023.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. 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. The reginfo.gov web link is a United States Government website produced by the Office of Management and Budget (OMB) and the General Services Administration (GSA). Under PRA requirements, OMB’s Office of Information and Regulatory Affairs (OIRA) reviews Federal information collections.

FOR FURTHER INFORMATION CONTACT: Bridget Small, Federal Trade Commission, 600 Pennsylvania Avenue NW, CC–10402, Washington, DC 20580, (202) 326–3266.

SUPPLEMENTARY INFORMATION:

Title of Collection: Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery.

OMB Control Number: 3084–0159.

Current Actions: Extension of approval for a collection of information.

Affected Public: Individuals and Households, Businesses and

Organizations, State, Local or Tribal Government.

Estimated Number of Annual Respondents: 6,240.

Estimated Total Annual Burden Hours: 1,057.

Abstract: The information collection activity will garner qualitative customer and stakeholder feedback in an efficient, timely manner, in accordance with the Administration’s commitment to improving service delivery. Qualitative feedback is information that provides useful insights on perceptions and opinions, but not statistical surveys that yield quantitative results that can be generalized to the population of study. This feedback will provide insights into customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Commission and its customers and stakeholders. It will also allow feedback to contribute directly to the improvement of program management.

Feedback collected under this generic clearance will provide useful information, but it will not yield data that can be generalized to the overall population. This type of generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. Such data uses require more rigorous designs that address: the target population to which generalizations will be made, the sampling frame, the sample design (including stratification and clustering), the precision requirements or power calculations that justify the proposed sample size, the expected response rate, methods for assessing potential non-response bias, the protocols for data collection, and any testing procedures that were or will be undertaken prior fielding the study. Depending on the degree of influence the results are likely to have, such collections may still be eligible for submission for other generic mechanisms that are designed to yield quantitative results.

Request for Comment: On April 24, 2023, the FTC sought public comment on the information collection requirements associated with the Rule. 88 FR 24798. One germane comment was received. Bruce Grimm opined that the three year extension be considered for approval “[i]f the FTC can make sure

that the information collected is going to provide accurate and reliable information in order to make informed agency policy changes and decisions that benefit the public.” He also noted that, “Surveying for the sake of gathering information should ensure that quantifiable data is provided and that it can be easily analyzed. Focus groups, on the other hand, tend to encourage good discussion, but they are found to be time consuming and costly. That kind of data can be harder to analyze.”

The FTC responds that the use of this generic clearance for qualitative information will not be used for quantitative information collections that are designed to yield reliably actionable results, such as monitoring trends over time or documenting program performance. The FTC will collect, analyze, and interpret information gathered through this generic clearance to identify strengths and weaknesses of current services and make improvements in service delivery based on feedback. Each collection will be low-burden and targeted to the solicitation of opinions from respondents who have experience with an FTC program or may have experience with the program in the near future.

Pursuant to the OMB regulations, 5 CFR part 1320, that implement the PRA, 44 U.S.C. 3501 *et seq.*, the FTC is providing this second opportunity for public comment while seeking OMB approval to renew the pre-existing clearance for the information collections.

Your comment—including your name and your state—will be placed on the public record of this proceeding. Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, such as anyone’s Social Security number; date of birth; driver’s license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs,

sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2023–15068 Filed 7–14–23; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

[File No. 222 3163]

Chaucer/Bates Accessories; Analysis of Proposed Consent Order To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement; request for comment.

SUMMARY: The consent agreement in this matter settles alleged violations of Federal law prohibiting unfair or deceptive acts or practices. The attached Analysis of Proposed Consent Order to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before August 16, 2023.

ADDRESSES: Interested parties may file comments online or on paper by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Please write “Chaucer/Bates Accessories; File No. 222 3163” on your comment and file your comment online at <https://www.regulations.gov> by following the instructions on the web-based form. If you prefer to file your comment on paper, please mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex C), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Julia Ensor (202–326–2377), Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Ave. NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule § 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of 30 days. The following Analysis to Aid Public Comment describes the

terms of the consent agreement and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained at <https://www.ftc.gov/news-events/commission-actions>.

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before August 16, 2023. Write “Chaucer/Bates Accessories; File No. 222 3163” on your comment. Your comment—including your name and your State—will be placed on the public record of this proceeding, including, to the extent practicable, on the <https://www.regulations.gov> website.

Because of heightened security screening, postal mail addressed to the Commission will be subject to delay. We strongly encourage you to submit your comments online through the <https://www.regulations.gov> website. If you prefer to file your comment on paper, write “Chaucer/Bates Accessories; File No. 222 3163” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Ave. NW, Suite CC–5610 (Annex C), Washington, DC 20580.

Because your comment will be placed on the publicly accessible website at <https://www.regulations.gov>, you are solely responsible for making sure your comment does not include any sensitive or confidential information. In particular, your comment should not include sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule § 4.10(a)(2), 16 CFR 4.10(a)(2)—including competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule § 4.9(c). In particular, the written

request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule § 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the <https://www.regulations.gov> website—as legally required by FTC Rule § 4.9(b)—we cannot redact or remove your comment from that website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule § 4.9(c), and the General Counsel grants that request.

Visit the FTC website at <http://www.ftc.gov> to read this document and the news release describing the proposed settlement. The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments it receives on or before August 16, 2023. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission (the “Commission”) has accepted, subject to final approval, an agreement containing a consent order from Chaucer Accessories, Inc., Bates Accessories, Inc., Bates Retail Group, Inc., and Thomas P. Bates (“Respondents”).

The proposed consent order has been placed on the public record for 30 days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the agreement and the comments received and decide whether it should withdraw from the agreement or make final the agreement’s proposed order.

This matter involves Respondents’ labeling and advertising of belts, shoes, and other products as “Made in USA” or “Made in USA from Global Materials.” According to the FTC’s complaint, Respondents (1) advertised certain products as made in the United States even though, in numerous instances, they were wholly imported or incorporated significant imported components, and (2) labeled and advertised certain other products as “Made in USA from Global Materials”

even though, in numerous instances, those products were wholly imported with *de minimis* finishing in the United States. The FTC's complaint also alleges that, by distributing promotional materials containing misrepresentations regarding the origin of their products, Respondents provided trade customers the means and instrumentalities for the commission of deceptive act or practices. Based on the foregoing, the complaint alleges Respondents violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. 45(a).

The proposed consent order contains provisions designed to prevent Respondents from engaging in similar acts and practices in the future. Consistent with the FTC's Made in USA Labeling Rule, 16 CFR part 323, and its Enforcement Policy Statement on U.S.-Origin Claims, Part I prohibits Respondents from making U.S.-origin claims for their products unless: (1) the final assembly or processing of the product occurs in the United States, all significant processing that goes into the product occurs in the United States, and all or virtually all ingredients or components of the product are made and sourced in the United States; (2) a clear and conspicuous qualification appears immediately adjacent to the representation that accurately conveys the extent to which the product contains foreign parts, ingredients or components, and/or processing; or (3) for a claim that a product is assembled in the United States, the product is last substantially transformed in the United States, the product's principal assembly takes place in the United States, and United States assembly operations are substantial.

Part II prohibits Respondents from making any representation about the country of origin of a product or service, unless the representation is not misleading and Respondents have a reasonable basis substantiating it. Part III prohibits Respondents from providing others with the means and instrumentalities to make the claims prohibited in Parts I or II.

Parts IV through V are monetary provisions. Part IV imposes a judgment of \$191,481. Part V includes additional monetary provisions relating to collections. Part VI requires Respondents to provide sufficient customer information to enable the Commission to administer consumer redress, if appropriate.

Part VII is a notice provision requiring Respondents to identify and notify certain consumers of the FTC's action within 30 days after the issuance of the order, or within 30 days of the consumer's identification, if identified

later. Respondents are also required to submit reports regarding their notification program.

Parts VIII through IX are reporting and compliance provisions. Part VIII requires Respondents to acknowledge receipt of the order, to provide a copy of the order to certain current and future principals, officers, directors, and employees, and to obtain an acknowledgement from each such person that they have received a copy of the order. Part IX requires Respondents to file a compliance report within one year after the order becomes final and to notify the Commission within 14 days of certain changes that would affect compliance with the order. Part X requires Respondents to maintain certain records, including records necessary to demonstrate compliance with the order. Part XI requires Respondents to submit additional compliance reports when requested by the Commission and to permit the Commission or its representatives to interview Respondents' personnel.

Finally, Part XII is a "sunset" provision, terminating the order after 20 years, with certain exceptions.

The purpose of this analysis is to aid public comment on the proposed order. It is not intended to constitute an official interpretation of the complaint or proposed order, or to modify in any way the proposed order's terms.

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2023-15053 Filed 7-14-23; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Healthcare Infection Control Practices Advisory Committee (HICPAC)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: In accordance with regulatory provisions, the Centers for Disease Control and Prevention (CDC) announces the following meeting of the Healthcare Infection Control Practices Advisory Committee (HICPAC). This is a virtual meeting. The public is welcomed to listen to the meeting via Zoom; 500 teleconference lines are available. Time will be available for public comment. Registration is required.

DATES: The meeting will be held on August 22, 2023, from 12 p.m. to 2:30 p.m., EDT.

ADDRESSES: To register for this web conference, please go to: www.cdc.gov/hicpac. All registered participants will receive the meeting link and instructions shortly before the meeting. Please click the link below to join the webinar: <https://cdc.zoomgov.com/j/1615322622?pwd=T1Vnci9IQVF6YS9nQzBzTTlTZXZz09>.

Meeting ID: 161 532 2622

Passcode: 36073986

FOR FURTHER INFORMATION CONTACT:

Sydnee Byrd, M.P.A., HICPAC, Division of Healthcare Quality Promotion (DHQP), National Center for Emerging and Zoonotic Infectious Diseases (NCEZID), Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H16-3, Atlanta, Georgia 30329. Telephone (404) 718-8039; Email: hicpac@cdc.gov.

SUPPLEMENTARY INFORMATION:

Purpose: The Committee is charged with providing advice and guidance to the Director, DHQP; the Director, NCEZID; the Director, CDC; and the Secretary, Department of Health and Human Services, regarding (1) the practice of healthcare infection prevention and control; (2) strategies for surveillance, prevention, and control of infections, antimicrobial resistance, and related events in settings where healthcare is provided; and (3) periodic updating of CDC guidelines and other policy statements regarding prevention of healthcare-associated infections and healthcare-related conditions.

Matters to be Considered: The agenda will include the following updates: The Healthcare Personnel Guideline Workgroup; Isolation Precautions Guideline Workgroup; National Healthcare Safety Network Workgroup; and Dental Unit Waterlines Guideline Update. Agenda items are subject to change as priorities dictate.

Public Participation

Oral Public Comment: Time will be available for public comment. Members of the public who wish to provide public comments should plan to attend the public comment session at the start time listed. Please note that the public comment period may end before the time indicated, following the last call for comments.

Written Public Comment: The public may submit written comments in advance of the meeting. Comments should be submitted in writing by email to the contact person listed above. The deadline for receipt of written public comment is August 25, 2023. All

requests must contain the submitter's name, address, and organizational affiliation, as well as the topic being addressed. Written comments should not exceed one single-spaced typed page in length and delivered in 3 minutes or less. Written comments received in advance of the meeting will be included in the official record of the meeting.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2023-15038 Filed 7-14-23; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

Privacy Act of 1974; Matching Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

ACTION: Notice of new matching program.

SUMMARY: In accordance with subsection (e)(12) of the Privacy Act of 1974, as amended, the Department of Health and Human Services (HHS), Centers for Medicare & Medicaid Services (CMS) is providing notice of the re-establishment of a matching program between CMS and the Social Security Administration (SSA), "Determining Enrollment or Eligibility for Insurance Affordability Programs Under the Patient Protection and Affordable Care Act."

DATES: The deadline for comments on this notice is August 16, 2023. The re-established matching program will commence not sooner than 30 days after publication of this notice, provided no comments are received that warrant a change to this notice. The matching program will be conducted for an initial term of 18 months (from approximately September 9, 2023 to March 8, 2025) and within three months of expiration may be renewed for one additional year if the parties make no change to the matching program and certify that the program has been conducted in

compliance with the matching agreement.

ADDRESSES: Interested parties may submit comments on the new matching program to the CMS Privacy Act Officer by mail at: Division of Security, Privacy Policy & Governance, Information Security & Privacy Group, Office of Information Technology, Centers for Medicare & Medicaid Services, Location: N1-14-56, 7500 Security Blvd., Baltimore, MD 21244-1850, or by email at Barbara.demopulos@cms.hhs.gov.

FOR FURTHER INFORMATION CONTACT: If you have questions about the matching program, you may contact Anne Pesto, Senior Advisor, Marketplace Eligibility and Enrollment Group, Center for Consumer Information and Insurance Oversight, Centers for Medicare & Medicaid Services, at 443-844-9966, by email at anne.pesto@cms.hhs.gov, or by mail at 7500 Security Blvd., Baltimore, MD 21244.

SUPPLEMENTARY INFORMATION: The Privacy Act of 1974, as amended (5 U.S.C. 552a) provides certain protections for individuals applying for and receiving federal benefits. The law governs the use of computer matching by federal agencies when records in a system of records (meaning, federal agency records about individuals retrieved by name or other personal identifier) are matched with records of other federal or non-federal agencies. The Privacy Act requires agencies involved in a matching program to:

1. Enter into a written agreement, which must be prepared in accordance with the Privacy Act, approved by the Data Integrity Board of each source and recipient federal agency, provided to Congress and the Office of Management and Budget (OMB), and made available to the public, as required by 5 U.S.C. 552a(o), (u)(3)(A), and (u)(4).

2. Notify the individuals whose information will be used in the matching program that the information they provide is subject to verification through matching, as required by 5 U.S.C. 552a(o)(1)(D).

3. Verify match findings before suspending, terminating, reducing, or making a final denial of an individual's benefits or payments or taking other adverse action against the individual, as required by 5 U.S.C. 552a(p).

4. Report the matching program to Congress and the OMB, in advance and annually, as required by 5 U.S.C. 552a(o)(2)(A)(i), (r), and (u)(3)(D).

5. Publish advance notice of the matching program in the **Federal Register** as required by 5 U.S.C. 552a(e)(12).

This matching program meets these requirements.

Barbara Demopulos,

Privacy Act Officer, Division of Security, Privacy Policy and Governance, Office of Information Technology, Centers for Medicare & Medicaid Services.

Participating Agencies

The Department of Health and Human Services (HHS), Centers for Medicare & Medicaid Services (CMS) is the recipient agency, and the Social Security Administration (SSA) is the source agency.

Authority for Conducting the Matching Program

The statutory authority for the matching program is 42 U.S.C. 18081 and 18083.

Purpose(s)

The purpose of the matching program is to provide CMS with SSA information which CMS will use to determine individuals' eligibility for initial enrollment in a Qualified Health Plan through an Exchange established under the Patient Protection and Affordable Care Act, for Insurance Affordability Programs (IAPs), and for certificates of exemption from the shared responsibility payment; and to make eligibility redeterminations and renewal decisions, including appeal determinations. IAPs include:

1. Advance payments of the premium tax credit (APTC) and cost sharing reductions (CSRs),
2. Medicaid,
3. Children's Health Insurance Program (CHIP), and
4. Basic Health Program (BHP).

Categories of Individuals

The individuals whose information will be used in the matching program are consumers (applicants and enrollees) who receive the eligibility determinations and redeterminations described in the preceding Purpose(s) section.

Categories of Records

The categories of records used in the matching program are identity information, citizenship and death/disability indicators, incarceration information, and income information. To request information from SSA, CMS will submit a submission file to SSA that contains the following mandatory specified data elements: last name, first name, date of birth, Social Security Number (SSN), and citizenship indicator. When SSA is able to match the SSN and name provided by CMS and information is available, SSA will

provide CMS with the following about each individual, as relevant: last name, first name, date of birth, death indicator, disability indicator, incarceration information, Title II (annual and monthly) income information, and confirmation of attestations of citizenship status and SSN. SSA may also provide Quarters of Coverage data when CMS requests it.

Systems of Records

The systems of records and routine uses that support this matching program are identified below:

A. System of Records Maintained by CMS

- CMS Health Insurance Exchanges System (HIX), System No. 09–70–0560, last published in full at 78 FR 63211 (Oct. 23, 2013) and amended at 83 FR 6591 (Feb. 14, 2018). Routine use 3 authorizes CMS' disclosures of identifying information about applicants to SSA for use in this matching program.

B. Systems of Records Maintained by SSA

- Master Files of SSN Holders and SSN Applications (referred to as the Enumeration System), 60–0058, last fully published at 87 FR 263 (Jan. 4, 2022);
- Prisoner Update Processing System (PUPS), 60–0269, last fully published at 64 FR 11076 (Mar. 8, 1999) and updated at 72 FR 69723 (Dec. 10, 2007), 78 FR 40542 (July 5, 2013), and 83 FR 54969 (Nov. 1, 2018);
- Master Beneficiary Record (MBR) 60–0090, last fully published at 71 FR 1826 (Jan. 11, 2006), and updated at 72 FR 69723 (Dec. 10, 2007), at 78 FR 40542 (July 5, 2013), at 83 FR 31250 (July 3, 2018) and at 83 FR 54969 (Nov. 1, 2018); and
- Earnings Recording and Self-Employment Income System (referred to as the Master Earnings File (MEF)), 60–0059, last fully published at 71 FR 1819 (Jan. 11, 2006) and amended at 78 FR 40542 (July 5, 2013) and 83 FR 54969 (Nov. 1, 2018).

[FR Doc. 2023–15027 Filed 7–14–23; 8:45 am]

BILLING CODE 4120–03–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10174]

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 16, 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 the currently approved collection; *Title of Information Collection:* Collection of Prescription Drug Data from MA–PD, PDP and Fallout Plans/Sponsors for Medicare Part D Payments; *Use:* The PDE data is used in the Payment Reconciliation System to perform the annual Part D payment reconciliation, any PDE data within the Coverage Gap Phase of the Part D benefit is used for invoicing in the CGDP, and the data are part of the report provided to the Secretary of the Treasury for Section 9008.

The information users will be pharmacy benefit managers (PBMs), third party administrators and pharmacies, and the PDPs, MA–PDs, Fallbacks, and other plans that offer coverage of outpatient prescription drugs under the Medicare Part D benefit to Medicare beneficiaries. The statutorily required data is used primarily for payment and is used for claim validation as well as for other legislated functions such as quality monitoring, program integrity and oversight. In addition, the PDE data are used to support operations and program development.

CMS has used PDE data to create summarized dashboards and tools, including the Medicare Part D Drug Spending Dashboard & Data, the Part D Manufacturer Rebate Summary Report, and the Medicare Part D Opioid Prescribing Mapping Tool. The data are also used in the Medicare Trustees

Report. Due to the market sensitive nature of PDE data, external uses of the data are subject to significant limitations. However, CMS does analyze the data on a regular basis to determine drug cost and utilization patterns in order to inform programmatic changes and to develop informed policy in the Part D program. *Form Number:* CMS–10174 (OMB control number: 0938–0982); *Frequency:* Monthly; *Affected Public:* Private Sector, Federal Government; *Number of Respondents:* 856; *Total Annual Responses:* 1,499,064,780; *Total Annual Hours:* 62,918. (For policy questions regarding this collection contact Shelly Winston at (443) 934–3621.)

Dated: July 12, 2023.

William N. Parham, III,

Director, Paperwork Reduction Staff, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2023–15061 Filed 7–14–23; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for Office of Management and Budget Review; Mother and Infant Home Visiting Program Evaluation: Long-Term Follow-Up, Third Grade Data Collection (Office of Management and Budget #0970–0402)

AGENCY: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Administration for Children and Families (ACF), in partnership with the Health Resources and Services Administration, both of the U.S. Department of Health and Human Services (HHS), is proposing to collect data as part of the elementary school phase of the Mother and Infant Home Visiting Program Evaluation (MIHOPE). MIHOPE is a longitudinal study of the effects of Maternal, Infant, and Early Childhood Home Visiting (MIECHV)-funded home visiting on child and family outcomes. The purpose of the MIHOPE Long-Term Follow-Up, Third grade (MIHOPE–3G) data collection, which will focus on children when they are in approximately third grade, is to assess the long-term effects of MIECHV-funded home visiting on families and children when participating children are in elementary school.

DATES: Comments due within 30 days of publication. The Office of Management and Budget (OMB) must make a decision about the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. You can also obtain copies of the proposed collection of information by emailing OPREinfocollection@acf.hhs.gov.

Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:

Description: To date, MIHOPE has been collecting data through the time children in the study were in approximately kindergarten. The currently approved materials under this OMB number include those for the kindergarten follow-up. The kindergarten direct data collection with study participants is complete, but some administrative data are still being collected from states and local education agencies.

This request is to complete administrative data collection for the kindergarten follow-up and to conduct the following data collection activities for MIHOPE–3G: (1) child welfare records data collection from states and (2) school records data collection from states and local education agencies. Future information collection requests and related **Federal Register** notices will describe future data collection efforts for this project.

Data collected during the third grade follow-up study is being used to estimate the effects of MIECHV-funded programs on the following seven domains: (1) maternal health, (2) child health, (3) child development and school performance, (4) child maltreatment, (5) parenting, (6) crime or domestic violence, and (7) family economic self-sufficiency.

Respondents: For MIHOPE–3G, we will seek to obtain child welfare data from 11 states and school records data from up to 48 states and local education agencies. This data will be collected for 4,105 families who are currently participating in MIHOPE.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents (total over request period)	Number of responses per respondent (total over request period)	Avg. burden per response (in hours)	Total burden (in hours)	Annual burden (in hours)
Remaining Burden for Kindergarten Follow-up					
State and local education agency school records: data file submission	8	1	15.6	125	42
State child welfare records: data file submission	5	1	8.4	42	14
New Request for MIHOPE–3G					
State and local education agency school records: data file submission	48	2	33.75	3,240	1,080
State child welfare records: data file submission	11	^a 2.1	21.43	495	165

Estimated Total Annual Burden Hours: 1,301.

Note: The 2.1 responses is a weighted average that reflects that the study team

expects to collect 2 data extracts from 10 states and 3 data extracts from 1 state.

Authority: Social Security Act Title V 511 [42 U.S.C. 711]. As amended by Section 6101 of the Consolidated Appropriations Act, 2023 (Public Law 117–328).

Mary B. Jones,
ACF/OPRE Certifying Officer.
[FR Doc. 2023–15075 Filed 7–14–23; 8:45 am]
BILLING CODE 4184–74–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Title V State Sexual Risk Avoidance Education (Office of Management and Budget #0970–0551)

AGENCY: Family and Youth Services Bureau, Administration for Children and Families, United States Department of Health and Human Services.

ACTION: Request for public comments.

SUMMARY: The Family and Youth Services Bureau (FYSB) within the Administration on Children, Youth and Families (ACYF) is accepting mandatory

formula grant applications and state plans from states and territories for the development of and implementation for Title V State Sexual Risk Avoidance Education (SRAE) Program. The Title V State SRAE Notice of Funding Opportunity (NOFO) sets forth the application requirements for recipients. This request is to extend Office of Management and Budget (OMB) approval of the request for information. No changes are proposed.

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. Identify all requests by the title of the information collection.

SUPPLEMENTARY INFORMATION:
Description: The Title V SRAE Program has mandatory, formula allotments for state and territories to apply. The application process is for states and territories to submit and for ACYF/FYSB to collect an application,

state plan, and semi-annual performance progress reports.
Purpose and Use of the Information Collection: The application and state plans will offer information about the proposed state project and it will be used as the primary basis to determine whether or not the project meets the minimum requirements of the NOFO for the grant award. The Performance Progress Reports are collected semi-annually and will inform the monitoring of the grantees’ program design, program evaluation, management improvement, service quality and compliance with agreed upon goals. ACYF/FYSB will use the information to assure effective service delivery for program participants. Finally, the data from this collection will be used to report outcomes and efficiencies and will provide valuable information to policy makers and key stakeholders in the development of program and research efforts.

Respondents: Thirty-eight states and nine Territories, to include, District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, and Palau.

ANNUAL BURDEN ESTIMATES

Instrument	Total number of respondents	Annual number of responses per respondent	Average burden hours per response	Annual burden hours
Applications	47	1	24	1,128
State Plans	47	1	40	1,880
Performance Progress Reports	47	2	16	1,504

Estimated Total Annual Burden Hours: 4,512.

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: Section 510 of the Social Security Act (42 U.S.C. 710), as amended by Section 50502 of the

Bipartisan Budget Act of 2018 (Pub. L. 115–123) and extended by Division CC, Title III, Section 303 of the Consolidated Appropriations Act, 2022 (Public Law 117–103).

Mary B. Jones,
ACF/OPRE Certifying Officer.
[FR Doc. 2023–15016 Filed 7–14–23; 8:45 am]
BILLING CODE 4184–83–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2023–N–2607]

Issuance of Priority Review Voucher; Rare Pediatric Disease Product

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the issuance of a priority review voucher to the sponsor of a rare pediatric disease product application. The Federal Food, Drug, and Cosmetic Act (FD&C Act) authorizes FDA to award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA is required to publish notice of the award of the priority review voucher. FDA has determined that ELEVIDYS (delandistrogene moxeparovec-rokl), manufactured by Sarepta Therapeutics, Inc., meets the criteria for a priority review voucher.

FOR FURTHER INFORMATION CONTACT: Myrna Hanna, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION: FDA is announcing the issuance of a priority review voucher to the sponsor of an approved rare pediatric disease product application. Under section 529 of the FD&C Act (21 U.S.C. 360ff), FDA will award priority review vouchers to sponsors of approved rare pediatric disease product applications that meet certain criteria. FDA has determined that ELEVIDYS, manufactured by Sarepta Therapeutics, Inc., meets the criteria for a priority review voucher.

ELEVIDYS is indicated for treatment of ambulatory pediatric patients aged 4 through 5 years with Duchenne muscular dystrophy (DMD) with confirmed mutation in the DMD gene.

For further information about the Rare Pediatric Disease Priority Review Voucher Program and for a link to the full text of section 529 of the FD&C Act, go to <https://www.fda.gov/industry/developing-products-rare-diseases-conditions/rare-pediatric-disease-rpd-designation-and-voucher-programs>. For further information about ELEVIDYS, go to the Center for Biologics Evaluation and Research's Approved Cellular and Gene Therapy Products website at <https://www.fda.gov/vaccines-blood-biologics/cellular-gene-therapy-products/approved-cellular-and-gene-therapy-products>.

Dated: July 12, 2023.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2023-15079 Filed 7-14-23; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2023-N-2562]

Agency Information Collection Activities; Proposed Collection; Comment Request; Temporary Marketing Permit Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. 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 of an existing collection of information, and

to allow 60 days for public comment in response to the notice. This notice solicits comments on reporting requirements contained in existing FDA regulations governing temporary marketing permit applications.

DATES: Either electronic or written comments on the collection of information must be submitted by September 15, 2023.

ADDRESSES: You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of September 15, 2023. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand Delivery/Courier (for written/paper submissions):** Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and

identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket No. FDA-2023-N-2562 for "Agency Information Collection Activities; Proposed Collection; Comment Request; Temporary Marketing Permit Applications." Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240-402-7500.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states "THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION." The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as "confidential." Any information marked as "confidential" will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240-402-7500.

FOR FURTHER INFORMATION CONTACT: Amber Sanford, Office of Operations, Food and Drug Administration, Three White Flint North, 10A-12M, 11601

Landsdown St., North Bethesda, MD 20852, 301-796-8867, PRAStaff@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3521), Federal Agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. “Collection of information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(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 provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) whether the proposed collection of information is necessary for the proper performance of FDA’s functions, including whether the information will have practical utility; (2) the accuracy of FDA’s estimate of the burden of the proposed collection of information, including the

validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Temporary Marketing Permit Applications—21 CFR 130.17(c) and (i)
OMB Control Number 0910-0133—Extension

This information collection request supports FDA regulations found in 21 CFR 130.17 (section 130.17). Section 401 of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 341) directs FDA to issue regulations establishing definitions and standards of identity (SOIs) for food. Under section 403(g) of the FD&C Act (21 U.S.C. 343(g)), a food that is subject to a definition and SOI prescribed by regulation is misbranded if it does not conform to such definition and SOI. Section 130.17 provides for the issuance by FDA of temporary marketing permits (TMPs) that enable the food industry to test consumer acceptance and measure the technological and commercial feasibility in interstate commerce of experimental packs of food that deviate from applicable definitions and SOIs. Section 130.17(c) enables the Agency to

monitor the manufacture, labeling, and distribution of experimental packs of food that deviate from applicable definitions and SOIs. The information so obtained can be used in support of a petition to establish or amend the applicable definition or SOI to provide for the variations. Section 130.17(i) specifies the information that a firm must submit to FDA to obtain an extension of a TMP. To assist respondents with the TMP process, we have developed guidance entitled “Temporary Permits for Interstate Shipment of Experimental Packs of Food Varying from the Requirements of Definitions and Standards of Identity: Guidance for Industry” (November 2021). This resource can be found on our website <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-temporary-permits-interstate-shipment-experimental-packs-food-varying-requirements>.

Description of Respondents: Respondents to this collection of information include private sector businesses including institutional and/or industrial customers and food industry members such as manufacturers, packers, or distributors desiring to apply for a TMP or TMP extension.

We estimate the burden of this collection of information as follows:

TABLE 1—ESTIMATED ANNUAL REPORTING BURDEN ¹

21 CFR section; activity	Number of respondents	Number of responses per respondent	Total annual responses	Average burden per response	Total hours
130.17(c); Request for TMP	13	2	26	25	650
130.17(i); Request for TMP extension	1	2	2	2	4
Total					654

¹ There are no capital costs or operating and maintenance costs associated with this collection of information.

Based on a review of the information collection since our last request for OMB approval, we have made no adjustments to our burden estimate.

Dated: July 12, 2023.

Lauren K. Roth,
Associate Commissioner for Policy.
[FR Doc. 2023-15045 Filed 7-14-23; 8:45 am]
BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS-0990-0379]

Agency Father Generic Information Collection Request: 30-Day Public Comment Request

AGENCY: Office of the Secretary, Health and Human Service, HHS.

ACTION: Notice and request for comments. Office of the Assistant Secretary for Public Affairs is requesting OMB approval for a new father Generic Clearance.

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 16, 2023.

ADDRESSES: Submit your comments to OIRA_submission@omb.eop.gov or via facsimile to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, Sherrette.Funn@hhs.gov or (202) 264-0041. When requesting information, please include the document identifier 0990-0379-30D 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: Generic Clearance for the Collection of

Qualitative Feedback on Agency Service Delivery (Online Customer Surveys).

Type of Collection: Extension.

OMB No.: 0990-0379—OS/ASPA.

Abstract: This collection of information is necessary to enable the Agency to garner customer and stakeholder feedback in an efficient, timely manner, in accordance with our commitment to improving service delivery. The information collected from our customers and stakeholders will help ensure that users have an effective, efficient, and satisfying experience with the Agency's programs. This feedback will provide insights into

customer or stakeholder perceptions, experiences and expectations, provide an early warning of issues with service, or focus attention on areas where communication, training or changes in operations might improve delivery of products or services. These collections will allow for ongoing, collaborative and actionable communications between the Agency and its customers and stakeholders.

Type of respondent; frequency (annual, quarterly, monthly, etc.); and the affected public (individuals, public or private businesses, state or local governments, etc.).

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
Website Customer Satisfaction Survey	3,000,000	1	10/60	500,000

Sherrette A. Funn,

Office of the Secretary, Paperwork Reduction Act Reports Clearance Officer.

[FR Doc. 2023-15030 Filed 7-14-23; 8:45 am]

BILLING CODE 4150-25-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS-0990-0459]

Agency Father Generic Information Collection Request: 30-Day Public Comment Request

AGENCY: Office of the Secretary, Health and Human Service, HHS.

ACTION: Notice and request for comments. Office of the Assistant Secretary for Public Affairs is requesting OMB approval for a new father Generic Clearance.

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 16, 2023.

ADDRESSES: Submit your comments to OIRA_submission@omb.eop.gov or via facsimile to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT:

Sherrette Funn, Sherrette.Funn@hhs.gov or (202) 264-0041. When requesting information, please include the document identifier 0990-0459 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: Fast-Track Generic Clearance for the Collection of

Routine Customer Feedback on HHS Communications.

Type of Collection: Father Generic ICR.

OMB No.: 0990-0459—ASPA.

Abstract: This collection of information is necessary to enable HHS to garner customer and stakeholder feedback. Information will be collected from our customers and stakeholders from the concept phase to the end of the product life cycle. This will help ensure that users have an effective, efficient, and satisfying experience with HHS communications products. If this information is not collected, vital feedback on HHS communications will be unavailable, preventing programs from developing communications products that meets the needs of the audience and demonstrating impact of the communications products developed.

Type of respondent; frequency (annual, quarterly, monthly, etc); and the affected public (individuals, public or private businesses, state or local governments, etc.).

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response	Total burden hours
HHS communications products	1,000,000	1	30/60	500,000

Sherrette A. Funn,

Paperwork Reduction Act Reports Clearance Officer, Office of the Secretary.

[FR Doc. 2023–15029 Filed 7–14–23; 8:45 am]

BILLING CODE 4150–25–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; 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 Neurological Disorders and Stroke Special Emphasis Panel; NST–1 Late Applications Review.

Date: July 25, 2023.

Time: 9:30 a.m. to 12:00 p.m.

Agenda: To review and evaluate grant applications and/or proposals.

Place: National Institutes of Health, 6116 Executive Boulevard, Rockville, MD 20852 (Virtual Meeting).

Contact Person: Steven G. Britt, Scientific Review Officer, Scientific Review Branch, Division of Extramural Activities, NINDS/NIH, NSC, 6001 Executive Blvd., Suite 3208, MSC 9529, Rockville, MD 20852, 301–480–1953, steve.britt@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. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS.)

Dated: July 11, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–15042 Filed 7–14–23; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Minority Health and Health Disparities; Notice of Closed Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Institute on Minority Health and Health Disparities Special Emphasis Panel.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Minority Health and Health Disparities Special Emphasis Panel; Cross-Site Analyses of Existing RADx–UP Data.

Date: July 28, 2023.

Time: 10 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, NIMHD, DEM II, Suite 800, 6707 Democracy Boulevard, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Karen Nieves-Lugo, M.P.H., Ph.D., Scientific Review Officer, Office of Extramural Research Activities, National Institute on Minority Health and Health Disparities, National Institutes of Health, 6707 Democracy Blvd., Suite 800, Bethesda, MD 20892, (301) 402–1366, karen.nieveslugo@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.

Dated: July 11, 2023.

Victoria E. Townsend,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–15022 Filed 7–14–23; 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; Emerging Imaging Technologies in Neuroscience.

Date: August 3, 2023.

Time: 1:00 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: Sharon S. Low, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5104, MSC 7846, Bethesda, MD 20892, 301–237–1487, lowss@csr.nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 11, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023–15040 Filed 7–14–23; 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; Special Topics in Bacterial-Host Interactions.

Date: July 26, 2023.

Time: 9:00 a.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: Uma Basavanna, Ph.D., Scientific Review Officer, Center for Scientific Review, 6701 Rockledge Drive, National Institutes of Health, Bethesda, MD 20892, (301) 827-1398, uma.basavanna@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.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Clinical Neuroplasticity and Neurotransmitters.

Date: July 27, 2023.

Time: 10:00 a.m. to 1:00 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: Suzan Nadi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5217B, MSC 7846, Bethesda, MD 20892, 301-435-1259, nadis@csr.nih.gov.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393-93.396, 93.837-93.844, 93.846-93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: July 11, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023-15041 Filed 7-14-23; 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 Fellowships: Learning, Memory, Language, Communication and Related Neuroscience.

Date: July 26, 2023.

Time: 12:00 p.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: Eileen Marie Moore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594-8928, eileen.moore@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: July 11, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023-15039 Filed 7-14-23; 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; NIAID Investigator Initiated Clinical Trial Applications.

Date: August 10, 2023.

Time: 2:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute of Allergy and Infectious Diseases, National Institutes of Health, 5601 Fishers Lane, Room 3E71, Rockville, MD 20892 (Virtual Meeting).

Contact Person: Samita S. Andreansky, 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 3E71, Rockville, MD 20852, 240-669-2915, samita.andreansky@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 11, 2023.

Tyeshia M. Roberson-Curtis,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2023-15047 Filed 7-14-23; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG-2023-0396]

National Maritime Security Advisory Committee; August 2023 Meetings

AGENCY: U.S. Coast Guard, Department of Homeland Security.

ACTION: Notice of Federal advisory committee meetings.

SUMMARY: The National Maritime Security Advisory Committee (Committee) will conduct a series of meetings over 2 days in Washington, DC to review and discuss on matters relating to national maritime security, including enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and State, local, and tribal governments; relevant public safety and emergency response agencies; relevant law enforcement and security organizations; maritime industry; port owners and operators; and terminal owners and operators. All meetings will be open to the public.

DATES:

Meetings: The Committee will meet on Tuesday, August 22, 2023, from 9 a.m. until noon Eastern Daylight Time (EDT), and on Wednesday, August 23,

2023, from 9 a.m. until noon EDT. Please note these meetings may close early if the Committee has completed its business.

Comments and supporting documentation: To ensure your comments are received by Committee members before the meetings, submit your written comments no later than August 15, 2023.

ADDRESSES: The meetings will be held at The American Waterways Operators, 801 North Quincy Street, Suite 500, Arlington, VA 22203. The meetings will also be held virtually. To join the virtual meetings or to request special accommodations, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section no later than 1 p.m. EDT on August 15, 2023, to obtain the needed information. The number of virtual lines is limited and will be available on a first-come, first-served basis.

Pre-registration information: Pre-registration is required for attending virtual meetings. You must request attendance by contacting the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. You will receive response with attendance instructions.

The National Maritime Security Advisory Committee is committed to ensuring all participants have equal access regardless of disability status. If you require reasonable accommodations due to a disability to fully participate, please email Mr. Ryan Owens at ryan.f.owens.uscg.mil or call (202) 302-6565 as soon as possible.

Instructions: You are free to submit comments at any time, including orally at the meetings as time permits, but if you want Committee members to review your comment before the meetings, please submit your comments no later than August 15, 2023. We are particularly interested in comments regarding the topics in the "Agenda" section below. We encourage you to submit comments through the Federal eRulemaking Portal at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. You must include the docket number USCG-2023-0396. Comments received will be posted without alteration at <https://www.regulations.gov> including any personal information provided. You may wish to review the Privacy and Security Notice found via a link on the homepage <https://www.regulations.gov>. For more about the privacy and

submissions in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020). If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Docket Search: Documents mentioned in this notice as being available in the docket, and all public comments, will be in our online docket at <https://www.regulations.gov>, and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign-up for email alerts, you will be notified when comments are posted.

FOR FURTHER INFORMATION CONTACT: Mr. Ryan Owens, Alternate Designated Federal Officer of the National Maritime Security Advisory Committee, 2703 Martin Luther King Jr. Avenue SE, Washington, DC 20593, Stop 7581, Washington, DC 20593-7581; telephone 202-302-6565 or email at ryan.f.owens@uscg.mil.

SUPPLEMENTARY INFORMATION: Notice of this meeting is in compliance with the *Federal Advisory Committee Act*, (Pub. L. 117-286, 5 U.S.C., ch. 10). The Committee is authorized, by section 602 of the *Frank LoBiondo Coast Guard Authorization Act of 2018*, Public Law 115-282, 132 Stat. 4190, and is codified in 46 U.S.C. 70112. The Committee operates under the provisions of the *Federal Advisory Committee Act* and 46 U.S.C. 15109. The National Maritime Security Advisory Committee provides advice, consults with, and makes recommendations to the Secretary of Homeland Security, via the Commandant of the U.S. Coast Guard, on matters relating to national maritime security.

Agenda

Day 1

The agenda for the National Maritime Security Advisory Committee meeting is as follows:

Tuesday, August 22, 2023

- (1) Call to Order.
- (2) Introduction.
- (3) Designated Federal Official Remarks.
- (4) Roll call of Committee members and determination of quorum.
- (5) Remarks from Committee Leadership.
- (6) Discussion of ongoing task. The Committee will provide an update on the following task:
 - a. Task T-2022-5: Working Group on Cybersecurity Information Sharing.

(7) Discussion of new tasks. The Committee will engage in discussion on new tasks being proposed by the U. S. Coast Guard.

a. Task T-2023-1: Update of NVIC 03-03, "Implementation Guidance for the Regulations Mandated by the Maritime Transportation Security Act of 2002 for Facilities."

b. Task T-2023-2: Active Shooter/Active Threat in the Maritime Environment

c. Task T-2023-3: Unmanned Systems in the Maritime Environment

(8) Public Comment Period.

(9) Meeting Recess.

Day 2

The agenda for the National Maritime Security Advisory Committee meeting is as follows:

Wednesday, August 23, 2023

- (1) Call to order.
- (2) Introduction.
- (3) Designated Federal Official Remarks.
- (4) Committee Chair Remarks.
- (5) Committee Sector Report. Committee members will provide an update on related efforts within their sector and will provide items of future interest for the Committee to consider.
- (6) Public Comment Period.
- (7) Closing Remarks/Plans for Next Meeting.
- (8) Adjournment of Meeting.

A copy of all meeting documentation will be available at <https://homeport.uscg.mil/NMSAC> no later than August 18, 2023. Alternatively, you may contact Mr. Ryan Owens as noted in the **FOR FURTHER INFORMATION CONTACT** section above.

There will be a public comment period at the end of meetings. Speakers are requested to limit their comments to 3 minutes. Please note that the public comment period may end before the period allotted, following the last call for comments.

Please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section above to register as a speaker.

Dated: July 11, 2023.

Amy M. Beach,

Captain, U.S. Coast Guard, Director of Inspections and Compliance.

[FR Doc. 2023-15015 Filed 7-14-23; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****[Docket No. USCG–2023–0395]****Great Lakes Pilotage Advisory Committee Meeting; September 2023 Meeting****AGENCY:** U.S. Coast Guard, Department of Homeland Security.**ACTION:** Notice of Federal advisory committee meeting.

SUMMARY: The Great Lakes Pilotage Advisory Committee (Committee) will meet in Sault Saint Marie, Michigan to discuss matters relating to Great Lakes Pilotage, including review of proposed Great Lakes Pilotage regulations and policies. The meeting will be open to the public.

DATES:

Meeting: The Committee will meet on Thursday, September 7, 2023, from 8 a.m. to 5:30 p.m. Eastern Daylight Time (EDT). Please note that this meeting may adjourn early if the Committee has completed its business.

Comments and supporting documentations: To ensure your comments are received by Committee members before the meeting, submit your written comments no later than August 31, 2023.

ADDRESSES: The meeting will be held at the Cisler Conference Center of the Lake Superior State University (LSSU), 650 W Easterday Avenue, Sault Ste. Marie, MI 49783.

Pre-registration Information: Pre-registration is not required for access to the meeting.

The Great Lakes Pilotage Advisory Committee is committed to ensuring all participants have equal access regardless of disability status. If you require reasonable accommodation due to a disability to fully participate, please email Mr. Francis Levesque at Francis.R.Levesque@uscg.mil, or call (571) 308–4941 as soon as possible.

Instructions: You are free to submit comments at any time, including orally at the meeting, but if you want Committee members to review your comment before the meeting, please submit your comments no later than August 31, 2023. We are particularly interested in comments on the topics in the “Agenda” section below. We encourage you to submit comments through the Federal eRulemaking Portal at: <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, email the individual in the **FOR FURTHER**

INFORMATION CONTACT section of this document for alternate instructions. You must include the docket number USCG–2023–0395. Comments received will be posted without alteration at <https://www.regulations.gov> including any personal information you provided. You may wish to view the Privacy and Security Notice found via link on the homepage of <https://www.regulations.gov>. For more about the privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85FR 14226, March 11, 2020). If you encounter technical difficulties with comment submission, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Docket Search: Documents mentioned in this notice as being available in the docket, and all public comment, will be in our online docket at <https://www.regulations.gov> and can be viewed by following that website’s instructions. Additionally, if you go to the online docket and sign-up for email alerts, you will be notified when comments are posted.

FOR FURTHER INFORMATION CONTACT: Mr. Francis Levesque, Alternate Designated Federal Officer of the Great Lakes Pilotage Advisory Committee, telephone (571) 308–4941 or email Francis.R.Levesque@uscg.mil.

SUPPLEMENTARY INFORMATION: Notice of this meeting is in compliance with the *Federal Advisory Committee Act* (Pub. L. 117–286, 5 U.S.C. ch. 10). The Committee is established under the authority of 46 U.S.C. 9307 and makes recommendations to the Secretary of Homeland Security and the U.S. Coast Guard on matters relating to Great Lakes pilotage, including review of proposed Great Lakes pilotage regulations and policies.

Agenda

The Great Lakes Pilotage Advisory Committee will meet on Thursday, September 7, 2023, to review, discuss, deliberate and formulate recommendations, as appropriate on the following topics:

1. Great Lakes Pilotage Advisory Committee Meeting Practices and Procedures.
2. Staffing Model.
3. Winter Navigation.
4. Pilots Providing ETA to Change Points.
5. Ratemaking Methodology.
6. Great Lakes Pilotage and American Pilots Association Best Practices.
7. 2024 Annual Rulemaking Update.
8. Projects and Current Staffing.

9. 2013 Memorandum of Understanding between U.S. Coast Guard and Canadian Great Lakes Pilotage Authority.

10. Double Pilotage and Daytime Only Navigation.

11. Expense and Revenue Reports for Rulemaking.

12. Public Comments.

A copy of all meeting documentation will be available at <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Marine-Transportation-Systems-CG-5PW/Office-of-Waterways-and-Ocean-Policy/Great-Lakes-Pilotage-Advisory-Committee/> by September 1, 2023. Alternatively, you may contact Mr. Francis Levesque as noted in the **FOR FURTHER INFORMATION CONTACT** section above.

Public comments or questions will be taken throughout the meeting as the Committee discusses the issues and prior to deliberations and voting. There will also be a public comment period at the end of the meeting. Speakers are requested to limit their comments to 5 minutes. Contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section above, to register as a speaker.

Dated: July 11, 2023.

Michael D. Emerson,

Director, Marine Transportation Systems.

[FR Doc. 2023–15048 Filed 7–14–23; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service**

[FWS–R8–ES–2023–0084; FXES1114080000–223–FF08ECAR00]

Notice of Intent To Prepare a Draft Environmental Impact Statement for the Desert Tortoise General Conservation Plan, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent to prepare an environmental impact statement; notice of public scoping meetings; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), provide this notice to open a public scoping period and announce public scoping meetings in accordance with the National Environmental Policy Act. We intend to prepare an environmental impact statement (EIS) to evaluate the impacts on the human environment related to our proposal to implement a general conservation plan for the federally threatened desert tortoise (*Gopherus agassizii*) in California, pursuant to the Endangered Species Act.

DATES:

Submitting Comments: We must receive any written comments on or before August 31, 2023.

Public Meetings: The Service will hold three public meetings during the scoping period to attempt to allow all interested parties to participate.

- *In-Person Public Meeting:* We will hold an in-person public meeting on August 10, 2023, from 6 p.m. to 8 p.m. Pacific Time in Victorville, California, at the Hilton Garden Inn (12603 Mariposa Road, Victorville, CA 92395).

- *Virtual Meetings:* We will hold virtual meetings on July 25, 2023, from 10 a.m. to 12 p.m., and on July 27, 2023, from 6 p.m. to 8 p.m. Pacific Time. More information about the public meetings is available at <https://www.virtualpublicmeeting.com/usfws-desert-tortoise-gcp-eis>.

ADDRESSES:

Obtaining Documents: To assist the public in evaluating the Service's proposed action, which would be approval of the general conservation plan (GCP), we have provided a preliminary draft GCP for review. You may obtain copies of the draft GCP online in Docket No. FWS-R8-ES-2023-0084 at <https://www.regulations.gov>. Public comments will also be available at <https://www.regulations.gov>.

Submitting Written Comments: You may submit your written comments using one of the following methods:

- *Online:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R8-ES-2023-0084.

- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS-R8-ES-2023-0084; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

For more information, see Public Availability of Comments under

SUPPLEMENTARY INFORMATION.

Public Meetings: A link and access instructions to the public meetings will be posted to <https://www.fws.gov/office/carlsbad-fish-and-wildlife> at least 1 week prior to the public meeting dates.

FOR FURTHER INFORMATION CONTACT: Ray Bransfield, Fish and Wildlife Biologist, by email at ray_bransfield@fws.gov or via phone at (805) 677-3398.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

We provide this notice of intent for preparing an environmental impact statement (EIS), opening a public scoping period, and announcing public scoping meetings in accordance with requirements of the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) and its implementing regulations. The Service will serve as the lead Federal agency for purposes of NEPA. We intend to prepare an EIS to evaluate the impacts on the human environment related to our proposal to approve a general conservation plan for the desert tortoise in California, pursuant to the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) The U.S. Bureau of Land Management (Bureau) will serve as a cooperating agency under NEPA, as some lands under consideration for mitigation activities are administered by the Bureau.

The primary purpose of the scoping process is for the public and other parties to assist in developing the draft EIS by identifying important issues and alternatives that should be considered. This scoping notice was prepared pursuant to the updated regulations implementing NEPA, issued by the Council on Environmental Quality on July 16, 2020 (85 FR 43304).

Purpose and Need for the Proposed Action

The purpose of the proposed GCP is to provide a mechanism by which the Service can increase efficiency and standardize compliance with section 10(a)(1)(B) of the ESA for activities on certain non-Federal lands in the plan area that have the potential to incidentally take desert tortoises. Instead of a lengthy and complicated processing of individual incidental take permit applications and associated habitat conservation plans for applicants, the proposed approval and implementation of the GCP would allow the Service to substantially reduce the time and effort needed to issue incidental take permits that meet the parameters established in the GCP while ensuring project mitigation contributes to long-term recovery for desert tortoise. The GCP would require use of minimization measures that have proven effective over time in reducing mortality of desert tortoises during various types of activities, including the translocation of desert tortoises from non-Federal project sites to conservation areas. The GCP would also direct required mitigation to fund or implement recommended actions in the revised recovery plan for the desert

tortoise (76 FR 53482) and additional actions to ensure the mitigation contributes to the species' long-term recovery.

Section 10 of the ESA directs the Service to issue incidental take permits to non-Federal entities for take of endangered and threatened species when the permit applicant satisfies the criteria in section 10(a)(2)(B). Processing individual incidental take permits requires Service staff to conduct lengthy reviews of applicant-prepared minimization and mitigation measures for each individual project, to prepare appropriate documentation compliant with NEPA, and to conduct intra-Service consultation and coordination. The Service and potential permit applicants would greatly benefit if the Service is able to (1) streamline this process for desert tortoise incidental take permits, (2) provide specific direction to applicants to incorporate the most current measures to minimize the take of desert tortoises into their applications, and (3) better incorporate mitigation from incidental take permits into a comprehensive strategy that contributes to recovery of the desert tortoise.

The GCP would fulfill a need for better conservation of the desert tortoise within the California desert in a more comprehensive and consistent manner. It would also substantially reduce the time and effort expended by Service staff in processing individual incidental take permits while improving the appropriate standards for protection of desert tortoises in development areas and furthering the species' recovery in conservation areas.

Preliminary Proposed Action and Alternatives

As required by 40 CFR 1501.9(d)(2), we are providing a preliminary description of the proposed action, which is the Service's approval of a GCP for the desert tortoise in California. If we approve use of a GCP, project proponents within the GCP's permit areas would be able to apply for incidental take permits for the desert tortoise in a streamlined manner. The Service would only issue incidental take permits under the GCP if the individual applications met its issuance criteria, which would provide clear guidance on how to best minimize, mitigate, and monitor the effects of incidental take on desert tortoises. We will prepare a final EIS prior to deciding on whether to approve a GCP.

The EIS will include a reasonable range of action alternatives and a no-action alternative. The action alternatives will likely include

variations in the duration of the general conservation plan, the size and locations of permit and mitigation areas, potential translocation areas for desert tortoises found on project sites, and the types of effectiveness monitoring. At this time, the Service proposes to approve a GCP with a duration of 10 years, with an option to renew it if it is meeting expectations, covering a broad range of development activities, translocating desert tortoises into conservation areas to augment depleted populations, and implementing recovery actions within the broad desert tortoise conservation areas described in the recovery plan. Regarding the duration of the GCP, we may consider longer or shorter alternatives. We will consider alternatives to translocating desert tortoises long distances to conservation areas, such as moving them to parcels that are closer to the sites of development. We will also evaluate whether to include or exclude specific areas outside of conservation areas where the GCP would be available and whether to include or exclude specific areas within conservation areas to use for mitigation. Under the no-action alternative, the Service would not approve the GCP and would not implement a streamlined process for considering incidental take permits.

Background

Endangered Species Act

Section 9 of the ESA prohibits the “take” of fish and wildlife species listed as endangered under section 4 (16 U.S.C. 1538 and 16 U.S.C. 1533, respectively). The Endangered Species Act’s implementing regulations extend, under certain circumstances, the prohibition of take to threatened species (50 CFR 17.31). Under section 3 of the ESA, the term “take” means to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct” (16 U.S.C. 1532(19)). The regulations define “harm” as “an act which actually kills or injures wildlife. Such act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering” (50 CFR 17.3).

Under section 10(a)(1)(B) of the ESA, the Service may issue permits to authorize incidental take of listed fish and wildlife species. The implementing regulations for incidental take permits define “incidental taking” as “any taking otherwise prohibited, if such taking is incidental to, and not the purpose of, the carrying out of an

otherwise lawful activity” (50 CFR 17.3). Section 10(a)(2)(B) of the ESA lists the criteria for the Service’s issuance of incidental take permits to non-Federal entities. If the applicant meets the following criteria, the Service must issue an incidental take permit:

1. The taking will be incidental;
2. The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking;
3. The applicant will ensure that adequate funding for the plan will be provided;
4. The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and
5. The applicant will carry out any other measures that the Service may require as being necessary or appropriate for the purposes of the GCP in support of issuance of an incidental take permit.

Desert Tortoise General Conservation Plan

The Service proposes to approve a GCP that provides specific direction regarding how to best minimize, mitigate, and monitor the effects of incidental take to applicants seeking ESA section 10(a)(1)(B) permits for the desert tortoise within a defined permit area. Under standard practices, applicants are responsible for developing the “conservation plan” required by section 10(a)(2)(A) of the ESA; the development of the conservation plans and iterative reviews require substantial time and effort, both for the applicant and Service staff. The Service must then prepare a NEPA document for public review, address any comments received from the public, conduct an internal consultation pursuant to section 7(a)(2) of the ESA, and conclude the NEPA process before reaching a decision on whether to issue the incidental take permit.

In almost every incidental take permit that the Service has processed since the listing of the desert tortoise in 1990 (55 FR 12178), the applicant and Service agreed on the most appropriate means of minimizing, mitigating, and monitoring the effects of take on desert tortoises soon after the applicant contacted us. However, the standard practices described in the previous paragraph generally require at least 12 to 24 months to complete. A streamlined approach to the process, with more direction upfront from Service staff, would result in more effective means of minimizing and mitigating impacts to desert tortoises and allow staff to expend more time on implementing recovery work, with overall concomitant

positive effects on the recovery of the species. Such a process would also provide a higher degree of certainty to applicants.

Covered Activities

We propose to cover commercial, agricultural, residential, industrial, and infrastructure development within the planning area that a Federal agency does not fund, authorize, or carry out. The GCP would also cover the operations and maintenance of existing facilities, such as utilities’ transmission and distribution lines. The Service intends the covered activities to be inclusive; that is, we will consider for coverage any future activity that has the same general effects on the desert tortoise as those described in this GCP. The Service will retain the right to recommend that the non-Federal entity pursue an individual incidental take permit if the scope of the proposed activity is likely to affect desert tortoises in a manner that we have not considered in this GCP.

Additionally, the GCP would cover activities along existing rights of way in the California desert where the Federal agency no longer has discretionary authority; consequently, interagency consultation, pursuant to section 7(a)(2) of the ESA, does not apply in these areas. The GCP would apply to such rights of way that lie within conservation areas. Within conservation areas, the GCP would be available only for projects that intended to improve the safety and functionality of the existing right of way; the Service will not consider its use appropriate if the proposed project changes the basic function of the existing right of way.

Plan Areas

We propose to define “permit areas” and “mitigation areas” in the GCP. The permit area would be the area where incidental take permits deriving from the GCP would be available to applicants. Non-Federal lands outside of conservation areas in southern Inyo County, eastern Kern County, northern Los Angeles County, the desert portion of San Bernardino County, eastern Riverside County, and portions of Imperial County comprise the permit areas. As discussed in the previous section, the GCP would also apply to existing non-Federal rights of way across Federal lands under certain circumstances.

The required mitigation for issuance of an incidental take permit would occur within the boundaries of mitigation areas. Mitigation areas would generally include “desert tortoise conservation areas,” which the recovery

plan for the desert tortoise describes as Bureau of Land Management conservation lands (California Desert National Conservation Lands and areas of critical environmental concern) as identified in the California Desert Conservation Area Plan, as amended by the Desert Renewable Energy Conservation Plan, National Park Service lands, and other conservation areas or easements managed for desert tortoises.

Covered Species

The Mojave population of desert tortoise is the only species proposed for coverage under the GCP. The Service listed the Mojave population of desert tortoise (all desert tortoises north and west of the Colorado River in Arizona, Utah, Nevada, and California) as threatened on April 2, 1990. We designated critical habitat for the desert tortoise in California, Nevada, Arizona, and Utah in a final rule published February 8, 1994 (59 FR 5820).

The GCP includes an analysis of impacts to the desert tortoise that are likely to result from covered activities. We anticipate that incidental take permits under the GCP would result in the take of few desert tortoises. We have reached that conclusion because, since the listing of the desert tortoise in 1990, we have issued 14 incidental take permits for the desert tortoise in California that have resulted in the translocation of approximately 43 desert tortoises. We are unaware of any desert tortoises that died during permitted activities.

Additionally, we have limited the GCP's permit area to portions of the desert where conservation of the desert tortoise in the long term is infeasible, with the exception of non-Federal rights of way that comprise a negligible portion of plan area. Based on analysis in the original and revised recovery plans for the desert tortoise, we consider recovery of the desert tortoise to be infeasible in the permit area because most of the land there is in private ownership; it would be practically and financially impossible to secure and manage habitat in that area, which also frequently includes rural development and its associated impacts to desert tortoises.

We have not proposed a numerical limit on the number of desert tortoises that use of the GCP may affect. Instead, we would evaluate the survey results of individual applicants for incidental take permits and authorize an appropriate amount of incidental take based on the survey results and the nature of the proposed project. We would track the aggregate amount of incidental take and

make that information available to the public.

The biological goals of the GCP focus on minimizing the amount of take of desert tortoises and maximizing the conservation benefits of the mitigation that results from the issuance of incidental take permits. To minimize the number of desert tortoises that proposed actions would kill or injure, the Service would require permittees to implement standard methods, such as fencing work areas, surveying for individuals within project areas, translocating desert tortoises to suitable off-site habitat, implementing worker education programs, implementing measures to manage predators on site, and contributing to the regional management program for common ravens (*Corvus corax*). Over the course of implementation of the GCP, the Service would update protocols for various protective measures, such as testing for disease, as new information and improved methods become available.

To mitigate the effects of take and maximize conservation benefits for desert tortoises, the GCP would provide applicants with several options, such as land acquisition (securing and conserving habitat), non-acquisition (restoration and enhancement of habitat), purchase of mitigation bank credits, other actions needed to protect and conserve desert tortoises, or a combination of these activities. The Service would require that all mitigation occur within the conservation areas as defined in the recovery plan for the desert tortoise and mapped in the GCP that will contribute to long term conservation of desert tortoise.

Summary of Anticipated Impacts

The draft EIS will identify and describe the effects of the GCP alternative and a range of other reasonable alternatives on the human environment that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action. This includes effects that occur at the same time and place as the proposed action or alternatives and/or effects that are later in time or farther removed in distance from the proposed action or alternatives. Expected impacts include, but are not limited to, positive and negative impacts to the desert tortoise, geology and soils, air quality, water resources, other biological resources, health and safety, land use, recreation, aesthetics, historical and cultural resources, transportation, public services and utilities, and socioeconomics. We will analyze the

effects of these expected impacts in the draft EIS.

The analysis will consider the adequacy of each alternative to maintain or enhance the status of the desert tortoise in light of the expected effects and other best available information. Impacts on air quality, water resources, and other biological resources, such as fish, wildlife, and the desert ecosystem, will be evaluated at a broad, programmatic level of detail and are expected to include incremental negative impacts from development that are minimized and or mitigated at the landscape level through application of applicable law, including local and State regulations. Under each alternative, significant impacts to water resources, State-protected species, and ecosystems would typically be avoided or minimized by the local agency's compliance with local and State regulations governing development. We expect that most, if not all, of the projects that applicants may propose to cover under the GCP would undergo additional public review under the California Environmental Quality Act.

Schedule for the Decision-Making Process

The Service will conduct an environmental review to analyze the effects of the proposed action, along with a range of other reasonable alternatives in the draft EIS. Following completion of the environmental review, the Service will publish a notice of availability and request for public comments on the draft EIS and the revised draft GCP. The Service expects to make the draft EIS and revised draft GCP available to the public in summer 2023. After public review and comment, we will review any comments we receive and any other new information to determine whether to approve the GCP for use. We will also evaluate whether implementation of the GCP would comply with section 7(a)(2) of the ESA. The Service expects to make the final EIS and final GCP available to the public in late 2023. At least 30 days after the final EIS is available, the Service will complete the record of decision in accordance with applicable timeframes established in 40 CFR 1506.11.

Public Scoping Process

The issuance of this notice of intent provides an opportunity for public involvement in the scoping process to guide the development of the EIS.

To attempt to allow all interested parties to participate, the Service will hold three public meetings during the scoping period, both in-person and

virtual. See **DATES** and **ADDRESSES** for the dates and times of the public scoping meetings. The public scoping meetings will provide the Service an opportunity to present information pertinent to the GCP and for the public to ask questions on the scope of issues and alternatives we should consider when preparing the draft EIS and to discuss ideas with Service staff. We will not record comments at the public meetings; we will accept scoping comments only in writing, by the methods listed in **ADDRESSES**.

Reasonable Accommodations

Persons needing reasonable accommodations to attend and participate in the public scoping meetings should contact the Service's Palm Springs Fish and Wildlife Office, using one of the methods listed in **FOR FURTHER INFORMATION CONTACT** as soon as possible. To allow sufficient time to process requests, please make contact no later than 1 week before the desired public meeting. Information regarding this proposed action is available in alternative formats upon request.

Request for Identification of Potential Alternatives, Information, and Analyses Relevant to the Proposed Actions

We request data, comments, views, arguments, new information, analysis, new alternatives, or suggestions on the proposed action from the public; affected Federal, State, Tribal, and local governments, agencies, and offices; the scientific community; industry; or any other interested party. We will consider these comments in developing the draft EIS. Specifically, we seek:

1. Biological information, analysis and relevant data concerning the desert tortoise and other wildlife;

2. Potential effects that the GCP could have on the desert tortoise and its associated ecological communities or habitats;

3. Potential effects that the GCP could have on other aspects of the human environment, including ecological, aesthetic, historic, cultural, economic, social, environmental justice, or health effects;

4. Other possible reasonable alternatives to the proposed action that the Service should consider, including additional or alternative avoidance, minimization, and mitigation measures;

5. The presence of historic properties—including archaeological sites, buildings and structures, historic events, sacred and traditional areas, and other historic preservation concerns—in the proposed permit area, which are required to be considered in project

planning by the National Historic Preservation Act;

6. Information on other current or planned activities in, or in the vicinity of, the plan area and their possible impacts on the desert tortoise, including any connected actions that are closely related and should be discussed in the same draft EIS; and

7. Other information relevant to the GCP and its impacts on the human environment.

Once the Service has prepared the draft EIS, we will provide further opportunity for comment on the GCP through an additional public comment period.

Public Availability of Comments

You may submit your comments and materials by one of the methods listed in **ADDRESSES**. Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, might 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. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Comments and materials we receive and supporting documentation we use in preparing the draft EIS will be available for public inspection online in Docket No. FWS-R8-ES-2023-0084 at <https://www.regulations.gov> (see **FOR FURTHER INFORMATION CONTACT**).

Decision Maker and Nature of Decision To Be Made

The decision maker is the Assistant Regional Director for Ecological Services (ARD) of the Pacific Southwest Region of the Service. If, after publication of the record of decision, we determine that all requirements are met for approval of incidental take permits under the GCP, the ARD will issue a decision on whether to approve the GCP.

Authority

We provide this notice in accordance with the requirements of section 10(c) of the Endangered Species Act of 1973 (16 U.S.C. 1539(c)) and its implementing regulations (50 CFR 17.22) and National Environmental Policy Act regulations pertaining to the publication of a notice

of intent to issue an environmental impact statement (40 CFR 1501.9(d)).

Michael J. Senn,

Assistant Regional Director—Ecological Services, Pacific Southwest Region, U.S. Fish and Wildlife Service, Sacramento, California.

[FR Doc. 2023-15037 Filed 7-14-23; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS-HQ-IA-2023-0011; FXIA1671090000-234-FF09A30000]

Endangered Species; Issuance of Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of permits.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have issued the following permits to conduct certain activities with endangered species. We issue these permits under the Endangered Species Act (ESA).

ADDRESSES: Information about the applications for the permits listed in this notice is available online at <https://www.regulations.gov>. See

SUPPLEMENTARY INFORMATION for details.

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, by phone at 703-358-2185, or via email at DMAFR@fws.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), have issued permits to conduct certain activities with endangered and threatened species in response to permit applications that we received under the authority of section 10(a)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*)

After considering the information submitted with each permit application and the public comments received, we issued the requested permits subject to certain conditions set forth in each permit. For each application for an endangered species, we found that (1) the application was filed in good faith, (2) the granted permit would not operate to the disadvantage of the endangered species, and (3) the granted permit would be consistent with the purposes

and policy set forth in section 2 of the ESA.

Availability of Documents

The permittees' original permit application materials, along with public

comments we received during public comment periods for the applications, are available for review. To locate the application materials and received comments, go to <https://>

www.regulations.gov and search for the appropriate permit number (e.g., 12345C) provided in the following table:

ePermit No.	Applicant	Permit issuance date
86992C	Mike Cunningham	March 29, 2022.
70061C	Brian Spicer	March 17, 2022.
40226D	James Lines	March 11, 2022.
PER0017129	Smithsonian National Zoo and Conservation Biology Institute	March 23, 2022.
77784D	Honolulu Zoo	May 9, 2022.
PER0028414	Smithsonian National Zoo and Conservation Biology Institute	May 9, 2022.
54247C	Edward Aston	May 18, 2022.
PER0024280	Toledo Zoological Society	March 23, 2022.
85481D	Oklahoma City Zoological Park, dba Oklahoma City Zoo	June 14, 2022.
PER0026582	Eastern Connecticut State University	June 23, 2022.
PER0025129	Friends of the Topeka Zoo, Inc	July 12, 2022.
PER0014869	Virginia Safari Park and Preservation Center, Inc., dba Virginia Safari Park	August 12, 2022.
73080C	Stewart Schanzenbach	August 17, 2022.
72865D	Richard Roark	August 19, 2022.
PER0042600	Jeremy Hammond	August 19, 2022.
42192D	Robert Wier	August 19, 2022.
32317D	Arnold Beck	August 19, 2022.
37469D	Ronnie Williams	August 19, 2022.
08288D	Hugh Richardson	August 23, 2022.
46595D	Bernard McMasters	August 19, 2022.
PER0043133	California Academy of Sciences	August 24, 2022.
73030C	Edwin Hartman	September 1, 2022.
PER0045505	American Museum of Natural History	September 1, 2022.
28644D	Philip Geisse	September 20, 2022.
24612D	Jeff Demaske	September 19, 2022.
03114D	Mathew Bell	September 15, 2022.
PER0036283	Miami-Dade Zoological Park and Gardens	September 21, 2022.
PER0042461	Indianapolis Zoological Society, Inc., dba Indianapolis Zoo	October 11, 2022.
PER0050556	Florida State University Robert K. Godfrey Herbarium	October 19, 2022.
PER0050974	Harvard University Museum of Comparative Zoology	October 20, 2022.
PER0046199	Cheyenne Mountain Zoo	October 25, 2022.
PER0044674	Mark D. Simpson	October 31, 2022.
PER0043459	Kevin L. Emrath	October 31, 2022.
17070D	Donald Youngblood	October 31, 2022.
52689C	Terry L. Anderson	October 28, 2022.
PER0043674	Clinton A. Bissett	October 31, 2022.
51278D	Tanner Glidden	October 31, 2022.
97878C	Rich J. Cabela	October 31, 2022.
54295C	Christian M. Rothermel	October 31, 2022.
62557C	Ernest Joseph Dosio	October 31, 2022.
PER0052084	Yale University Peabody Museum of Natural History	November 2, 2022.
76772C	Mark Wayne Pirkle	November 4, 2022.
62051D	William B. Stroud	November 14, 2022.
76127C	Phillip D. Landry	November 14, 2022.
PER0050971	Duke University	November 17, 2022.
837068	Emory National Primate Research Center	November 21, 2022.
74969C	Rudy Nix	November 28, 2022.
59526D	Abraham Garza	November 28, 2022.
PER0047993	Miami-Dade Zoological Park and Gardens	November 29, 2022.
63058C	Thomas Sloan	December 01, 2022.
97800C	Michael Stein	December 02, 2022.
PER0049577	Michael W. Howard	December 06, 2022.
59012C	Michael Towbin	December 14, 2022.
PER0054866	Bernice Pauahi Bishop Museum	January 4, 2023.

Authorities

We issue this notice under the authority of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Brenda Tapia,

Supervisory Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

[FR Doc. 2023–15070 Filed 7–14–23; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2023–0108; FXIA1671090000–234–FF09A30000]

Foreign Endangered Species; Receipt of Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA). With some exceptions, the ESA prohibits activities with listed species unless Federal authorization is issued that allows such activities. The ESA also requires that we invite public comment before issuing permits for any activity otherwise prohibited by the ESA with respect to any endangered species.

DATES: We must receive comments by August 16, 2023.

ADDRESSES:

Obtaining Documents: The applications, application supporting materials, and any comments and other materials that we receive will be available for public inspection at <https://www.regulations.gov> in Docket No. FWS–HQ–IA–2023–0108.

Submitting Comments: When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. You may submit comments by one of the following methods:

- *Internet:* <https://www.regulations.gov>. Search for and submit comments on Docket No. FWS–HQ–IA–2023–0108.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2023–0108; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT:

Brenda Tapia, by phone at 703–358–2185 or via email at DMAFR@fws.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I comment on submitted applications?

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

B. May I review comments submitted by others?

You may view and comment on others' public comments at <https://www.regulations.gov> unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

C. Who will see my comments?

If you submit a comment at <https://www.regulations.gov>, your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such

as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), we invite public comments on permit applications before final action is taken. With some exceptions, the ESA prohibits certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17.

III. Permit Applications

We invite comments on the following applications.

Endangered Species

Applicant: Fort Worth Zoo, Fort Worth, TX; Permit No. PER3024895

The applicant requests a permit to import one female captive-bred black rhinoceros (*Diceros bicornis*) from Africam SA, Puebla, Mexico, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Obioma Ogbonna, Aledo, TX; Permit No. PER2584692

The applicant requests a permit to import from Munich, Germany, one life-size mount of a male captive-bred African lion (*Panthera leo*) for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Cincinnati Zoo & Botanical Garden, Cincinnati, OH; Permit No. PER3108901

The applicant requests a permit to import four live captive-bred Asian

elephants (*Elephas maximus*) and biological samples from the four specimens, from the Dublin Zoo, Dublin, Ireland, for the purpose enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Phoenix Herpetological Society, Scottsdale, AZ; Permit No. PER0027452

The applicant requests a permit to import three male and three female captive-bred gharial (*Gavialis gangeticus*) and three male and three female captive-bred mugger crocodile (*Crocodylus palustris kimbula* and *Crocodylus palustris palustris*) from Madras Crocodile Bank Trust in Tamil Nadu, India, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Milwaukee County Zoo, Milwaukee, WI; Permit No. PER3214118

The applicant requests a permit to import one female captive-bred gorilla (*Gorilla gorilla*) from Toronto Zoo in Toronto, Canada, for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Metro Richmond Zoo, Moseley, VA; Permit No. PER0046176

The applicant requests a permit to export five live captive-bred cheetah (*Acinonyx jubatus*) to Kuzuko Private Game Reserve in Somerset East, South Africa, for the purpose of enhancing the propagation or survival of the species. This notification is for a single export.

Applicant: Houston Zoo Inc., Houston, TX; Permit No. PER3318289

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Baird's tapir	<i>Tapirus bairdii</i> .
Southern white rhinoceros.	<i>Ceratotherium simum simum</i> .
Asian elephant	<i>Elephas maximus</i> .

Multiple Trophy Applicants

The following applicants request permits to import sport-hunted trophies of male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa,

for the purpose of enhancing the propagation or survival of the species.

- Deborah Holland, New Market, AL; Permit No. PER3088762
- Walter S. Poskey, Lufkin, TX; Permit No. PER3089292
- Arnold J. Olsen, Lucas, TX; Permit No. PER3115428

IV. Next Steps

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching <https://www.regulations.gov> for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to [regulations.gov](https://www.regulations.gov) and search for “12345A”.

V. Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations.

Brenda Tapia,
Supervisory Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.
[FR Doc. 2023–15064 Filed 7–14–23; 8:45 am]
BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[OMB Control Number 1010–0048; Docket ID: BOEM–2023–0004]

Agency Information Collection Activities; Geological and Geophysical (G&G) Explorations of the Outer Continental Shelf

AGENCY: Bureau of Ocean Energy Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Ocean Energy Management (BOEM) proposes this information collection request (ICR) to renew Office of Management and Budget (OMB) control number 1010–0048.

DATES: Comments must be received by BOEM no later than September 15, 2023.

ADDRESSES: Send your comments on this ICR by mail to the BOEM Information Collection Clearance Officer, Anna Atkinson, Bureau of

Ocean Energy Management, 45600 Woodland Road, Sterling, Virginia 20166; or by email to anna.atkinson@boem.gov. Please reference OMB control number 1010–0048 in the subject line of your comments. You may also view and comment on the ICR and its related documents by searching the docket number “BOEM–2023–0004” at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Anna Atkinson by email at anna.atkinson@boem.gov, or by telephone at 703–787–1025. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside of 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: In accordance with the Paperwork Reduction Act of 1995, BOEM provides the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps BOEM assess the impact of its information collection requirements and minimize the public’s reporting burden. It also helps the public understand BOEM’s information collection requirements and provide the requested data in the desired format.

BOEM is soliciting comments on the proposed ICR described below. BOEM is especially interested in public comments addressing the following issues: (1) is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments submitted in response to this notice are a matter of public record. BOEM will include or summarize each comment in its ICR to OMB for approval of this information collection. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available at any time. BOEM will make available for public inspection all comments in their

entirety (except proprietary information) submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses. BOEM protects proprietary information in accordance with FOIA and the DOI's implementing regulations.

For BOEM to consider withholding from disclosure your personally identifiable information, you must identify, in a cover letter, any information contained in your comment that, if released, would constitute a clearly unwarranted invasion of your privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm.

Even if BOEM withholds your personally identifiable information in the context of this ICR, your comment is subject to the Freedom of Information Act (FOIA) (5 U.S.C. 552). If your comment is requested under FOIA, your information will only be withheld if a determination is made that one of the FOIA exemptions to disclosure applies. Such a determination will be made in accordance with the DOI's FOIA implementing regulations (43 CFR part 2) and applicable law.

Title of Collection: 30 CFR part 551, "Geological and Geophysical (G&G) Explorations of the Outer Continental Shelf."

Abstract: This ICR concerns the paperwork requirement in the regulations in 30 CFR part 551. This request also covers Form BOEM-0327, "Requirements for Geological and Geophysical Explorations or Scientific Research on the Outer Continental Shelf."

Section 11(g) of the Outer Continental Shelf Lands Act (OCSLA), as amended (43 U.S.C. 1340(g)), authorizes the Secretary of the Interior to prescribe rules and regulations to govern the issuance of permits for G&G exploration on the Outer Continental Shelf (OCS). The OCSLA states that "any person authorized by the Secretary may

conduct geological and geophysical explorations in the OCS, which do not interfere with or endanger actual operations under any lease maintained or granted pursuant to this subchapter, and which are not unduly harmful to aquatic life in such area." It further provides that permits to conduct such activities may only be issued if it is determined that the applicant is qualified; the activities will not interfere with or endanger operations under any lease issued or maintained pursuant to OCSLA; and the activities will not be unduly harmful to aquatic life, result in pollution, create hazardous or unsafe conditions, unreasonably interfere with other uses of the area, or disturb any site, structure, or object of historical or archaeological significance.

Applicants for permits are required to submit Form BOEM-0327 to provide the information necessary to evaluate their qualifications. Upon BOEM approval of the application, respondents are issued a permit using Form BOEM-0328, "Permit for Geophysical Exploration for Mineral Resources or Scientific Research on the Outer Continental Shelf," for conducting geophysical exploration for mineral resources or scientific research, or Form BOEM-0329, "Permit for Geological Exploration for Mineral Resources or Scientific Research on the Outer Continental Shelf," for conducting geological exploration for mineral resources or scientific research. These permits are filled in by BOEM and do not incur a respondent hour burden.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and OMB Circular A-25 authorize Federal agencies to recover the full cost of services that confer special benefits. All G&G permits are subject to cost recovery, and BOEM regulations specify service fees for these requests.

Requirements for G&G Exploration or Scientific Research on the OCS are

contained in 30 CFR part 551 and are the subject of this information collection renewal. BOEM is also renewing Form BOEM-0327. This form outlines the requirements for G&G activities requiring permits and notices and contains the application that the respondent submits to BOEM for approval as well as a nonexclusive use agreement for scientific research, if applicable.

OMB Control Number: 1010-0048.

Form Number: BOEM-0327, "Requirements for Geological and Geophysical Explorations or Scientific Research on the Outer Continental Shelf."

Type of Review: Extension of a currently approved information collection.

Respondents/Affected Public: Potential respondents comprise Federal OCS oil, gas, and sulfur permittees or notice filers.

Total Estimated Number of Annual Responses: 578 responses.

Total Estimated Number of Annual Burden Hours: 21,454 hours.

Respondent's Obligation: Mandatory.

Frequency of Collection: On occasion, annual, or as specified in permit.

Total Estimated Annual Non-Hour Burden Cost: \$116,696.

The currently approved OMB paperwork burden is 35,254 annual burden hours, 688 annual responses, and the non-hour cost burden totals \$136,816. Due to a reduction in the number of annual responses to 578, the annual burden for this renewal is adjusted to 21,454 hours and the non-hour cost burden is adjusted to \$116,696. The following table details the regulatory sections containing information collections and their respective hour burden estimates. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

BURDEN TABLE

Citation 30 CFR 551	Reporting and recordkeeping requirement	Non-hour cost burden *		
		Hour burden	Average number of annual responses	Annual burden hours
30 CFR 551.1 through 551.6				
551.4(a), (b); 551.5(a), (b), (d); 551.6; 551.7.	Apply for permits (Form BOEM-0327) to conduct G&G exploration, including deep stratigraphic tests/revisions when necessary. Submit required information in manner specified.	1,000 Alaska ** 1,000 Atlantic & Pacific**. 300 GOM.	2 Applications 1 Application 55 Applications	2,000 1,000 16,500

BURDEN TABLE—Continued

Citation 30 CFR 551	Reporting and recordkeeping requirement	Non-hour cost burden *		
		Hour burden	Average number of annual responses	Annual burden hours
		58 applications × \$2,012 = \$116,696		
551.4(b); 551.5(c), (d); 551.6.	File notices to conduct scientific research activities, including notice to BOEM prior to beginning and after concluding activities.	1	1 Notice	1
551.6(b) 551.7(b)(5)	Notify BOEM if specific actions occur; report archaeological resources (no instances reported since 1982). Consult with other users.	1	1 Notice	1
Subtotal .....	.....	.....	60 responses	19,502
			\$116,696 non-hour cost burden	
30 CFR 551.7 through 551.9				
551.7; 551.8	Submit Application for Permit to Drill (APD) and Supplemental APD to BSEE.	Burden included under BSEE regulations at 30 CFR 250, Subpart D (1014–0018)		0
551.7; 551.8(b)	Submit information on test drilling activities under a permit, including required information and plan revisions (e.g., drilling plan and environmental report).	1	1 Submission	1
551.7(c)	Enter into agreement for group participation in test drilling, including publishing summary statement; provide BOEM copy of notice/list of participants (no agreements submitted since 1989).	1	1 Agreement	1
551.7(d)	Submit bond(s) on deep stratigraphic test and required securities.	Burden included under 30 CFR Part 556 (1010–0006).		0
551.8(a)	Request reimbursement for certain costs associated with BOEM inspections (no requests in many years).	1	1 Request	1
551.8(b), (c)	Submit modifications to permits, and status/final reports on, activities conducted under a permit.	38 Alaska **	2 Respondents × 10 Reports = 20.	760
		38 Atlantic & Pacific **	1 Respondents × 10 Reports = 10.	380
		2 GOM	55 Respondents × 3 Reports = 165.	330
551.9(c)	Notify BOEM to relinquish a permit.	1/2	2 Notices	1
Subtotal .....	.....	.....	200 responses	1,474
30 CFR 551.10 through 551.13				
551.10(c)	File appeals	Exempt under 5 CFR 1320.4(a)(2), (c)		0
551.11; 551.12	Notify BOEM and submit G&G data and/or information collected and/or processed by permittees, bidders, or 3rd parties, etc., including reports, logs or charts, results, analyses, descriptions, information as required, and agreements, in manner specified.	4	40 Submissions	160
551.13	Request reimbursement for certain costs associated with reproducing data/information.	2	40 Submissions	80
Subtotal .....	.....	.....	80 responses	240
30 CFR 551.14				
551.14(a), (b)	Submit comments on BOEM intent to disclose data and/or information to the public.	1	2 Comments	2
551.14(c)(2)	Submit comments on BOEM intent to disclose data and/or information to an independent contractor/agent.	1	2 Comments	2
551.14(c)(4)	Contractor/agent submits written commitment not to sell, trade, license, or disclose data and/or information without BOEM consent.	1	2 Commitments	2
551.1–551.14	General departure and alternative compliance requests not specifically covered elsewhere in part 551 regulations.	1	2 Requests	2

BURDEN TABLE—Continued

Citation 30 CFR 551	Reporting and recordkeeping requirement	Non-hour cost burden *		
		Hour burden	Average number of annual responses	Annual burden hours
Subtotal .....	.....	.....	8 responses	8
Extension for Permit Form & Recordkeeping				
551.14(b) (BOEM–0327).	Request extension of permit time period; enter agreements.	1	100 Extensions	100
	Retain G&G data/information for 10 years and make available to BOEM upon request.	1	130 Recordkeepers	130
Subtotal .....	.....	.....	230 responses	230
Total Burden ..	.....	.....	578 Responses	21,454
			\$116,696 Non-Hour Cost Burden	

* Fees are subject to modification per inflation annually.

** Burden hours for the Alaska, Atlantic, and Pacific OCS are significantly higher because of NEPA and mitigation requirements. BOEM is accounting for the total time to compile/submit the necessary information to obtain the required authorizations to acquire a BOEM permit. Survey permits under part 551 have not been issued in the Atlantic or Pacific since 2019 and 2006, respectively, however both regions currently have a pending survey permit application.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Karen Thundiyl,

Chief, Office of Regulations, Bureau of Ocean Energy Management.

[FR Doc. 2023–15059 Filed 7–14–23; 8:45 am]

BILLING CODE 4340–98–P

DEPARTMENT OF JUSTICE

[OMB Number 1140–0104]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Application for Alternate Means of Identification of Firearm(s) (Marking Variance)—ATF Form 3311.4

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice (DOJ), 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. The proposed information collection was previously published in the **Federal Register** on May 10, 2023, allowing a 60-day comment period.

DATES: Comments are encouraged and will be accepted for 30 days until August 16, 2023.

FOR FURTHER INFORMATION CONTACT: If you have 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: Daniel Hoffman, Firearms Technology Industry Services Branch, by phone at (304) 616–4300 or by email Fire_tech@atf.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and/or
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*,

permitting electronic submission of responses.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the information collection or the OMB Control Number 1140–0104. This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view Department of Justice, information collections currently under review by OMB.

DOJ 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 DOJ notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a previously approved collection.

2. *Title of the Form/Collection:* Application for Alternate Means of Identification of Firearms(s) (Marking Variance).

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the*

collection: Form Number: ATF Form 3311.4. Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Affected Public: Private Sector—for or not for profit institutions, Federal Government. Abstract: ATF Form 3311.4 provides a uniform mean for industry members with a valid Federal importer or manufacturer license, to request firearms marking variance.

5. *Obligation to Respond:* Required to obtain or retain a benefit.

6. *Total Estimated Number of Respondents:* 2,064.

7. *Estimated Time per Respondent:* 30 minutes.

8. *Frequency:* Once annually.

9. *Total Estimated Annual Time Burden:* 1,032 hours.

10. *Total Estimated Annual Other Costs Burden:* The cost burden for this portion of the collection is \$485. However, if respondents choose to submit ATF Form 3311.4 by email or fax the cost will be reduced.

If additional information is required, contact: Darwin Arceo, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, Two Constitution Square, 145 N Street NE, 4W-218 Washington, DC 20530.

Dated: July 12, 2023.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2023-15069 Filed 7-14-23; 8:45 am]

BILLING CODE 4410-14-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Resource Conservation and Recovery Act, the Clean Air Act, the Comprehensive Environmental Response, Compensation, and Liability Act, and the Emergency Planning and Community Right-To-Know Act

On July 11, 2023, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Wyoming in the lawsuit entitled *United States of America v. J.R. Simplot Company*, Civil Action No. 1:23-cv-322. If approved by the court, the consent decree would resolve the claims of the United States against J.R. Simplot Company (Simplot) for injunctive relief and civil penalties for alleged violations of the Resource Conservation and Recovery Act (RCRA); for injunctive relief and civil penalties

for alleged violations of the Clean Air Act (CAA); and for civil penalties for alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Emergency Planning And Community Right-To-Know Act (EPCRA), at Simplot's phosphoric acid and fertilizer manufacturing plant located near Pocatello, Idaho, known as the Don Plant. The consent decree would require Simplot to (1) implement compliance projects at the Don Plant; (2) comply with specified requirements for management of wastes or other materials at the facility and in the facility's phosphogypsum stack system, (3) comply with specified requirements for the eventual closure and long-term care of the facility, and provide financial assurance to cover the estimated cost of such obligations; and (4) continue groundwater and surface monitoring and reporting—monitoring and reporting that is currently required by a prior CERCLA consent decree under which Simplot also is required to implement remedial measures to address the release of hazardous substances into the environment as a result of past operations at the facility; and (5) comply with specified operational practices for air emissions controls, and replace the existing cooling towers by June 2026 with cooling pond(s) to reduce fluoride emissions into the air from the Don Plant, subject to a contingency that, if applicable, alternatively requires implementation of an EPA-approved plant to reduce fluoride emissions to the greatest extent practicable. The consent decree would also require Simplot to revise the annual Toxic Chemical Release Inventory Reporting Forms it submitted under EPCRA for years 2004–2012 to include estimates of compounds that previously were not included in those reports. In addition, the consent decree would require Simplot to pay a civil penalty of \$1.5 million. In return for Simplot's compliance with these requirements, the consent decree would resolve past RCRA, CAA, CERCLA, and EPCRA violations at the Don Plant that the United States' complaint alleges. Provided that Simplot remains in compliance with consent decree's requirements for the management of wastes or other materials, under the consent decree the United States would also covenant not to sue Simplot under RCRA for its management of wastes or other materials at the Don Plant facility.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney

General, Environment and Natural Resources Division, and should refer to *United States of America v. J.R. Simplot Company*, D.J. Ref. No. 90–7–1–08388/23. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	pubcomment-ees.enrd@usdoj.gov.
By mail	Assistant Attorney General U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: <http://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$127.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the Appendices and signature pages, the cost is \$18.25.

Kathryn C. Macdonald,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2023-15046 Filed 7-14-23; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

[Application Number L-11989]

Proposed Exemption for Certain Prohibited Transactions Involving the Association of Washington Business (AWB) HealthChoice Employee Benefits Trust Located in Olympia, Washington

AGENCY: Employee Benefits Security Administration, Labor.

ACTION: Notice of proposed exemption; extension of comment period.

SUMMARY: The Department of Labor (the Department) is extending the comment period for the proposed individual exemption for certain prohibited transactions involving the Association

of Washington Business (AWB) HealthChoice Employee Benefits Trust (the proposed exemption). As discussed in the **DATES** section below, the Department is extending the comment period through August 14, 2023.

DATES: Written comments and requests for a public hearing on the proposed exemption must be received by the Department by August 14, 2023.

ADDRESSES: All written comments and requests for a hearing should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, Attention: Application No. L-11989 via email to OED@dol.gov or online through <https://www.regulations.gov>. Any such comments or requests should be sent by the end of the scheduled comment period. The application for the exemption and the comments received will be available for public inspection in the Public Disclosure Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N-1515, 200 Constitution Avenue NW, Washington, DC 20210. Comments and hearing requests will also be available online at <https://www.regulations.gov> at no charge. See **SUPPLEMENTARY INFORMATION** below for additional information regarding comments.

FOR FURTHER INFORMATION CONTACT: Susan Wilker, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor, (202) 693-8557 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On June 14, 2023, the Department published the proposed exemption in the **Federal Register** (87 FR 14197). The proposal established a July 31, 2023, deadline for the public to submit comments. The Department has been informed that AWB had to redistribute its notice to interested parties package due to an incomplete first distribution. Therefore, the Department is extending the proposed exemption's comment period until August 14, 2023, to provide additional time for interested parties to prepare and submit their comments.

Persons are encouraged to submit all comments electronically and not to send paper copies. Comments should state the nature of the person's interest in the proposed exemption and how the person would be adversely affected by the exemption, if granted. Any person who may be adversely affected by an exemption can request a hearing on the exemption. A request for a hearing must state: (1) The name, address, telephone number, and email address of the person making the request; (2) the

nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption; and (3) a statement of the issues to be addressed and a general description of the evidence to be presented at the hearing. The Department will grant a request for a hearing made in accordance with the requirements above where a hearing is necessary to fully explore material factual issues identified by the person requesting the hearing. A notice of such hearing shall be published by the Department in the **Federal Register**. The Department may decline to hold a hearing if: (1) the request for the hearing does not meet the requirements above; (2) the only issues identified for exploration at the hearing are matters of law; or (3) the factual issues identified can be fully explored through the submission of evidence in written (including electronic) form.

Warning: All comments received will be included in the public record without change and may be made available online at <https://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be confidential or other information whose disclosure is restricted by statute. If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as a Social Security number or an unlisted phone number) or confidential business information that you do not want publicly disclosed. However, if EBSA cannot read your comment due to technical difficulties and cannot contact you for clarification, EBSA might not be able to consider your comment.

Additionally, the <https://www.regulations.gov> website is an "anonymous access" system, which means EBSA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EBSA without going through <https://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the internet.

Signed at Washington, DC.

George Christopher Cosby,
Director, Office of Exemption Determinations,
Employee Benefits Security Administration,
U.S. Department of Labor.

[FR Doc. 2023-15018 Filed 7-14-23; 8:45 am]

BILLING CODE 4510-29-P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Loans to Plan Participants and Beneficiaries Who Are Parties in Interest With Respect to the Plan Regulation

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-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 16, 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 collected information will be used by plan participants and beneficiaries wishing to obtain plan loans. It also will be used by plan administrators in administering their plans' loan program. The Department also will use the information in any enforcement proceedings regarding plan loans. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 8, 2023 (88 FR 8317).

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–EBSA.

Title of Collection: Loans to Plan Participants and Beneficiaries Who Are Parties in Interest with Respect to the Plan Regulation.

OMB Control Number: 1210–0076.

Affected Public: Private Sector—Businesses or other for-profits; Not-for-profit Institutions.

Total Estimated Number of Respondents: 2,606.

Total Estimated Number of Responses: 2,606.

Total Estimated Annual Time Burden: 7,818 hours.

Total Estimated Annual Other Costs Burden: \$0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,
Senior PRA Analyst.

[FR Doc. 2023–15019 Filed 7–14–23; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board's (NSB) Committee on Oversight hereby gives notice of the scheduling of a videoconference meeting for the transaction of National Science Board business pursuant to the National Science Foundation Act and the Government in the Sunshine Act.

TIME AND DATE: Wednesday, July 19, 2023, from 10:30–11:30 a.m. EDT.

PLACE: This meeting will be held by videoconference through the National Science Foundation. Members of the public can observe this meeting through a YouTube livestream. The YouTube link is: <https://www.youtube.com/watch?v=uF2jekmarNU>.

STATUS: Open.

MATTERS TO BE CONSIDERED: The agenda of the meeting is: Committee Chair's opening remarks; Presentation/discussion of NSF Enterprise Risk Management system; Discussion of Commission agenda planning; and Committee Chair's closing remarks.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: (Chris Blair, cblair@nsf.gov), 703/292–7000.

Christopher Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2023–15151 Filed 7–13–23; 11:15 am]

BILLING CODE 7555–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. CP2023–100; MC2023–182 and CP2023–186]

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 18, 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:

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- 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):* CP2023–100; *Filing Title:* USPS Notice of Amendment to Parcel Select Contract 57, Filed Under Seal; *Filing Acceptance Date:* July 10, 2023; *Filing Authority:* 39 CFR 3035.105; *Public Representative:* Kenneth R. Moeller; *Comments Due:* July 18, 2023.

2. *Docket No(s):* MC2023–182 and CP2023–186; *Filing Title:* USPS Request to Add First-Class Package Service & Parcel Select Contract 5 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* July 10, 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 18, 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. 2023–15025 Filed 7–14–23; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–37, OMB Control No. 3235–0031]

Proposed Collection; Comment Request; Extension: Rule 17f–2(e)

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (“PRA”) (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) is soliciting comments on the existing collection of information provided for in Rule 17f–2(e) (17 CFR 240.17f–2(e)), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (“OMB”) for extension and approval.

Rule 17f–2(e) requires every member of a national securities exchange, broker, dealer, registered transfer agent, and registered clearing agency (“covered entities”) claiming an exemption from the fingerprinting requirements of Rule 17f–2 to make and keep current a statement entitled “Notice Pursuant to Rule 17f–2” (“Notice”) containing the information specified in paragraph (e)(1) to support their claim of exemption.

Rule 17f–2(e) contains no filing requirement. Instead, paragraph (e)(2) requires covered entities to keep a copy of the Notice in an easily accessible place at the organization’s principal office and at the office employing the persons for whom exemptions are claimed and to make the Notice available upon request for inspection by the Commission, appropriate regulatory agency (if not the Commission) or other designated examining authority. Notices prepared pursuant to Rule 17f–2(e) must be maintained for different lengths of time depending on the type of entity maintaining the Notice. Under Rule 240.17a–1, every registered clearing agency must keep and preserve at least one copy of all documents made or received by it in the course of its business for a period of not less than five years. Under Rule 240.17a–4 certain members of national securities

exchanges, brokers, and dealers must maintain the Notice during the life of their enterprise. Under Rule 240.17Ad–7, registered transfer agents must maintain the Notice in an easily accessible place. The recordkeeping requirement under Rule 17f–2(e) assists the Commission and other regulatory agencies with ensuring compliance with Rule 17f–2.

We estimate that approximately 75 respondents will incur an average burden of 30 minutes per year to comply with this rule, which represents the time it takes for a staff person at a covered entity to properly document a claimed exemption from the fingerprinting requirements of Rule 17f–2 in the required Notice and to properly retain the Notice according to the entity’s record retention policies and procedures. The total annual burden for all covered entities is approximately 38 hours (75 entities × .5 hours, rounded up).

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission’s estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted by September 15, 2023.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: PRA_Mailbox@sec.gov.

Dated: July 12, 2023.

J. Matthew DeLesDernier,

Deputy Secretary.

[FR Doc. 2023–15074 Filed 7–14–23; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2 p.m. on Thursday, July 20, 2023.

PLACE: The meeting will be held via remote means and/or at the Commission’s headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

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.sec.gov>.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION:

For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

(Authority: 5 U.S.C. 552b)

Dated: July 13, 2023.

Vanessa A. Countryman,
Secretary.

[FR Doc. 2023–15165 Filed 7–13–23; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34960; File No. 812-15465]

PACE Select Advisors Trust, et al.

July 12, 2023.

AGENCY: Securities and Exchange Commission (“Commission” or “SEC”).

ACTION: Notice.

Notice of an application under Section 6(c) of the Investment Company Act of 1940 (“Act”) for an exemption from Section 15(c) of the Act.

SUMMARY OF APPLICATION: The requested exemption would permit a Trust’s board of trustees to approve new sub-advisory agreements and material amendments to existing sub-advisory agreements without complying with the in-person meeting requirement of Section 15(c) of the Act.

APPLICANTS: PACE Select Advisors Trust, UBS Series Funds, The UBS Funds, U.S. Monthly Income Fund For Puerto Rico Residents, Inc., Short Term Investment Fund For Puerto Rico Residents, Inc., Multi-Select Securities Fund For Puerto Rico Residents, UBS Asset Management (Americas) Inc., and UBS Asset Managers of Puerto Rico, a division of UBS Trust Company of Puerto Rico.

FILING DATES: The application was filed on May 10, 2023, and amended on June 23, 2023.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing on any application by emailing the SEC’s Secretary at *Secretaries-Office@sec.gov* and serving the Applicants with a copy of the request by email, if an email address is listed for the relevant Applicant below, or personally or by mail, if a physical address is listed for the relevant Applicant below. Hearing requests should be received by the Commission by 5:30 p.m. on August 7, 2023, and should be accompanied by proof of service on the 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 emailing the Commission’s Secretary.

ADDRESSES: The Commission: *Secretaries-Office@sec.gov*. Applicant: Keith A. Weller, Esq., UBS Asset

Management (Americas) Inc., One North Wacker Drive, Chicago, Illinois 60606; with copies to: Stephen H. Bier, Esq. and Philip T. Hinkle, Esq., Dechert LLP, Three Bryant Park, 1095 Avenue of the Americas, New York, New York 10036.

FOR FURTHER INFORMATION CONTACT:

Trace W. Rakestraw, Senior Special Counsel, at (202) 551-6825 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION: For Applicants’ representations, legal analysis, and conditions, please refer to Applicants’ amended application, dated June 23, 2023, which may be obtained via the Commission’s website by searching for the file number at the top of this document, or for an Applicant using the Company name search field, on the SEC’s EDGAR system.

The SEC’s EDGAR system may be searched at <http://www.sec.gov/edgar/searchedgar/legacy/companysearch.html>. You may also call the SEC’s Public Reference Room at (202) 551-8090.

For the Commission, by the Division of Investment Management, under delegated authority.

J. Matthew DeLesDernier,
Deputy Secretary.

[FR Doc. 2023-15063 Filed 7-14-23; 8:45 am]

BILLING CODE 8011-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice With Respect to List of Countries Denying Fair Market Opportunities for Government-Funded Airport Construction Projects

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The U.S. Trade Representative has determined not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

FOR FURTHER INFORMATION CONTACT: Kate Psillos, Deputy Assistant U.S. Trade Representative for WTO and Multilateral Affairs, *Kathryn.W.Psillos@ustr.eop.gov* or 202-395-9581, or Edward Marcus, Assistant General Counsel, *Edward.D.Marcus@ustr.eop.gov* or 202-395-0448.

SUPPLEMENTARY INFORMATION: Section 533 of the Airport and Airway Improvement Act of 1982, as amended by section 115 of the Airport and Airway Safety and Capacity Expansion

Act of 1987, Public Law 100-223 (codified at 49 U.S.C. 50104), requires the U.S. Trade Representative to decide whether any foreign country has denied fair market opportunities to U.S. products, suppliers, or bidders in connection with airport construction projects of \$500,000 or more that are funded in whole or in part by the government of such country. The Office of the United States Trade Representative has not received any complaints or other information indicating that U.S. products, suppliers, or bidders are being denied fair market opportunities in such airport construction projects. As a consequence, the U.S. Trade Representative has decided not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

Greta Peisch,

General Counsel, Office of the United States Trade Representative.

[FR Doc. 2023-15087 Filed 7-14-23; 8:45 am]

BILLING CODE 3390-F3-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

Notice of United States Shipwreck Custody and Control; Protecting Sunken Vessels and Cargo

AGENCY: Maritime Administration (MARAD), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: This notice serves to inform the public that United States custody and control extends to any shipwreck of a vessel that at the time of its sinking was owned or under charter of MARAD or one of its predecessor agencies. United States custody and control also extends by right of subrogation to shipwreck cargoes, as the loss of which was covered and paid for by insurance programs administered by MARAD or by one of its predecessor agencies. MARAD’s predecessor agencies include the United States Shipping Board, the Emergency Fleet Corporation, the Merchant Fleet Corporation, the Shipping Board of the U.S. Department of Commerce, the War Shipping Administration, and the United States Maritime Commission. MARAD is authorized to protect the property interests of the United States government and to protect the war graves associated with all such shipwrecks. Pursuant to its authority, on behalf of the United States, MARAD

does not consent to the salvage of such shipwrecks and or their cargoes.

Those engaging in unauthorized activities involving shipwrecks and cargoes in MARAD's custody or control whether located in the waters of the United States, a foreign nation, or in international waters are advised that no disturbance or recovery from these shipwrecks or their cargoes may legally take place without the express permission of MARAD.

FOR FURTHER INFORMATION CONTACT:

Wendy Coble, MARAD History Program, 202-366-8988, or via email at marad.history@dot.gov. Office hours are from 9:00 a.m. to 5:00 p.m., E.T., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Shipwrecks in the custody and or control of MARAD are highly threatened by illegal salvage. MARAD custody and control extends to any shipwreck of a vessel at the time of its sinking that was owned by or under charter of MARAD or one of its predecessor agencies. MARAD custody and control also extends by right of subrogation to shipwreck cargoes, as the loss of which was covered and paid for by insurance programs administered by MARAD or by one of its predecessor agencies. MARAD's predecessor agencies are the United States Shipping Board, the Emergency Fleet Corporation, the Merchant Fleet Corporation, the Shipping Board of the U.S. Department of Commerce, the War Shipping Administration, and the United States Maritime Commission.

Pursuant to the property clause of Article IV of the Constitution, the United States' title is indefinite in its property, including shipwrecks and government-owned cargoes, unless title has been abandoned or transferred in a manner authorized or directed by Congress. Title to property of the United States, even when sunk, is not extinguished by passage of time or location, regardless of when and where such vessel was lost.

MARAD is authorized to protect the property interests of the United States government subject to its custody and or control including all appropriate means of historic and environmental preservation. MARAD is also authorized to protect the war graves associated with shipwrecks. Those engaging in unauthorized activities involving shipwrecks and cargoes belonging to MARAD or those vessels of MARAD's predecessor agencies are advised that no disturbance or recovery from said

shipwrecks or cargoes can legally take place without the express permission of MARAD. The United States will use its authority to protect and preserve its shipwrecks and their cargoes whether located in the waters of the United States, a foreign nation, or in international waters.

MARAD's written consent must be given before any activity can commence at a MARAD shipwreck site. Please note that while MARAD prefers non-intrusive, *in situ* research, it recognizes that in certain situations disturbance or artifact recovery may be justified or become necessary. To obtain MARAD's consent for any activity, you must send a written request to the address provided in the **FOR FURTHER INFORMATION CONTACT** section above. Your request must provide your contact information and details regarding the goals of the activities proposed to be permitted, the dates and locations the activities are proposed to be performed, and a description of the activities to be performed with the methodologies being considered for such activities. Any permission from MARAD will be issued in writing.

(Authority: 46 U.S.C. 57111; 49 CFR 1.93(a))

By order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2023-15032 Filed 7-14-23; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List) based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT:

OFAC: Andrea Gacki, Director, tel.: 202-622-2490; Associate Director for Global Targeting, tel.: 202-622-2420;

Assistant Director for Licensing, tel.: 202-622-2480; Assistant Director for Regulatory Affairs, tel.: 202-622-4855; or the Assistant Director for Sanctions Compliance & Evaluation, tel.: 202-622-2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List and additional information concerning OFAC sanctions programs are available on OFAC's website (<https://ofac.treasury.gov>).

Notice of OFAC Actions

On July 12, 2023, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

1. PEREZ SALAS, Nestor Isidro (a.k.a. "Chicken Little"; a.k.a. "GARCIA, Nestor Isidro"; a.k.a. "Nini"), Mexico; DOB 09 Mar 1992; POB Baja California, Mexico; nationality Mexico; Gender Male; C.U.R.P. PESN920309HBCRLS03 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

2. LIMON ELENES, Jeuri (a.k.a. "Fox"; a.k.a. "Prude"; a.k.a. "Royal Nuevo"; a.k.a. "Rzr"), Mexico; DOB 28 Apr 1976; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. LIEJ760428HSLMLR02 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

3. LOPEZ PEREZ, Noel, Mexico; DOB 21 May 1980; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. LOPN800521HSLPRL00 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to,

the international proliferation of illicit drugs or their means of production.

4. PAEZ LOPEZ, Ricardo, Mexico; DOB 02 Oct 1992; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. PALR921002HSLZPC09 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

5. ZAMUDIO LERMA, Daniel, Mexico; DOB 07 Sep 1968; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. ZALD680907HSLMRN05 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(b)(ii) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for being or having been a leader or official of a person sanctioned pursuant to E.O. 14059.

6. ZAMUDIO LERMA, Jorge Alberto, Mexico; DOB 29 Jan 1967; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. ZALJ670129HSLMRR03 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(b)(ii) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for being or having been a leader or official of a person sanctioned pursuant to E.O. 14059.

7. ZAMUDIO LERMA, Angel Guillermo, Mexico; DOB 17 Nov 1969; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. ZALA691117HSLMRN03 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(b)(ii) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for being or having been a leader or official of a person sanctioned pursuant to E.O. 14059.

8. DE LEON BECERRA, Eliseo, Calle 16 de Septiembre 109, Int. 5, San Jeronimo Chicahualco, Metepec, Estado de Mexico, Mexico; DOB 04 Nov 1989; POB Toluca, Mexico; nationality Mexico; Gender Male; C.U.R.P. LEBE891104HMCNCL02 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(b)(ii) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for being or having been a leader or official of a person sanctioned pursuant to E.O. 14059.

9. VALDEZ FERNANDEZ, Dora Vanessa, Fray Bernardino de Sahagun 3198, Culiacan, Sinaloa 80240, Mexico; Benito Juarez 820, Culiacan, Sinaloa 80000, Mexico; DOB 08

Nov 1972; POB Durango, Mexico; nationality Mexico; Gender Female; C.U.R.P. VAFD721108MDGLRR06 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

10. MEDINA GONZALEZ, Oscar Noe (a.k.a. "El Panu"; a.k.a. "Pan"; a.k.a. "Panu"), Mexico; DOB 11 May 1983; POB Sinaloa, Mexico; nationality Mexico; Gender Male; C.U.R.P. MEGO830511HSLDNS01 (Mexico) (individual) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

Entity

11. REI COMPANIA INTERNACIONAL, S.A. DE C.V. (a.k.a. REI COMPANIA INTERNACIONAL, S.A. DE C.V.), Avenida Tecnologico Norte 735, Metepec, Estado de Mexico C.P. 52172, Mexico; Metepec, Estado de Mexico, Mexico; Organization Established Date 26 Jul 2019; R.F.C. RIN190726CM3 (Mexico); Folio Mercantil No. N-2019064854 (Mexico) [ILLICIT-DRUGS-EO14059].

Designated pursuant to section 1(a)(i) of Executive Order 14059 of December 15, 2021, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," 86 FR 71549 (December 17, 2021) (E.O. 14059) for having engaged in, or attempted to engage in, activities or transactions that have materially contributed to, or pose a significant risk of materially contributing to, the international proliferation of illicit drugs or their means of production.

Dated: July 12, 2023.

Andrea M. Gacki,

*Director, Office of Foreign Assets Control,
U.S. Department of the Treasury.*

[FR Doc. 2023-15034 Filed 7-14-23; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Superfund Tax on Chemical Substances; Request To Modify List of Taxable Substances; Notice of Filing for Methyl Ethyl Ketoxime

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of filing and request for comments.

SUMMARY: This notice of filing announces that a petition has been filed pursuant to Rev. Proc. 2022-26 (2022-29 I.R.B. 90), *as modified by* Rev. Proc. 2023-20 (2023-15 I.R.B. 636), requesting that methyl ethyl ketoxime be added to the list of taxable substances under section 4672(a) of the Internal Revenue Code (List). This notice of filing also requests comments on the petition. This notice of filing is not a determination that the List is modified.

DATES: Written comments and requests for a public hearing must be received on or before September 15, 2023.

ADDRESSES: Commenters are encouraged to submit public comments or requests for a public hearing relating to this petition electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (indicate public docket number IRS-2023-0032 or methyl ethyl ketoxime) by following the online instructions for submitting comments. Comments cannot be edited or withdrawn once submitted to the Federal eRulemaking Portal. Alternatively, comments and requests for a public hearing may be mailed to: Internal Revenue Service, Attn: CC:PA:LPD:PR (Notice of Filing for Methyl Ethyl Ketoxime), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. All comments received are part of the public record and subject to public disclosure. All comments received will be posted without change to www.regulations.gov, including any personal information provided. You should submit only information that you wish to make publicly available. If a public hearing is scheduled, notice of the time and place for the hearing will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Camille Edwards Bennehoff at (202) 317-6855 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Request To Add Substance to the List

(a) *Overview.* The petition requesting the addition of methyl ethyl ketoxime to the List is based on weight and contains the information detailed in paragraph (b) of this section. The information is provided for public notice and comment pursuant to section 9 of Rev. Proc. 2022-26. The publication of petition content in this notice of filing does not constitute Department of the Treasury or IRS confirmation of the accuracy of the information published.

(b) *Petition Content.*

(1) *Substance name*: Methyl ethyl ketoxime (MEKO).

(2) *Petitioner*: AdvanSix Inc., an exporter of methyl ethyl ketoxime.

(3) *Proposed classification numbers*:

(i) *HTSUS number*: 2928.00.10.

(ii) *Schedule B number*: 2928.00.1000.

(iii) *CAS number*: 96–29–7.

(4) *Petition filing date*: July 10, 2023.

(5) *Petition filing date for purposes of section 11.02 of Rev. Proc. 2022–26, as modified by section 3 of Rev. Proc. 2023–20*: January 1, 2023.

(6) *Description of petition*: According to the petition, MEKO is a clear liquid and a high-efficiency, anti-skinning agent that is used for air-drying paints, inks, and coatings. The vast majority of the production of MEKO is by the conventional method developed in the late 1960s, via a route that involves condensation of methyl ethyl ketone with a hydroxylamine salt in the presence of a base. More specifically, methyl ethyl ketone is oximated with Raschig hydroxylamine to yield MEKO. More recently a “peroxide route” was developed and thought to provide a more selective production of MEKO. The peroxide route involves the liquid-phase ammoxidation of methyl ethyl ketone with H₂O₂, and ammonia, over Ti-MWW catalyst. Because of incumbent systems already in use, this peroxide route method is not widely adapted.

MEKO is made from ammonia, sulfuric acid, and butylene; however, sulfuric acid is cancelled from the stoichiometric material consumption equation due to no net consumption/production. The percent of MEKO produced with taxable chemicals is 39.97, by weight, of all materials used in the production of MEKO.

(7) *Process identified in petition as predominant method of production of substance*: The conventional method developed in the late 1960s, via a route that involves condensation of methyl ethyl ketone with a hydroxylamine salt in the presence of a base. More specifically, methyl ethyl ketone is oximated with Raschig hydroxylamine to yield MEKO.

(8) *Stoichiometric material consumption equation, based on process identified as predominant method of production*:

C₄H₈ (butylene) + 5 NH₃ (ammonia) + 2 H₂O (water) + 1.5 O₂ (oxygen) + 2 SO₂ (sulfur dioxide) → C₄H₉ON (methyl ethyl ketoxime) + 2 (NH₄)₂SO₄ (ammonium sulfate) + H₂ (hydrogen)

(9) *Tax rate calculated by Petitioner, based on Petitioner’s conversion factors for taxable chemicals used in production of substance*:

(i) *Tax rate*: \$11.41 per ton.

(ii) *Conversion factors*: 0.98 for ammonia; 0.64 for butylene.

(10) *Public docket number*: IRS–2023–0032.

Michael Beker,

Senior Counsel (Passthroughs and Special Industries), IRS Office of Chief Counsel.

[FR Doc. 2023–15020 Filed 7–14–23; 8:45 am]

BILLING CODE P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0877]

Agency Information Collection Activity: Freedom of Information Act (FOIA) or Privacy Act (PA) Request, Priority Processing Request, and Document/Evidence Submission

AGENCY: Veterans Benefits Administration; Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veteran Benefits Administration, 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. 2900–0877.”

FOR FURTHER INFORMATION CONTACT:

Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 810 Vermont Ave. NW, Washington, DC 20420, (202) 266–4688 or email maribel.aponte@va.gov. Please refer to “OMB Control No. 2900–0877” in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: Public Law 104–13; 44 U.S.C. 3501–21.

Title: Freedom of Information Act (FOIA) or Privacy Act (PA) Request (VA Form 20–10206), Priority Processing Request (VA Form 20–10207) and Document/Evidence Submission (VA Form 20–10208).

OMB Control Number: 2900–0877.

Type of Review: Revision.

Abstract: Under Title 38, U.S.C., section 3702, authorizes collection of this information to help determine the release of liability and substitution of entitlement. 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.

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 insert citation date: 88 FR 10345 on May 15, 2023, pages 31099–31100.

Affected Public: Individuals or Households.

Estimated Annual Burden: 13,230 hours.

Estimated Average Burden per Respondent: 6 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 132,301.

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. 2023–15017 Filed 7–14–23; 8:45 am]

BILLING CODE 8320–01–P



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Part II

Department of Housing and Urban
Development

Announcement of Funding Awards; December 2022; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-6311-N-02]****Announcement of Funding Awards; December 2022****AGENCY:** Office of Chief Financial Officer, HUD.**ACTION:** Notice.

SUMMARY: In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this announcement notifies the public of funding decisions made by the Department in competitions for funding under the Notices of Funding Opportunity (NOFOs) and Notices for the following program(s): FY2020 and FY2021 Community Compass Technical Assistance and Capacity Building Program [Round 3], Housing Opportunities for Persons With AIDS (HOPWA) Competitive Grant Funding, FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 1), FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 2), FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 3), FY2021 Lead Hazard Reduction Grant Program (Round 1), FY2021 Lead Hazard Reduction Grant Program (Round 2), FY2021 Radon Testing and Mitigation Demonstration for Public Housing, FY2021 Older Adult Home Modification Grant Program, FY2021 Healthy Homes Production Grant Program, FY2021 Tribal HUD VASH Expansion, FY2022 Tribal HUD VASH Renewals (PIH-Notice), FY 2022 Public Housing Operating Fund Shortfall Funding, Mainstream Vouchers—Non-Competitive Opportunity for Additional Vouchers Authorized by the CARES Act and Extraordinary Administrative Funding, FY2021 Indian Housing Block Grant (IHBG) Competitive, FY 2019 and 2020 Section 8 Housing Choice Vouchers: Implementation of the Housing Choice Voucher Mobility Demonstration, and FY 2021 Choice Neighborhoods Implementation Grants.

FOR FURTHER INFORMATION CONTACT: Dorthera Yorkshire, Director, Grants Management and Oversight, Office of the Chief Financial Officer (Systems), Grants Management and Oversight at AskGMO@hud.gov; telephone (202) 402-4336 or the contact person listed in each appendix.

SUPPLEMENTARY INFORMATION: HUD posted FY2020 and FY2021 Community

Compass Technical Assistance and Capacity Building Program [Round 3] on [grants.gov](https://www.grants.gov) July 23, 2020, (FR-6400-N-06). The competition closed on September 23, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$72,515,411.40 to 22 recipients to build the capacity of HUD's technical assistance customer organizations to deploy HUD-funded programs and initiatives effectively and in compliance with associated rules and regulations.

HUD posted the FY2020 Housing Opportunities for Persons With AIDS (HOPWA) Competitive Grant: Housing as an Intervention to Fight AIDS NOFO on [grants.gov](https://www.grants.gov) April 14, 2021, (FR-6400-N-11). The competition closed on July 6, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$40,468,421 to 20 recipients to provide communities an opportunity to create and implement new projects that align with initiatives aimed at ending the HIV/AIDS epidemic and elevate housing as an effective structural intervention in ending the epidemic.

HUD posted FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 1) Program on [grants.gov](https://www.grants.gov) July 19, 2021 (FR-6500-N-78C). The competition closed on August 18, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$13,642,336.88 to 51 recipients to conduct enforcement activities to prevent or eliminate discriminatory housing practices and inform individuals of their rights and responsibilities under the Fair Housing Act.

In keeping with Congress's intent in enacting the American Rescue Plan, applicants proposed new fair housing projects relating to discrimination arising in connection with the pandemic or focusing on sustaining core fair housing enforcement and education activities. Fair Housing Initiatives Program-Private Enforcement Initiative (PEI) Component accepted applications from eligible PEI organizations seeking support for fair housing enforcement activities that are connected to or adversely impacted by the coronavirus pandemic. Through this funding opportunity, HUD awarded grants to Qualified Fair Housing Enforcement Organizations (QFHO) and Fair Housing Enforcement Organizations (FHO) to help them continue to advance their mission during the interruption of their

operation due to the coronavirus pandemic.

HUD posted FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 2) Program on [grants.gov](https://www.grants.gov) November 30, 2021 (FR-6500-N-78C). The competition closed on December 30, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$2,497,310 to 11 recipients to carry out enforcement activities to prevent or eliminate discriminatory housing practices and inform individuals of their rights and responsibilities under the Fair Housing Act. Under fiscal year 2021, FHIP funded the American Rescue Plan (ARP) Private Enforcement Initiative (PEI).

The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic.

HUD posted FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 3) Program on [grants.gov](https://www.grants.gov) April 5, 2022 (FR-6500-N-78C). The competition closed on May 5, 2022. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$125,000 to 1 recipient to carry out enforcement activities to prevent or eliminate discriminatory housing practices and inform individuals of their rights and responsibilities under the Fair Housing Act. Under fiscal year 2021, FHIP funded the American Rescue Plan (ARP) Private Enforcement Initiative (PEI).

The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic.

HUD posted FY2021 Lead Hazard Reduction Grant Program (Round 1) on [grants.gov](https://www.grants.gov) May 28, 2021 (FR-6400-N-13). The competition closed on July 12, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$107,837,788.03 (Lead \$94,363,895.03 and Healthy Homes Supplement \$13,473,893.00) to 31 recipients to maximize the number of children under the age of six protected from lead poisoning.

HUD posted FY2021 Lead Hazard Reduction Grant Program (Round 2) on [grants.gov](https://www.grants.gov) August 27, 2021 (FR-6400-N-13). The competition closed on

September 27, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$13,159,142 (Lead \$11,871,709 and Healthy Homes Supplement \$1,287,433) to 3 recipients to maximize the number of children under the age of six protected from lead poisoning.

HUD posted FY2021 Radon Testing and Mitigation Demonstration for Public Housing Program on *grants.gov* January 25, 2022 (FR-6500-N-80). The competition closed on March 28, 2022. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$3,982,295.44 to 9 recipients to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon in the units that they manage and to support the development of a plan for future testing and mitigation.

HUD posted FY2021 Older Adult Home Modification Grant Program on *grants.gov* March 2, 2021 (FR-6400-N-69). The competition closed on May 18, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$30,000,000 to 32 recipients to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home.

HUD posted FY2021 Healthy Homes Production Grant Program on *grants.gov* August 4, 2021 (FR-6500-N-44). The competition closed on September 21, 2021. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$104,784,753.10 to 60 recipients to identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside.

HUD posted FY2021 Tribal HUD VASH Expansion Program on *grants.gov* October 29, 2021 (FR-6400-N-73). The competition closed January 24, 2022. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$841,113 to 3 recipients to combine

rental assistance and administrative fees from HUD with case management, clinical and supportive services provided by the Department of Veterans Affairs, specifically for Native American Veterans who are homeless or at risk of homelessness.

HUD posted FY2022 Tribal HUD VASH Renewals (PIH-Notice) on *grants.gov* April 6, 2022 (PIH Notice 2022-08). The competition closed May 27, 2022. HUD rated and selected for funding based on selection criteria contained in the NOTICE. This competition awarded \$9,237,868 to 28 recipients to combine rental assistance and administrative fees from HUD with case management, clinical and supportive services provided by Veterans Affairs specifically for Native American Veterans who are homeless or at risk of homelessness.

HUD posted FY 2022 Public Housing Operating Fund Shortfall Funding Program on *grants.gov* June 13, 2022 (PIH Notice 2022-17). The competition closed July 12, 2022. HUD rated and selected for funding based on selection criteria contained in the NOTICE. This competition awarded \$25,000,000 to 181 recipients to provide financial assistance to PHAs that are experiencing a financial shortfall.

HUD posted Mainstream Vouchers—Non-Competitive Opportunity for Additional Vouchers Authorized by the CARES Act and Extraordinary Administrative Funding on *grants.gov* April 6, 2022 (PIH Notice 2022-07). The opportunity closed on May 6, 2022. HUD rated and selected for funding based on selection criteria contained in the NOTICE. This Notice awarded \$36,022,633.72 in extraordinary administrative fees) to 218 recipients to serve a special population of households. Mainstream Vouchers serve households that include a non-elderly person(s) with disabilities, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old.

HUD posted the FY2021 Indian Housing Block Grant (IHBG) Competitive Program NOFO on *grants.gov* August 24, 2021 (FR-6500-N-48). The application submission due date was January 4, 2022. The IHBG Competitive program, encourages new affordable housing construction projects to increase the number of housing units available for low-income Indian families and help address housing shortages in Indian communities. Additionally, HUD encourages housing rehabilitation

projects that will increase the useful life of existing housing units and alleviate substandard housing conditions. HUD also encourages the acquisition of existing housing units that increase housing stock and necessary affordable housing-related infrastructure projects that will enable future construction or rehabilitation. HUD rated and selected applications for funding based on selection criteria contained in the NOFO. This competition awarded \$115,751,859 to 28 recipients to fund new construction housing units.

HUD posted FY 2019 and 2020 Section 8 Housing Choice Vouchers: Implementation of the Housing Choice Voucher Mobility Demonstration Program in the **Federal Register** July 15, 2020 (FR-6191-N-01). The competition closed on February 1, 2020. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$45,730,150 to 13 recipients to provide over 10,000 families with children better access to low-poverty neighborhoods with high-performing schools and other strong community resources. To increase the number of voucher families with children living in opportunity areas, PHAs will provide mobility-related services, including pre-move support and housing search assistance, landlord outreach and support, family financial assistance, landlord financial incentives and post-move supports. The Demonstration will face a rigorous, independent evaluation to determine what services are most effective at helping families move to opportunity areas.

HUD posted FY 2021 Choice Neighborhoods Implementation Grants Program on *grants.gov* November 17, 2021, (FR-6500-N-34). The competition closed on February 15, 2022. HUD rated and selected for funding based on selection criteria contained in the NOFO. This competition awarded \$180,000,000 to 4 recipients to redevelop severely distressed public and HUD-assisted housing. Grantees leverage significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and stakeholders, such as public housing authorities, cities, schools, police, business owners,

nonprofits, and private developers, come together to create and implement a plan that revitalizes distressed HUD housing and addresses the challenges in the surrounding neighborhood.

In accordance with section 102(a)(4)(C) of the Department of

Housing and Urban Development Reform Act of 1989 (103 Stat. 1987, 42 U.S.C. 3545(a)(4)(C)), the Department is publishing the awardees and the

amounts of the awards in Appendices A–Q of this document.

Dorthera Yorkshire,

*Director, Grants Management and Oversight,
Office of the Chief Financial Officer.*

Appendix A

**FY2020 and FY2021 Community Compass
Technical Assistance and Capacity Building
Program [Round 3]. (FR-6400-FA-06)**

Contact: Stephanie Stone, (202)–402–7418.

Legal name	Street address	City	St	Zip code	Award type**	FY20 P.L. 116-94 funding total (NHDAP, YHAP)	FY21 P.L. 116-260 funding totals	FY21 P.L. 117-2 funding totals (ARP)	FY21 P.L. 117-2 funding totals (CDC interagency agreement)	FY22 P.L. 117-43 funding totals (CDBG-DR)	Total per provider
ICF Incorporated, L.L.C.	9300 Lee Highway	Fairfax	VA	22031	CDATFH-IMY	\$28,000.00	\$14,924,460.00	\$250,000.00	.....	\$1,500,000.00	\$16,702,460.00
Technical Assistance Collaborative.	15 Court Square, 11th floor.	Boston	MA	02108	CJMY	1,640,942.00	3,455,000.00	.....	425,320.00	.....	5,521,262.00
Cloudburst Consulting Group, Inc.	8400 Corporate Drive, Suite 550.	Landover	MD	20785	CDFHJM	.....	4,959,300.00	.....	440,000.00	1,250,000.00	6,649,300.00
Corporation for Supportive Housing.	61 Broadway, Suite 2300.	New York	NY	10006	CDHYMH	724,058.00	5,844,000.00	.....	.....	250,000.00	6,818,058.00
Collaborative Solutions, Inc.	P.O. Box 130159	.....	AL	32513	CYM	170,000.00	1,824,500.00	.....	.....	.....	1,994,500.00
FirstPic, Inc	2614 Chapel Lake	Gambrills	MD	21054	CT	.....	3,230,000.00	.....	.....	.....	3,230,000.00
Local Initiatives Support Corporation.	28 Liberty Street, 34th Floor.	New York	NY	10005	CDT	.....	2,961,540.00	.....	.....	500,000.00	3,461,540.00
Econometrica, Inc	7475 Wisconsin Avenue, Suite 1000.	Bethesda	MD	20814	CD	.....	1,074,200.00	.....	.....	250,000.00	1,324,200.00
Homebase/The Center for Common Concerns.	870 Market Street, Ste. 1228.	San Francisco.	CA	94102	CYMH	850,000.00	4,617,000.00	.....	.....	.....	5,467,000.00
TDA Consulting, Inc	1110 Harvest Canyon.	San Antonio	TX	78258	OM	.....	1,708,000.00	.....	.....	.....	1,708,000.00
CVR Associates, Inc	2309 S MacDill Avenue, Suite 200.	Tampa	FL	33629	C	903,167.40	2,277,924.00	.....	.....	.....	3,181,091.40.00
Du & Associates, Inc	4350 East-West Highway, Suite 310.	Bethesda	MD	20814	C	.....	525,000.00	.....	.....	.....	525,000.00
CGI Federal Inc.	12601 Fair Lakes Circle.	Fairfax	VA	22033	.....	.....	0.00	.....	.....	.....	.....
American Institutes for Research (AIR).	1000 Thomas Jefferson Street NW.	Washington	DC	20007	C	.....	550,000.00	.....	.....	.....	550,000.00
Association of Alaska Housing Authorities.	4300 Boniface Parkway T&TA Program.	Anchorage	AK	99504	T	.....	1,000,000.00	.....	.....	.....	1,000,000.00
Abt Associates, Inc	6130 Executive Blvd	Rockville	MD	20852	CHYMH	1,041,000.00	5,858,000.00	.....	.....	.....	6,899,000.00
National Association for Latino Community Asset Builders.	5404 Wurzbach Road.	San Antonio	TX	78238	C	.....	350,000.00	.....	.....	.....	350,000.00
The Partnership Center, Ltd.	2134 Alpine Place, 123 Any Street.	Cincinnati	OH	45206	YH	250,000.00	749,000.00	.....	.....	.....	999,000.00
Enterprise Community Partners, Inc.	70 Corporate Center 11000 Broken Land Parkway.	Columbia	MD	21044	C	.....	1,360,000.00	.....	.....	.....	1,360,000.00
Corporate F.A.C.T.S., Inc.	51248 Plymouth Valley Dr.	Plymouth	MI	48170	C	.....	675,000.00	.....	.....	.....	675,000.00
Capital Access, Inc	220 Locust Street, Suite 16C.	Philadelphia	PA	19106	CD	.....	600,000.00	.....	.....	1,250,000.00	1,850,000.00
National American Indian Housing Council.	122 C Street NW, Suite 350.	Washington	DC	20001	T	.....	2,250,000.00	.....	.....	.....	2,250,000.00
Totals	.....	.....	.....	.....	.....	5,607,167.40	60,792,924.00	250,000.00	865,320.00	5,000,000.00	72,515,411.40

* CGI declined award of 250K. The award was transferred to Du & Associates.

** Award Type Descriptions (new awards that have not started).

C

Purpose: The purpose of this Award is to build the capacity of HUD's technical assistance customer organizations to deploy HUD-funded programs and initiatives effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include HUD customer organizations and will vary by activity. HUD customer organizations include state and local grantees, PHAs, owners and managers of HUD-assisted housing, CoCs, non-profit grantees, HMIS Leads, HUD-approved housing counseling agencies and counselors, tribal organizations, Indian tribes, tribally designated housing entities (TDHEs), FHA-approved multifamily lenders, residents and participants in HUD-funded programs and initiatives.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

D

Purpose: The purpose of this Award is to build the capacity of HUD's Community Development Block Grant (CDBG) disaster recovery grantees to deploy CDBG disaster recovery programs effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical

assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include CDBG disaster recovery grantees, specifically States, units of general local government, or Indian tribes, and subrecipients of those grantees.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

A

Purpose: The purpose of this Award is to build the capacity of HUD's American Recovery Plan (ARP) grantees to deploy American Rescue Plan funded programs effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries will vary by activity and can include HUD's American Rescue Plan grantees.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

T

Purpose: The purpose of this Award is to build the capacity of HUD's Office of Native American Programs customer organizations to deploy effective and compliant HUD-funded programs and initiatives.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries will vary by activity and can include Indian Housing Block Grant (IHBG) recipients, specifically tribes and TDHEs; potential or current Section 184 Loan Guarantee program borrowers or lenders; and Indian Community Development Block Grant (ICDBG) grantees.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

F

Purpose: The purpose of this Award is to build the capacity of current and future fair housing professionals, including but not limited to Fair Housing Assistance Program and Fair Housing Initiatives Program recipients, to deploy programs and initiatives aimed at ending housing discrimination.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools

and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include current and future fair housing professionals, including but not limited to Fair Housing Assistance Program and Fair Housing Initiatives Program recipients.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

H

Purpose: The purpose of this Award is to achieve the highest level of performance and results for Homelessness Management Information System (HMIS) implementation, including improving the capacity of persons charged with setting up and operating HMIS implementations; ensuring that HMIS collect accurate, comprehensive, and timely data; and supporting CoCs and stakeholders to use homeless data to improve efforts to end homelessness.

Activities Performed: Activities will vary and include: technical assistance and training to help CoCs analyze data and understand data trends; use data to inform and revise plans and strategies; use performance measurement and reporting tools; create data sharing partnerships and agreements; collect, report, and use accurate and valid data on programs, activities, and beneficiaries; HMIS software management and operation; HMIS governance; standardized data collection for HUD-required reporting; system performance measurement and analysis; and system modeling.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that

address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include Continuums of Care.

Subrecipient activities: Subrecipient activities are unknown at the time of award.

J

Purpose: The purpose of this Award is to build the capacity of Department of Treasury grantees to deploy the Emergency Rental Assistance program effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include Department of Treasury Emergency Rental Assistance program grantees.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

Y

Purpose: The purpose of this Award is to build the capacity of HUD's special needs assistance programs customer organizations to deploy the Youth Homelessness Demonstration Program effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data

analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries include Youth Homelessness Demonstration Program grantees.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

M

Purpose: The purpose of this Award is to build the capacity of HUD's special needs assistance program customer organizations to deploy Continuum of Care and Emergency Solutions Grant programs effectively and in compliance with associated rules and regulations.

Activities Performed: HUD will identify specific technical assistance needs to be addressed through a demand-response program model. The recipient may respond to those needs through a range of eligible activities: needs assessments; direct technical assistance and capacity building; development and maintenance of tools and products; self-directed and group learning; knowledge management; data analysis, reporting, and performance measurement; administration; and coordination.

Expected Outcomes: Outcomes are the results of technical assistance activities, including but not limited to changes in management or operation of HUD-funded programs or initiatives. Specific outcomes will vary based on the nature of the activities carried out. Standard outcome categories include improved capacity to design programs, policies, and strategies as well as to deliver projects, programs, or systems that address community needs as defined in the TA scope.

Intended Beneficiaries: Beneficiaries will vary by activity and include technical assistance customers of HUD's Special Needs Assistance Programs which manage awards made under a McKinney-Vento or HEARTH Act authorization.

Subrecipient Activities: Subrecipient activities are unknown at the time of award.

Appendix B**FY2020 Housing Opportunities for Persons
With AIDS (HOPWA) Competitive Grant
(FR-6400-FA-11)***Contact: Lisa Steinhauer, 215-861-7651.*

Organization name	Street address	City	State	Zip code	Award amount	Project description
Abounding Prosperity Incorporated.	2311 Martin Luther King, Jr. Boulevard.	Dallas	TX	75215-2302	\$2,250,000.00	Purpose: To provide housing to LGBTQ+ HIV-positive youth of color (ages 16-29) experiencing homelessness in Dallas County, TX. Activities to be performed: Tenant-Based Rental Assistance, Short-Term, Rent, Mortgage and Utility assistance, Permanent Housing Placement assistance, and supportive services. Deliverables and Expected outcomes: This project will increase housing stability for 68 LGBTQ+ youth of color living with HIV per year. Intended beneficiary: LGBTQ+ youth of color living with HIV. Subrecipient Activities: n/a.
African Services Committee, Inc.	429 W. 127th Street	New York	NY	10027-2544	2,250,000.00	Purpose: African Services Committee's (ASC) model will focus on housing placement assistance for immigrant people living with HIV (PLWH), with the goal of stabilizing eligible households to assist them in achieving long-term, permanent housing. Activities to be performed: Short Term Rent, Mortgage and Utility Assistance and Permanent Housing Placement services. Deliverables and Expected outcomes: Annually, funds will provide 25 households with Short Term Rent, Mortgage and Utility Assistance, 50 households with Permanent Housing Placement services and utilities assistance for 25 households. Intended beneficiary: The program will focus on marginalized people of color (primarily African and Caribbean) populations. Subrecipient Activities: n/a.
AIDS Foundation Houston, Inc.	6260 Westpark Dr., Suite 100.	Houston ..	TX	77057-7353	2,250,000.00	Purpose: HOME BASE will provide stable supportive housing, case management, financial management and employment training and placement, life skills coaching, navigation into culturally humble health care, food and transportation assistance, mental health and substance use disorder counseling, housing information services, and robust permanent housing placement to PLWH who are most vulnerable to being out of care. Activities to be performed: Permanent Housing and Supportive Services. Deliverables and Expected outcomes: A Bridge to Access, Services, and Equity), an innovative supportive housing program that will serve 30 people living with HIV (PLWH) over 36 months. Intended beneficiary: PLWH who are most vulnerable to being out of care. Subrecipient Activities: n/a.

Organization name	Street address	City	State	Zip code	Award amount	Project description
AIDS Foundation Of Chicago.	200 W. Monroe Street, Suite 1150.	Chicago ..	IL	60606-0575	2,250,000.00	Purpose: AIDS Foundation of Chicago is awarded a HOPWA Housing as an Intervention to Fight AIDS competitive grant of \$2,250,000 for Keep Empowering Young Adults to Succeed (KEYS), a collaboration among AIDS Foundation of Chicago, Center for Housing and Health, La Casa Norte, and Chicago House. KEYS aims to demonstrate that expediting access to stable housing with wrap-around supportive services is an effective intervention to improve HIV care outcomes. Activities to be performed: The KEYS program will provide Tenant Based Rental Assistance for 40 Chicagoans ages 18-30 living with HIV/AIDS and experiencing homelessness. Deliverables and Expected outcomes: 40 Chicagoans ages 18-30 living with HIV/AIDS and experiencing homelessness. KEYS aims to demonstrate that expediting access to stable housing with wrap-around supportive services is an effective intervention to improve HIV care outcomes for those 18-30 years old. Intended beneficiary: Chicagoans ages 18-30 living with HIV/AIDS and experiencing homelessness. Subrecipient Activities: Tenant Based Rental Assistance.
Vivent Health	5250 Leetsdale Dr.	Denver ...	CO	80246-1451	1,660,899.00	Purpose: Vivent Health will implement an integrated program to provide Tenant-Based Rental Assistance (TBRA) for people living with HIV (PLWH) in the Denver area. Activities to be performed: TBRA will be provided to 30 HOPWA eligible households annually. Deliverables and Expected outcomes: TBRA will be provided to 30 HOPWA eligible households annually. Intended beneficiary: Low Income PLWH in the Denver area. Subrecipient Activities: n/a.
Broward House, Inc	1726 SE 3rd Ave	Fort Lauderdale.	FL	33316-2514	2,164,296.00	Purpose: Broward House is awarded a HOPWA Housing as an Intervention to Fight AIDS competitive grant of \$2,164,296 to expand transitional housing services for people living with HIV (PLWH) with substance use disorders and/or co-occurring disorders. Activities to be performed: The program will provide community housing complemented with onsite substance abuse treatment. Deliverables and Expected outcomes: Expand access to safe, affordable housing opportunities for PLWH and increasing retention in care and viral load suppression. The program will serve up to 73 households over the three-year project period. Intended beneficiary: People living with HIV (PLWH) with substance use disorders and/or co-occurring disorders. Subrecipient Activities: n/a.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Chicago House And Social Service Agency.	2229 S. Michigan Avenue, Suite 304.	Chicago ..	IL	60616-2102	1,463,558.00	Purpose: Chicago House and Social Service Agency is awarded a HOPWA Housing as an Intervention to Fight AIDS competitive grant of \$1,463,558 for the TransLife Care Program. The Program will combine housing assistance with the innovative trans-specific services available at Chicago House. Activities to be performed: Housing subsidy, search, and placement assistance will be provided through Tenant Based Rental Assistance (TBRA), Housing Information Services, and Permanent Housing Placement. Deliverables and Expected outcomes: Over 110 households will be served over the three-year project period. Intended beneficiary: HIV-positive transwomen of color and Latinx women experiencing homelessness. Subrecipient Activities: n/a.
Community Rightful Center, Inc.	9526 NE 2nd Ave, Suite 202D.	Miami Shores.	FL	33138-2741	2,208,000.00	Purpose: To provide transitional housing to people living with HIV (PLWH) in South Florida. The goal of the program is to provide housing assistance and supportive services to improve housing stability for PLWH by increasing their capacity to obtain and retain employment. Activities to be performed: To provide transitional housing to people living with HIV (PLWH) in South Florida. Deliverables and Expected outcomes: The program will serve up to 105 PLWH over the three-year project period. Intended beneficiary: PLWH in South Florida. Subrecipient Activities: n/a.
Damien Center Inc, The.	26 North Arsenal Avenue.	Indianapolis.	IN	46201-3808	2,074,526.00	Purpose: To serve low-income people living with HIV with a specific focus on individuals aged 55 and over, through the Elder Housing Assistance Program (EHAP). Activities to be performed: The EHAP program will provide Tenant-Based Rental Assistance, Short-Term Rent, Mortgage, and Utility assistance, and related supportive services. Deliverables and Expected outcomes: With a housing first approach paired with generational competence, harm reduction, and holistic care approaches, this elder community will see not only an improvement in health outcomes, but also in health equity and a reduction of common barriers to housing and healthcare. 212 households will be served annually. Intended beneficiary: People living with HIV with a specific focus on individuals aged 55 and over. Subrecipient Activities: n/a.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Fenway Community Health Center, Inc.	1340 Boylston Street.	Boston	MA	02215-4302	1,261,004.00	Purpose: To create a continuum of care and services for those with a high level of need around care, treatment, and social determinate of health supports, with a focus on housing stability for people living with HIV(PLWH). Activities to be performed: Housing placement and rental assistance. Deliverables and Expected outcomes: The project will demonstrate improved health outcomes and housing stability for the PLWH served and will establish a sustainable, replicable system for assessing client need, linking individuals to care and services, and providing ongoing support for retention in care, treatment, and services. 216 households will receive rental assistance and supportive services. Intended beneficiary: PLWHA with a high level of need around care, treatment, and social determinate of health supports. Subrecipient Activities: n/a.
Foothills AIDS Project.	678 S. Indian Hill Blvd., Suite 220.	Claremont	CA	91711-6000	2,250,000.00	Purpose: To implement a new initiative designed to elevate housing as an effective structural intervention within the Riverside- San Bernardino Metropolitan Statistical Area. Activities to be performed: Foothill AIDS project will work in collaboration with regional service partners and strategic initiatives to deliver a coordinated continuum of housing-related services, HIV primary care, and wrap-around supportive services to facilitate stable permanent housing. Deliverables and Expected outcomes: Deliver a coordinated continuum of housing-related services, HIV primary care, and wrap-around supportive services to facilitate stable permanent housing outcomes for a total of 125 people living with HIV/AIDS over the 36-month grant period. Intended beneficiary: PLWHA in the Riverside-San Bernardino Metropolitan Statistical Area. Subrecipient Activities: n/a.
Tulsa Cares	3712 E 11th Street	Tulsa	OK	74112-3952	560,103.00	Purpose: To support Achieving Housing Stability, an innovative housing project that will use Critical Time Intervention (CTI) and Master Leasing, two complementary strategies that are new to the agency. Activities to be performed: Master Leasing rental assistance. Deliverables and Expected outcomes: The program will serve 45 HOPWA-eligible households with housing assistance and supportive services. Intended beneficiary: People living with HIV. Subrecipient Activities: n/a.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Gregory House Program.	200 N. Vineyard Blvd., Suite A310.	Honolulu	HI	96817–3938	2,194,347.00	Purpose: To implement the E Ola Project that will expand housing services for PLWH in Hawaii and provide new housing interventions. Activities to be performed: Housing Information Services, Tenant Based Rental Assistance and Short-Term, Rental, Mortgage and Utility Assistance and Supportive Services. Deliverables and Expected outcomes: The E Ola Project that will serve 500 HOPWA eligible people living with HIV (PLWH) and their families over three years. Intended beneficiary: PLWH in Hawaii. Subrecipient Activities: n/a.
Hope House Day Care Center, Inc.	23 S. Idlewild St.	Memphis	TN	38104–3926	2,134,046.00	Purpose: An overarching goal of the program is to ensure all assisted households are placed in long-term, stable housing and achieve viral suppression. Activities to be performed: Hope House will provide intensive case management, Tenant Based Rental Assistance, Short-Term Rent, Mortgage and Utility assistance, and Permanent Housing Placement assistance. Deliverables and Expected outcomes: Hope House will provide up to 40 individuals and their families with housing support during the length of the three-year grant term. Intended beneficiary: People living with HIV and their families in Memphis, TN, and surrounding areas. Subrecipient Activities: n/a.
Interfaith Residence	4385 Maryland Ave	St. Louis	MO	63108–2703	2,250,000.00	Purpose: Doorways, a nonprofit located in St. Louis, is awarded \$2,250,000 for the DOORWAYS 2.0 program. This program will address the social determinants of health that create disparities and prevent equity and access, by weaving together stable housing with onsite wrap-around supportive services. Activities to be performed: The program will provide housing, case management, behavioral health, substance use support groups, employment services, nutritional support, and transportation assistance. Deliverables and Expected outcomes: The program will serve 50 households annually. Intended beneficiary: Newly diagnosed, low-income PLWHA. Subrecipient Activities: n/a.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Kansas City, Missouri, City Of.	2400 Troost Ave, Suite 1200.	Kansas City.	MO	64108-2879	2,250,000.00	Purpose: To continue the development and implementation of a housing services continuum to meet the dynamic housing assistance and supportive service needs of low-income people living with HIV and their families. Activities to be performed: Supportive Services, Short-Term Rent, Mortgage, and Utility assistance, Permanent Housing Placement assistance, Transitional Housing assistance and Tenant Based Rental Assistance. Deliverables and Expected outcomes: Funding will support employment services for 50 households, Short-Term Rent, Mortgage, and Utility assistance for 150, Permanent Housing Placement assistance for 60 and Transitional Housing assistance for 15 and Tenant Based Rental Assistance for 50 households annually. Intended beneficiary: Low-income people living with HIV and their families. Subrecipient Activities: n/a
Palmetto AIDS Life Support Services.	2638 Two Notch Rd., Suite 108.	Columbia	SC	29204-1102	2,248,042.00	Purpose: To expand permanent housing services available to low-income persons living with HIV/AIDS. Activities to be performed: Tenant-Based Rental Assistance, Supportive Services, Housing Information, and Short-Term, Rent, Mortgage and Utility assistance. Deliverables and Expected outcomes: By the end of the grant period, PALSS will serve 135 eligible households. Intended beneficiary: HOPWA eligible households. Subrecipient Activities: n/a.
Seattle, City Of	700 Fifth Avenue, Suite 5800.	Seattle	WA	98104-1822	2,250,000.00	Purpose: City of Seattle is awarded \$2,250,000 for a highly collaborative, innovative project designed to end racial disparities in the region's continuum of care for people living with HIV. Activities to be performed: Provide low barrier, stable housing, culturally relevant supportive services, and capacity expansion for POC-led community-based service organizations to administer housing assistance programs. Deliverables and Expected outcomes: The program will provide housing services for 84 households. Intended beneficiary: People of color (POC) living with HIV. Subrecipient Activities: The City of Seattle, the People of Color Against AIDS Network, Center for Multicultural Health, Entre Hermanos, and the Housing Connector will create a highly collaborative, innovative project designed to end racial disparities in the region's continuum of care for people living with HIV.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Tampa, City Of	306 E. Jackson St.	Tampa	FL	33602–5208	2,250,000.00	Purpose: To provide transitional housing, Tenant-Based Rental Assistance (TBRA), intensive case management and wrap-around supportive services to people living with HIV in Hillsborough County, Florida. Activities to be performed: Transitional housing, Tenant-Based Rental Assistance (TBRA), intensive case management and wrap-around supportive services. Deliverables and Expected outcomes: The program will provide housing and supportive services to over 74 households annually. Intended beneficiary: People living with HIV in Hillsborough County, Florida. Subrecipient Activities: n/a.
Volunteers Of America Of Los Angeles.	3600 Wilshire Boulevard, Suite 1500.	Los Angeles.	CA	90010–2619	2,250,000.00	Purpose: For a multi-pronged approach in using stable housing as an intervention to fight HIV/AIDS. Activities to be performed: Tenant-Based Rental Assistance (TBRA), Permanent Housing Placement (PHP) and Short-Term Rent, Mortgage and Utility (STRMU). Deliverables and Expected outcomes: TBRA will be provided to 10 households, PHP to 10 households and STRMU to 30 households annually. Intended beneficiary: HOPWA eligible people experiencing or at-risk for homelessness. Subrecipient Activities: n/a.
Total .....	.....	.....	.....	.....	40,468,821.00	

Appendix C

FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 1): (FR–6500–N–78C)

Contact: Stephanie W. Thomas (202) 402–6938.

Organization name	Address	City	State	Zip code	Amount	Project description
Alaska Legal Services Corporation.	1016 W. 6th Avenue, Suite 200.	Anchorage	AK	99501	\$75,000.00	1. Purpose: Provide fair housing organizations with emergency funding relief to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: Affirmatively Further Fair Housing statewide by screening intakes for fair housing issues and initiating affirmative litigation. 3. Deliverables and expected outcomes: provide Anchorage with the knowledge it needs to identify and address fair housing issues. 4. Intended Beneficiary(ies): Anchorage residents. 5. Subrecipient Activities: N/A.

Organization name	Address	City	State	Zip code	Amount	Project description
Legal Aid of Arkansas, Inc.	714 South Main	Jonesboro	AR	72401	350,000.00	1. Purpose: Legal Aid of Arkansas will ensure that Arkansas' only private fair housing enforcement organization continues to meet the challenges brought on by the COVID-19 pandemic. 2. Activities: Services will include enforcement of meritorious claims, testing, systemic investigations, and education and outreach. 3. Deliverables and expected outcomes: increase knowledge and complaint intake of alleged housing discrimination. 4. Intended Beneficiary(ies): Marshallese and Latinx populations in Northwest Arkansas and individuals at risk of institutionalization across Arkansas. 5. Subrecipient Activities: unknown.
Southwest Fair Housing Council.	177 N Church Ave, Suite 1104.	Tucson	AZ	85701	350,000.00	1. Purpose: SWFHC will conduct complaint-based investigations to assist individuals who believe they have experienced illegal housing discrimination, particularly related to COVID-19. 2. Activities: conduct systemic investigations to uncover evidence of illegal housing discrimination in the housing market, focusing on issues related to the pandemic. SWFHC will conduct fair housing tests as part of its investigations. 3. Deliverables and expected outcomes: increase fair housing complaints for filing to HUD. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
California Rural Legal Assistance, Inc.	1430 Franklin Street, Suite 103.	Oakland	CA	94612	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, investigation, testing, complaint resolution, litigation, training. 3. Deliverables and expected outcomes: training staff to enhance understanding of COVID-based foreclosure protections which are complex and still evolving, increase complaint intake to enforcement agencies, achieve successful complaint mediations. 4. Intended Beneficiary(ies): state and local housing authorities, fair housing employees, tenants, and homeowners. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Fair Housing Council of Riverside County, Inc.	P.O. Box 1068	Riverside	CA	92502	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: testing, investigations, training, site assessment, and intake. 3. Deliverables and expected outcomes: train testers, conduct fair housing tests, refer fair housing complaints to HUD, conduct site assessments. 4. Intended Beneficiary(ies): tenants, homeowners, disabled persons, state, and local fair housing agency staff. 5. Subrecipient Activities: 2 partnering agencies will assist with project activities listed above.
Inland Fair Housing and Mediation Board.	1500 S Haven Avenue, Suite 100.	Ontario	CA	91761	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: education and outreach. 3. Deliverables and expected outcomes: increase awareness of fair housing discrimination to minority groups. 4. Intended Beneficiary(ies): immigrants, LGBTQ+, and disabled in San Bernardino, Riverside, and Imperial Counties. 5. Subrecipient Activities: unknown.
Legal Aid Society of San Diego, Inc.	110 South Euclid Avenue.	San Diego	CA	92114	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: education and outreach, enforcement-related activities. 3. Deliverables and expected outcomes: increase in fair housing services after the eviction protections. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Fair Housing Advocates of Northern California.	1314 Lincoln Ave, Ste. A.	San Rafael	CA	94901	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake/referral, reasonable accommodations, and evaluation/referrals of complaints to HUD and/or DFEH or private attorneys for enforcement action. 3. Deliverables and expected outcomes: referral of 100 clients calling as a result of Covid-related evictions or other Covid-related issues; evaluating 10 Covid-related complaints for enforcement actions; providing fair housing services to clients in their primary language calling as a result of Covid-related issues; and assisting clients in requesting 20 reasonable accommodations/modifications. 4. Intended Beneficiary(ies): LEP populations, tenants and homeowners, disabled persons. 5. Subrecipient Activities: unknown.
Connecticut Fair Housing Center.	60 Popieluszko Court.	Hartford	CT	06106	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, investigations. 3. Deliverables and expected outcomes: determine violations of the fair laws and refer complaints to HUD or fair housing agencies. 4. Intended Beneficiary(ies): low-income communities. 5. Subrecipient Activities: unknown.
National Fair Housing Alliance.	1331 Pennsylvania Ave., NW, Suite 650.	Washington	DC	20004	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: investigations, education and outreach, test, online marketing. 3. Deliverables and expected outcomes: conduct 25 investigations, increase knowledge through online education, conduct 12 appraisal tests. 4. Intended Beneficiary(ies): homeowners, realtors, tenants, landlords, home insurance companies, mortgage finance lenders. 5. Subrecipient Activities: 5 agencies will assist in appraisal investigations.

Organization name	Address	City	State	Zip code	Amount	Project description
Equal Rights Center.	11 Dupont Circle, NW.	Washington	DC	20036	350,000.00	1. Purpose: the ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: distribute fair housing toolkit, provide outreach to the housing providers and the disabled. 3. Deliverables and expected outcomes: outreach to 50 local LEP organizations, distribute 10,000 toolkits to households, and attend 10-hour provider outreach meetings. 4. Intended Beneficiary(ies): LEP persons, disabled persons, rural communities, homeowners, and tenants. 5. Subrecipient Activities: unknown.
National Community Reinvestment Coalition.	740 15th Street, NW.	Washington	DC	20005	346,819.55	1. Purpose: the ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: system investigations. 3. Deliverables and expected outcomes: 14 appraisal test and 40 internet sales tests. 4. Intended Beneficiary(ies): homeowners, underserved populations. 5. Subrecipient Activities: unknown.
Housing Opportunities Project for Excellence (HOPE), Inc.	11501 NW 2nd Avenue.	Miami	FL	33168	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: distribute education and outreach materials. 3. Deliverables and expected outcomes: expand and increase public engagement on fair housing matters. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
Community Legal Services of Mid-Florida, Inc.	122 E. Colonial Dr Ste 200.	Orlando	FL	32801	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: investigations and intake. 3. Deliverables and expected outcomes: enhance education and outreach knowledge targeted to 12 counties. 4. Intended Beneficiary(ies): housing providers, at-risk populations, and homeowners. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
JC Vision and Associates Inc.	P.O. Box 1972	Hinesville	GA	31310	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, mediation and conciliation, litigation, brochure distribution. 3. Deliverables and expected outcomes: increase knowledge and awareness of housing discrimination from individuals to agencies/organizations. 4. Intended Beneficiary(ies): LEP populations, fair housing organizations, tenants and homeowners, landlords. 5. Subrecipient Activities: unknown.
Legal Aid Society of Hawaii.	924 Bethel Street	Honolulu	HI	96813	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: distribute outreach materials, intake, litigation. 3. Deliverables and expected outcomes: 10 new complaints per quarter, file 5 complaints with HUD, conduct litigation hearings focused on the immigrant communities. 4. Intended Beneficiary(ies): immigrants. 5. Subrecipient Activities: unknown.
Intermountain Fair Housing Council, Inc.	4696 W. Overland Rd. Suite 140.	Boise	ID	83705	124,993.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake interviews, training, fair housing testing. 3. Deliverables and expected outcomes: Conduct intake interviews, complaint referrals to HUD, and educate and recruit testers. 4. Intended Beneficiary(ies): Homeowners, Home buyers, tenants. 5. Subrecipient Activities: N/A.

Organization name	Address	City	State	Zip code	Amount	Project description
Open Communities	1880 Oak Ave, Suite 301.	Evanston	IL	60201	218,353.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: ensure services are reaching those most impacted by COVID by conducting an Equity Audit that helps determine where the provision of enforcement activities is most needed. 3. Deliverables and expected outcomes: Provide education to the 44,000 persons residing in the northern suburbs of Chicago on fair housing laws. 4. Intended Beneficiary(ies): northern suburbs of Chicago. 5. Subrecipient Activities: unknown.
South Suburban Housing Center.	18220 Harwood Avenue, Suite 1.	Homewood	IL	60430	350,000.00	1. Purpose: the ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, investigations, outreach through digital and social media platforms. 3. Deliverables and expected outcomes: assist 300 rental and mortgage distressed families, refer 34 housing provider complaints, conduct systemic investigations, reach 6,025,000 impressions. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
The Board of Trustees of the University of Illinois.	809 S. Marshfield Avenue, MB 502, M/C 551.	Chicago	IL	60612	348,986.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: fair housing enforcement and education and outreach activities. 3. Deliverables and expected outcomes: provide outreach to 30 community and fair housing organizations. 4. Intended Beneficiary(ies): targeting tenants, property owners, fair housing advocates, attorneys, mortgage counselors, and persons in the real estate industry including landlords, bankers, appraisers, lenders, and real estate and mortgage agents. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
H.O.P.E. Inc d/b/a HOPE Fair Housing Center.	202 W. Willow Ave., Suite 203.	Wheaton	IL	60187	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, investigations, advocacy/enforcement actions. 3. Deliverables and expected outcomes: improve software access to support staff interactions and facilitate client access, helping staff as they increase the amount of remote work needed to ensure services are available. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Center of Central Indiana, Inc.	445 N Pennsylvania St., Suite 811.	Indianapolis	IN	46204	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: create an eviction and foreclosure web-based portal for court records, intake, investigations. 3. Deliverables and expected outcomes: conduct 1 joint fair housing investigation, open 4 new fair housing investigations. 4. Intended Beneficiary(ies): tenants, lenders, landlords. 5. Subrecipient Activities: unknown.
Suffolk University ..	8 Ashburton Place	Boston	MA	02108	349,966.30	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: testing, legal representation, education, and outreach utilizing PSA's and print materials. 3. Deliverables and expected outcomes: promote and educate Boston residents on fair housing laws and services. 4. Intended Beneficiary(ies): Greater Boston residents. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Community Legal Aid, Inc.	405 Main Street	Worcester	MA	01608	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: recruit and train testers, litigation, investigations, education, and outreach. 3. Deliverables and expected outcomes: provide education on the responsibilities of fair housing and investigate claims of housing discrimination. 4. Intended Beneficiary(ies): fair housing agencies, tenants, homeowners, ex-offenders. 5. Subrecipient Activities: unknown.
Legal Services of Eastern Michigan.	436 S. Saginaw Street, Suite 101.	Flint	MI	48502	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conducting fair housing education and outreach activities, address fair housing inquiries and conduct complaint investigations. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
Fair Housing Center of Southwest Michigan.	405 W Michigan Ave., Suite 6.	Kalamazoo	MI	49007	124,974.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: address fair housing inquiries, conduct complaint investigations, and conduct education and outreach activities. 3. Deliverables and expected outcomes: expand the enforcement and outreach efforts and focus on combatting historic and modern practices of segregation exacerbated by the coronavirus pandemic. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Mid-Minnesota Legal Assistance.	430 First Avenue North, Suite 300.	Minneapolis	MN	55401	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations, and litigation. 3. Deliverables and expected outcomes: expand approach to community outreach and delivery of fair housing services. 4. Intended Beneficiary(ies): general population. 5. Subrecipient Activities: unknown.
Metropolitan St. Louis Equal Housing and Opportunity Council.	1027 S Vandeventer Ave., 6th Floor.	St. Louis	MO	63110	350,000.00	1. Purpose: the ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: legal advice and representation, education and outreach activities, home search assistance. 3. Deliverables and expected outcomes: refer complaints to HUD, provide knowledge to protected classes on fair housing laws. 4. Intended Beneficiary(ies): tenants, landlords, low-income. 5. Subrecipient Activities: unknown.
Mississippi Center for Justice.	5 Old River Place, Suite 203.	Jackson	MS	39202	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, testing, investigations, negotiations, and other enforcement services. 3. Deliverables and expected outcomes: identify and address acts of housing discrimination. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Legal Aid of North Carolina, Inc.	224 S. Dawson St.	Raleigh	NC	27601	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: consulting, intake screenings, social media outreach. 3. Deliverables and expected outcomes: conduct 40 rental test screenings, develop outreach materials, and reach 50,000 impressions. 4. Intended Beneficiary(ies): protected classes, tenants, landlords. 5. Subrecipient Activities: HBCU to participate in material development/ outreach activities.

Organization name	Address	City	State	Zip code	Amount	Project description
High Plains Fair Housing Center.	406 Demers Road	Grand Forks ...	ND	58201	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: distribution of fair housing educational materials and conduct fair housing testing and systemic investigations. 3. Deliverables and expected outcomes: perform outreach to 100 consumers. 4. Intended Beneficiary(ies): North Dakota residents. 5. Subrecipient Activities: unknown.
New Hampshire Legal Assistance.	117 North State Street.	Concord	NH	03301	333,907.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: education and outreach activities, enforcement. 3. Deliverables and expected outcomes: increase fair housing awareness. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Council of Northern New Jersey.	131 Main Street, Suite 140.	Hackensack	NJ	07601	125,000.00	1. Purpose: the ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: hold education and outreach with advocacy groups. 3. Deliverables and expected outcomes: unknown. 4. Intended Beneficiary(ies): disabled and elderly. 5. Subrecipient Activities: unknown.
Silver State Fair Housing Council.	110 W. Arroyo Street, Suite A.	Reno	NV	89509	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct fair housing seminars, provide COVID related materials, conduct trainings and address fair housing inquiries. 3. Deliverables and expected outcomes: conduct fair housing tests to identify discrimination against individuals who are receiving, or have received, COVID-related housing assistance. 4. Intended Beneficiary(ies): disabled, families with children, LEP populations. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
CNY Fair Housing, Inc.	731 James Street, Suite 200.	Syracuse	NY	13203	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations, and counseling. 3. Deliverables and expected outcomes: expand systemic investigations. 4. Intended Beneficiary(ies): minorities. 5. Subrecipient Activities: unknown.
Housing Opportunities Made Equal, Inc.	1542 Main Street ..	Buffalo	NY	14209	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct testing, mediation, reasonable accommodation assistance, and systemic investigations. 3. Deliverables and expected outcomes: train testers, conduct fair lending investigations, conduct fair housing testing. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Legal Assistance of Western New York, Inc.	361 South Main	Geneva	NY	14456	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: provide litigation support and educational services. 3. Deliverables and expected outcomes: assistance with case development; provide training. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Westchester Residential Opportunities, Inc.	470 Mamaroneck Avenue, Suite 410.	White Plains ...	NY	10605	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations, education, and outreach activities. 3. Deliverables and expected outcomes: conduct fair housing investigations, fair housing testing, and other enforcement-related activities; and provide education and outreach on fair housing rights and obligations to both housing providers, consumers, and other community organizations. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Justice Center, Inc.	30–30 Northern Blvd. Suite 302.	Long Island City.	NY	11101	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: outreach, marketing, intake, testing, enforcement. 3. Deliverables and expected outcomes: conduct a targeted outreach campaign to inform populations adversely impacted by the coronavirus pandemic about their fair housing rights; market FHJC's Adele Friedman Housing Accessibility Fund to eligible people with disabilities and provide expanded support for intake, testing, and enforcement activities to assist vulnerable populations most impacted by the coronavirus. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Long Island Housing Services, Inc.	640 Johnson Avenue.	Bohemia	NY	11716	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations, testing activities. 3. Deliverables and expected outcomes: refer potential housing discrimination victims to HUD, FHAP, local enforcement agency or a private attorney. Screen, assess, intake and investigate fair housing claims for discriminatory eviction or foreclosure; and file individual housing discrimination allegations from protected class members denied housing choices related to the COVID-19 pandemic. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Brooklyn Legal Services.	105 Court Street ...	Brooklyn	NY	11201	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, testing, education and outreach and systemic investigations. 3. Deliverables and expected outcomes: screen, investigate, and analyze complaints; conduct testing and analyze test results; refer meritorious housing discrimination complaints to federal, state, and city enforcement agencies; file affirmative enforcement litigation to redress systemic lending abuses and eliminate lending discrimination; and provide legal assistance to help homeowners avoid foreclosure and access affordable loan modifications. In addition, provide workshops to educate homeowners about illegal and unfair housing practices and foreclosure prevention. 4. Intended Beneficiary(ies): tenants, homeowners, landlords, lenders. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Fair Housing Resource Center, Inc.	1100 Mentor Avenue.	Painesville	OH	44077	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations and education and outreach activities. 3. Deliverables and expected outcomes: initiate audits to combat new practices put into place by housing providers during the coronavirus pandemic. In addition, create a Fair Housing Computer lab. 4. Intended Beneficiary(ies): Lake, Geauga, and Ashtabula County Ohio residents. 5. Subrecipient Activities: unknown.
Housing Research & Advocacy Center.	2728 Euclid Ave, Suite 200.	Cleveland	OH	44115	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct investigations, intake, and outreach. 3. Deliverables and expected outcomes: Conduct fair housing intake, perform fair housing audits, and referrals to community resources. 4. Intended Beneficiary(ies): Asian and Asian American communities. 5. Subrecipient Activities: unknown.
Fair Housing Opportunities of Northwest Ohio, Inc.	326 North Erie Street.	Toledo	OH	43604	349,983.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct systemic investigations, intake, and outreach. 3. Deliverables and expected outcomes: increase intake and complaints submitted for referral to HUD or other enforcement agencies. 4. Intended Beneficiary(ies): minority communities, lenders, real estate. 5. Subrecipient Activities: unknown.
Housing Opportunities Made Equal of Greater Cincinnati, Inc.	2400 Reading Road Suite 118.	Cincinnati	OH	45202	150,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake screenings, and outreach. 3. Deliverables and expected outcomes: fair housing education, and complaint referrals. 4. Intended Beneficiary(ies): immigrants, minorities, housing agencies, tenants. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Ohio State Legal Services Association.	1108 City Park Avenue.	Columbus	OH	43206	317,447.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, investigations, and educational activities. 3. Deliverables and expected outcomes: distribute resources to Community Action Agencies, screen potential discriminatory eviction cases, investigate alleged housing discrimination complaints, and conduct audit test. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Contact Service, Inc.	441 Wolf Ledges Parkway, Suite 200.	Akron	OH	44311	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 3. Deliverables and expected outcomes: meet the increased need for fair housing services and knowledge during the pandemic. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Rights Center in Southeastern Pennsylvania.	444 N. 3rd Street, Suite 110.	Philadelphia	PA	19123	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct fair housing intakes and education and outreach activities. 3. Deliverables and expected outcomes: investigate housing discrimination claims and educate the public on their fair housing rights and responsibilities. 4. Intended Beneficiary(ies): protected classes. 5. Subrecipient Activities: unknown.
Fair Housing Partnership of Greater Pittsburgh.	2840 Liberty Avenue, Suite 205.	Pittsburgh	PA	15222	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: REO investigations and intakes. 3. Deliverables and expected outcomes: develop REO investigations wherein the agency identifies and creates a COVID-19 specific investigation. 4. Intended Beneficiary(ies): homeowners. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Northwest Fair Housing Alliance.	35 W. Main, Suite 250.	Spokane	WA	99201	103,973.03	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct intake, mediation, audits, and assist with reasonable accommodations. 3. Deliverables and expected outcomes: counseling individuals with fair housing allegations; assisting with mediations and reasonable accommodation requests related to COVID-19; conducting audit and complaint-based testing as needed to identify discrimination related to COVID-19; referring complaints to HUD; and providing fair housing trainings for agencies providing rental assistance and post-moratorium eviction resolution services. 4. Intended Beneficiary(ies): tenants, landlords, homeowners, mortgage lenders. 5. Subrecipient Activities: unknown.
Metropolitan Milwaukee Fair Housing Council.	759 North Milwaukee Street, Suite 500.	Milwaukee	WI	53202	347,935.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct outreach, systemic investigations, training. 3. Deliverables and expected outcomes: provide statewide outreach and education to those severely impacted by the COVID-19 pandemic to address housing discrimination and/or housing instability in Wisconsin and conduct an investigation into systemic forms of housing discrimination in MMFHC's service area to eliminate barriers for underserved populations and others most severely impacted by the COVID-19 pandemic. 4. Intended Beneficiary(ies): fair housing agencies, Wisconsin residents, tenants, lenders, underserved populations. 5. Subrecipient Activities: unknown.
Total .....	.....	.....		.....	13,642,336.88	

Appendix D

FY2021 Fair Housing Initiatives Program (FHIP)—American Rescue Plan Private Enforcement Initiative (Round 2) (FR-6500-N-78C)

Contact: Stephanie W. Thomas (202) 402-6938

Organization name	Address	City	State	Zip code	Amount	Project description
West Tennessee Legal Services, Inc.	210 W. Main Street	Jackson ..	TN	38301	\$350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: interviewing potential victims of discrimination; taking complaints; testing; evaluating test results; conducting mediation; conciliating; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about Fair Housing Laws. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services within the targeted jurisdiction. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
Fair Housing Council of Oregon.	1221 SW Yamhill St., #305.	Portland ..	OR	97205	347,310.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: Identify and evaluate inquiries, and investigate allegations related to discriminatory evictions. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services within the targeted jurisdiction. 4. Intended Beneficiary(ies): general public, landlord/tenant, local and state housing entities. 5. Subrecipient Activities: N/A.
San Antonio Fair Housing Council, Inc.	4414 Centerview Drive, Suite 229.	San Antonio.	TX	78228	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: investigate and evaluate allegations of housing discrimination, provide housing counseling, conduct systemic housing discrimination investigations, and conduct rental tests. 3. Deliverables and expected outcomes: educate those most impacted by COVID about their rights under the Fair Housing Act; and enhance the delivery of fair housing services within the targeted jurisdiction. 4. Intended Beneficiary(ies): general public and Limited English Proficient (LEP) persons. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Fair Housing Center of West Michigan.	20 Hall Street SE ...	Grand Rapids.	MI	49507	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: to identify, investigate and challenge illegal housing discrimination against underserved populations emerging or amplifying as a result of the pandemic, such as refusal to rent or lend to Housing Choice Voucher holders or those with other sources of income, discriminatory applicant screening, discriminatory evictions or foreclosures, redlining, reverse redlining, predatory lending, or other practices that may indicate disparate treatment. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services within the targeted jurisdiction. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
Legal Aid Society of Palm Beach County, Inc.	423 Fern Street, Suite 200.	West Palm Beach.	FL	33401	500,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: educate those most impacted by COVID about their rights under the Fair Housing Act through workshops and outreach events. Additionally, conduct systemic investigations of alleged discrimination that is pervasive or institutional in nature. 3. Deliverables and expected outcomes: receive 50 fair housing intake cases, hold 5 workshops, conduct 8 education and outreach fair housing events, refer 10 complaints to HUD. 4. Intended Beneficiary(ies): persons with disabilities, general public, fair housing agencies. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
CSA San Diego County.	327 Van Houten Avenue.	El Cajon	CA	92020	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake and investigate allegations of discrimination, conduct rental tests and systemic investigations within the targeted. 3. Deliverables and expected outcomes: 80 rental tests, 8 systemic investigations, 6 site surveys, 80 fair housing intake complaints, 30 reasonable accommodation modifications. 4. Intended Beneficiary(ies): disabled, general public, homeowners, immigrants, LEP populations, minority communities. 5. Subrecipient Activities: unknown.
Lexington Fair Housing Council, Inc.	207 E Reynolds Rd., Suite 130.	Lexington	KY	40517	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: Intake, fair housing investigations and education and outreach activities. 3. Deliverables and expected outcomes: increase intake that results in complaints filed with HUD. 4. Intended Beneficiary(ies): Kentucky residents. 5. Subrecipient Activities: unknown.
Legal Aid Services of Oklahoma, Inc.	2915 N. Classen Blvd.	Oklahoma City.	OK	73106	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: intake, testing, mediation, and conciliation. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services within the targeted jurisdiction. 4. Intended Beneficiary(ies): minority individuals, low-income communities, Limited English Proficient (LEPP) persons. 5. Subrecipient Activities: unknown.

Organization name	Address	City	State	Zip code	Amount	Project description
Metro Fair Housing Services, Inc.	215 Lakewood Way SW, Suite 106.	Atlanta	GA	30315-6022	125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: conduct lending and disability testing; and investigations of eviction- and foreclosure-related housing discrimination. 3. Deliverables and expected outcomes: conduct test, increase information and knowledge on unfair housing evictions and foreclosure. 4. Intended Beneficiary(ies): minority communities, fair housing agencies, immigrants, disabled persons. 5. Subrecipient Activities: unknown.
Housing Opportunities Made Equal of Virginia, Inc.	626 East Broad Street, Suite 400.	Richmond	VA	23219	350,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: investigations of COVID-related housing discrimination and educate those most impacted by COVID about their rights under the Fair Housing Act. 3. Deliverables and expected outcomes: Enhance the delivery of fair housing services within Virginia will access and information to combat housing discrimination. 4. Intended Beneficiary(ies): Virginia residents. 5. Subrecipient Activities: unknown.
South Coast Fair Housing, Inc.	721 County Street ..	New Bedford.	MA	02740	75,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities: data tracking, education, and outreach. 3. Deliverables and expected outcomes: provided updated data on fair housing allegations to educate and increase housing opportunities. 4. Intended Beneficiary(ies): general public. 5. Subrecipient Activities: unknown.
Total .....	.....	.....		.....	2,497,310.00	

Appendix E

FY2021 Fair Housing Initiatives Program (FHIP)–American Rescue Plan Private Enforcement Initiative (Round 3) (FR-6500–N-78C)

Contact: Stephanie W. Thomas (202) 402-6938

Organization name	Address	City	State	Zip code	Amount	Project description
Fair Housing Council of Suburban Philadelphia, Inc.	550 Pinetown Road, Suite 460.	Fort Washington.	PA	19034-2051	\$125,000.00	1. Purpose: The ARP PEI provides relief funding to eligible PEI organizations to address fair housing inquiries, complaints, investigations, education and outreach activities, and the costs of delivering or adapting services, during or relating to the coronavirus pandemic. 2. Activities to be performed: respond to increased volume of complaint inquiries and allegations of discrimination during the coronavirus pandemic and reduce discrimination against protected classes in Greater Philadelphia and Lehigh Valley, PA. 3. Deliverables and expected outcomes: screen 200 complaint inquiries for housing discrimination; intake and process 100 allegations of housing discrimination; assist 15 people with disabilities requesting reasonable accommodation or modifications; and refer 20 complaints to HUD, DOJ, PHRC or private attorneys. 4. Intended beneficiary(ies): general public, tenants, and persons with disabilities. 5. Subrecipient Activities: N/A.
Total .....	.....	.....	.....	.....	125,000.00	

Appendix F

FY2021 Lead Hazard Reduction Grant Program (Round 1) (FR-6500-N-13)

Contact: Yolanda Brown (202) 402-7596.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Phoenix	City of Phoenix Neighborhood Services Dept., 200 W Washington, 4th Floor.	Phoenix	AZ	85003	\$4,704,315.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
California Department of Public Health.	Center for Healthy Communities, 1616 Capitol Avenue, MS 0500.	Sacramento	CA	95814-5015	3,400,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Long Beach	2525 Grand Avenue.	Long Beach	CA	90815	4,579,224.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Sacramento Housing and Redevelopment Agency.	801 12th Street	Sacramento	CA	95814-0000	2,000,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
County of Fresno ..	1221 Fulton Mall ...	Fresno	CA	93721-3604	3,000,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Los Angeles County.	700 West Main Street.	Alhambra	CA	91801	5,700,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of New Britain	27 W Main Street	New Britain	CT	6051	5,600,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Dubuque	City Hall, 50 West 13th Street.	Dubuque	IA	52001	4,275,680.92	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Southwest Iowa Planning Council.	1501 SW 7th St	Atlantic	IA	50022	1,400,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Polk County	1907 Carpenter Avenue.	Des Moines	IA	50314	3,455,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Pocatello	P.O. Box 4169	Pocatello	ID	83205	2,648,197.28	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Springfield ..	800 E Monroe Street Housing.	Springfield	IL	62701	3,400,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Cook County Department of Public Health.	15900 South Cicero Avenue.	Oak Forest	IL	60452	4,006,184.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of South Bend	227 W Jefferson Blvd.	South Bend	IN	46601–3703	3,348,550.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Louisville-Jefferson County.	527 W Jefferson Street, Suite 400.	Louisville	KY	40202	3,475,969.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Quincy	1305 Hancock Street.	Quincy	MA	2169	2,915,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Malden Redevelopment Authority.	215 Pleasant Street.	Malden	MA	2148	3,100,715.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Auburn	60 Court Street	Auburn	ME	4210	3,400,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Flint	1101 S Saginaw St	Flint	MI	48502-1411	2,283,960.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
Meramec Regional Planning Commission.	4 Industrial Drive ..	St. James	MO	65559-1689	1,284,625.70	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Hattiesburg	200 Forrest Street, P.O. Box 1898.	Hattiesburg	MS	39403-1898	1,617,400.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
County of Westchester.	148 Martine Ave., Rm 414.	White Plains ...	NY	10601	4,100,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
State of Ohio	Ohio Department of Health, 246 North High Street.	Columbus	OH	43215–2406	5,700,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Cleveland ...	601 Lakeside Avenue, Room 320.	Cleveland	OH	44114–1015	5,700,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Medford	Housing Community Development, 411 W 8th Street.	Medford	OR	97501–3105	2,140,542.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
County of Lawrence.	430 Court Street ...	New Castle	PA	16101	5,700,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Bethlehem	10 East Church Street.	Bethlehem	PA	18018-6025	2,242,507.13	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Reading	815 Washington St	Reading	PA	19601-3690	3,300,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Clarksville ..	1 Public Sq., Ste 119.	Clarksville	TN	37040-3463	2,879,918.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
County of Harris	1001 Preston, Suite 900.	Houston	TX	77002	4,700,000.00	
City of Danville	427 Patton St., Suite 211.	Danville	VA	24541	1,780,000.00	
Total .....	.....	.....		.....	107,837,788.03	

Appendix G

FY2021 Lead Hazard Reduction Grant Program (Round 2) (FR-6500-N-13)

Contact: Yolanda Brown (202) 402-7596.

Organization name	Street address or P.O. box	City	State	Zip code	Award amount and total	Project description
City of Long Beach ..	2525 Grand Avenue	Long Beach.	CA	90815	\$3,991,791.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Cleveland	601 Lakeside Avenue, Room 320.	Cleveland	OH	44114–1015	5,000,000.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
City of Clarksville	1 Public Sq., Ste. 119.	Clarksville	TN	37040–3463	2,879,918.00	The purpose of the Lead-Based Paint Hazard Reduction (LHR) grant program is to maximize the number of children under the age of six protected from lead poisoning by assisting states, cities, counties/parishes, Native American Tribes or other units of local government in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing populations. In addition, there are Healthy Homes Supplemental funding available that is intended to enhance the lead-based paint hazard control activities by comprehensively identifying and addressing other housing hazards that affect occupant health.
Total .....	.....	.....	.....	.....	11,871,709.00	

Appendix H

FY2021 Radon Testing and Mitigation Demonstration for Public Housing (FR–6500– N–80)

Contact: Brenda Reyes 202–402–6745.

Organization name	Street address or P.O. Box	City	State	Zip code	Award amount and total	Project description
Rockford Housing Authority.	223 S Winnebago St.	Rockford	IL	61102-2259	\$220,126.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Fort Wayne Housing Authority.	7315 Hanna Street, P.O. Box 13489.	Fort Wayne.	IN	46869-3489	190,324.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Rockville Housing Enterprises.	1300 Piccard Drive	Rockville	MD	20850-1456	157,870.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: Not applicable.

Organization name	Street address or P.O. Box	City	State	Zip code	Award amount and total	Project description
Inkster Housing Authority.	4500 Inkster Road ..	Inkster	MI	48141-3068	504,797.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Independence Housing Authority.	4215 S. Hocker Dr., Bldg. 5.	Independence.	MO	64055-3662	509,444.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Albany Housing Authority.	200 S Pearl St	Albany	NY	12202-1834	600,000.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: Not applicable.

Organization name	Street address or P.O. Box	City	State	Zip code	Award amount and total	Project description
Cuyahoga Metropolitan Housing Authority.	8120 Kinsman Road	Cleveland	OH	44104-4310	599,734.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Lebanon County Housing Authority.	1220 Mifflin Street ..	Lebanon	PA	17046-3346	600,000.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Rock Hill Housing Authority.	467 S. Wilson Street.	Rock Hill	SC	29730-4444	600,000.00	Purpose: The purpose of this NOFO is to provide funds to public housing agencies (PHAs) to conduct testing and as-needed mitigation of radon at their properties with Section 9 public housing. Activities to be Performed: Project activities will be limited to radon testing and/or mitigation and other directly related costs (e.g., notifying residents, managing radon data). Expected Outcomes: (i) Radon testing conducted in units. (ii) Radon mitigation conducted (when testing results are above the EPA action level of 4 pCi/L) and (iii) Proposed plan by the PHA for future testing and mitigation. Intended Beneficiaries: Residents of Section 9 Public Housing Agencies (PHAs) living in units where children can reside. Subrecipient Activities: The recipient does not intend to subaward funds.
Total .....	.....	.....	.....	.....	3,982,295.00	

Appendix I**FY2021 Older Adult Home Modification
Grant Program (FR-6400-N-69)***Contact:* Yolanda Brown (202) 402-7596.

Organization name	Street address or P.O. Box	City	ST	Zip Code	Award amount and total	Project description
Independent Living Resources of Greater Bir- mingham, Inc. dba.	1418 6th Ave. N. ..	Birmingham	AL	35203	\$1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip Code	Award amount and total	Project description
DIRECT Center for Independence, Inc.	1001 N Alvernon Way.	Tucson	AZ	85711-1019	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Rebuilding Together, Inc.	999 N. Capitol Street NE, Suite 330 National Programs.	Washington	DC	20002-6096	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Florida Dream Center.	4017 56th Ave N.	St. Petersburg	FL	33714	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
The Housing Authority of the City of Daytona Beach.	211 North Ridgewood Avenue.	Daytona Beach	FL	32114-3243	921,126.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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East Central Inter-governmental Association.	7600 Commerce Park.	Dubuque	IA	520029673	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Dubuque	City Hall, 50 West 13th Street.	Dubuque	IA	52001	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Rush University Medical Center.	1653 W. Congress Pkwy.	Chicago	IL	60612	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Lake Cumberland Area Development District.	Post Office Box 1570 2384 Lakeway Drive.	Russell Springs.	KY	42642	740,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Memorial Hospital, Inc. DBA AdventHealth Manchester.	210 Marie Langdon Drive.	Manchester	KY	40962-6388	777,120.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
The St. Bernard Project, Inc.	2645 Toulouse St.	New Orleans ..	LA	70119-1002	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Community Action Pioneer Valley.	393 Main Street	Greenfield	MA	1301	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Green & Healthy Homes Initiative, Inc.	2714 Hudson St. ..	Baltimore	MD	21224	650,231.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Harford County Health Department.	120 South Hays	Bel Air	MD	21014	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Baltimore City	417 E. Fayette Street.	Baltimore	MD	21202	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Maine State Housing Authority.	353 Water Street ..	Augusta	ME	4330	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Disability Advocates of Kent County.	160 68th St SW	Grand Rapids	MI	49548	975,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Twin Cities Habitat for Humanity, Inc.	1954 University Avenue West.	St. Paul	MN	55104-3426	836,781.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Independent Living Center of Mid-Missouri, Inc.	1401 Hathman Place.	Columbia	MO	65202	526,190.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Mission St. Louis ...	3108 N. Grand Blvd.	St. Louis	MO	63107-2502	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Wayne County Action Program, Inc.	51 Broad Street	Lyons	NY	14489-1122	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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United Way of Long Island.	819 Grand Blvd	Deer Park	NY	11729–5703	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Rebuilding Together Saratoga County.	132 Milton Avenue	Ballston Spa ...	NY	12020–1409	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Inglis Foundation ...	2600 Belmont Avenue Self Determination Housing PA.	Philadelphia	PA	19131	767,778.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Scranton Neighborhood Housing Services Incorporated.	815 Smith Street ..	Scranton	PA	18504-3150	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Rebuilding Together Philadelphia.	4355 Orchard St Suite 2R.	Philadelphia	PA	19124-4011	824,084.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
South Carolina Department on Aging.	1301 Gervais Street, Suite 350.	Columbia	SC	29201-3448	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip Code	Award amount and total	Project description
SC UpLift Community Outreach.	5338 Ridgeway St	Columbia	SC	29203–3547	\$1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Rebuilding Together San Antonio.	P.O. Box 691881 ..	San Antonio	TX	78269–1881	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip Code	Award amount and total	Project description
Adult Youth United Development Association, Inc.	1325 Beverly Ann Dr.	San Elizario	TX	79849-8642	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Cathedral Square Corporation.	412 Farrell Street, Suite 100.	South Burlington.	VT	05403-4463	981,690.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip Code	Award amount and total	Project description
Revitalize Milwaukee Inc.	840 N. Old World Third Street, Suite 600.	Milwaukee	WI	53203–1704	1,000,000.00	Purpose: Is to enable low-income elderly persons to remain in their homes through low-cost, low barrier, high impact home modifications to reduce older adults' risk of falling, improve general safety, increase accessibility, and to improve their functional abilities in their home. Activities to be Performed: Focus on low-cost, high-impact home modifications. Examples of these home modifications include installation of grab bars, railings, and lever-handled doorknobs and faucets, as well as the installation of adaptive equipment, such as temporary ramp, tub/shower transfer bench, handheld shower head, raised toilet seat, risers for chairs and sofas, and non-slip strips for tub/shower or stairs. Expected Outcomes: Is that older adults to remain in their homes, that is, to "age in place," rather than move to nursing homes or other assisted care facilities by supporting their ability to live independently. Intended Beneficiaries: Low-income senior homeowners who are at least 62 years old. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Total .....	.....	.....		.....	\$30,000,000.00	

Appendix J

FY2021 Healthy Homes Production Grant Program (FR-6500-N-44)

Contact: Yolanda Brown (202) 402-7596

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
Alaska Heat Smart	4545 Thane Road, P.O. Box 20912.	Juneau	AK	99801–7742	\$1,999,999.74	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities
Cold Climate Housing Research Center.	955 Draanjik Dr	Fairbanks	AK	99775–8170	1,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
Tlingit Haida Regional Housing Authority.	5446 Jenkins Drive	Juneau	AK	99803	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Alabama Department of Public Health.	201 Monroe Street RSA Tower, Suite 125.	Montgomery ...	AL	36104-3017	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Community Service Programs of West Alabama, Inc.	601 Black Bears Way.	Tuscaloosa	AL	35401-4807	1,831,588.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
West Anniston Foundation.	800 Clydesdale Ave.	Anniston	AL	36201-5303	1,050,268.80	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
Rebuilding Together Valley of the Sun.	1826 W Broadway Rd., #16.	Mesa	AZ	85202-1133	1,035,558.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Pomona	505 S. Garey Avenue, P.O. Box 660.	Pomona	CA	91766-3322	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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International Center for Appropriate and Sustainable Technology.	7400 W. 14th Ave	Denver	CO	80214-0000	1,999,919.52	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of New Haven	54 Meadow Street 9th Floor.	New Haven	CT	6519	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Connecticut Children's Medical Center.	282 Washington Street.	Hartford	CT	06106-3322	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Rebuilding Together DC Alexandria.	3209 5th St SE	Washington	DC	20032	1,601,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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New Castle County	77 Reads Way	New Castle	DE	19720–1648	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Tampa	306 E. Jackson Street.	Tampa	FL	33602–5208	1,999,560.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
Habitat for Humanity International, Inc.	322 W Lamar St ...	Americus	GA	31709-3423	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Dubuque	City Hall, 50 West 13th Street.	Dubuque	IA	52001	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
City of Sioux City ..	405 6th Street	Sioux City	IA	51102	1,503,643.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
County of Cerro Gordo.	2570 4th Street, SW.	Mason City	IA	50401–3435	1,306,240.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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East Central Inter-governmental Association.	7600 Commerce Park.	Dubuque	IA	52002-9673	1,950,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Visiting Nurse Services of Iowa, dba EveryStep.	3000 Easton Blvd.	Des Moines	IA	50317-3124	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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City of Kankakee ...	200 E. Court Street, Suite 410.	Kankakee	IL	60901	1,426,306.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Springfield ..	800 E Monroe Street Housing.	Springfield	IL	62701	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Metec	2605 W Krause Ave.	Peoria	IL	61605-2904	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Indiana Housing and Community Development Authority.	30 S Meridian St., Suite 900.	Indianapolis	IN	46204-3566	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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New Orleans Area Habitat for Humanity.	2900 Elysian Fields Avenue.	New Orleans ..	LA	70122	1,694,522.56	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Malden Redevelopment Authority.	215 Pleasant Street.	Malden	MA	2148	1,678,177.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Revitalize Community Development Corporation.	1145 Main Street, Suite 107.	Springfield	MA	01103-2152	1,400,164.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Enterprise Community Partners Columbia.	70 Corporate Center, 11000 Broken Land Parkway, Suite 700.	Columbia	MD	21044-3535	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Green & Healthy Homes Initiative, Inc.	2714 Hudson St ...	Baltimore	MD	21224	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Maryland Rural Development Corporation.	P.O. Box 739	Greensboro	MD	21639-0739	1,175,563.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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City of Detroit	2 Woodward Ave Suite 908.	Detroit	MI	48226	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Muskegon ..	933 Terrace Street	Muskegon	MI	49440-1397	1,500,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Habitat for Humanity of Michigan, Inc.	618 S Creyts Rd Suite A.	Lansing	MI	48917-8270	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Minneapolis	250 S 4th St, Room 414.	Minneapolis	MN	55417	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Hennepin County ..	701 4th Ave S, Suite 400.	Minneapolis	MN	55415	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
County of St. Louis	500 Northwest Plaza, Suite 801.	St. Ann	MO	63074	1,798,124.95	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Jefferson Franklin Community Action Corporation.	P.O. Box 920	Hillsboro	MO	63050-0920	1,623,040.64	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Jackson	219 South President Street.	Jackson	MS	39205-0017	1,581,981.13	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Omaha Healthy Kids Alliance.	1425 S 13 ST	Omaha	NE	68108-3503	1,961,547.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Isles, Inc.	10 Wood St.	Trenton	NJ	08618-3921	1,176,164.81	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Morris Habitat for Humanity.	274 S. Salem Street.	Randolph	NJ	07869–1616	1,597,946.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Bishop Sheen Ecumenical Housing Foundation, Inc.	150 French Road	Rochester	NY	14618–3822	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Chautauqua County.	3 N Erie St	Mayville	NY	14757	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Home Head-Quarters, Inc.	538 Erie Blvd West Suite 100.	Syracuse	NY	13204-2437	1,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Seneca Nation of Indians.	12837 Route 438 ..	Irving	NY	14081	1,614,964.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Cleveland ...	601 Lakeside Avenue Room 320.	Cleveland	OH	44114-1015	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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City of Columbus ..	111 N. Front Street 8th Floor.	Columbus	OH	43215	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
City of Lancaster ...	104 East Main Street.	Lancaster	OH	43130-9998	1,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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County of Erie (OH).	420 Superior Street.	Sandusky	OH	44870	1,000,800.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Mid-Ohio Regional Planning Commission.	111 Liberty St., Suite 100.	Columbus	OH	43215-5850	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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Rebuilding Together Northeast Ohio.	788 Donald Avenue.	Akron	OH	44306-3406	1,471,023.89	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Peoria Tribe of Indians of Oklahoma.	P.O. Box 1527	Miami	OK	74354-1527	1,718,725.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

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City of Bethlehem	10 East Church Street.	Bethlehem	PA	18018–6025	1,814,947.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Lancaster General Hospital.	555 North Duke Street.	Lancaster	PA	17604–3555	1,999,155.06	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
Women for a Healthy Environment.	5877 Commerce Street.	Pittsburgh	PA	15206-3835	1,854,450.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
South Carolina Association of Community Action Partnerships.	2700 Middleburg Drive Suite 213.	Columbia	SC	29204-2416	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
City of Houston	8000 N Stadium Drive, 2nd Fl.	Houston	TX	77054	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Salt Lake County ..	2001 South State Street.	Salt Lake City	UT	84190-2770	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.

Organization name	Street address or P.O. Box	City	ST	Zip code	Award amount and total	Project description
City of Roanoke	215 Church Ave, Room 208 North.	Roanoke	VA	24011	2,000,000.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Elderhomes Corp dba project:HOMES.	88 Carnation Street.	Richmond	VA	23225	1,419,374.00	Purpose: The Healthy Homes Production Program (HHP) enables grantees to address multiple housing-related hazards in a comprehensive fashion. Activities to be Performed: Demonstrate that providing safe and healthy environments where children and vulnerable residents live is feasible, affordable, and beneficial. Expected Outcomes: To help children and other vulnerable residents reach their full potential by preventing injuries and diseases, lowering healthcare costs, and improving their overall quality of life. Intended Beneficiaries: Children and older adults sixty-two (62) years and older, or families with persons with disabilities reside. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. Subrecipient Activities: Build local capacity of trained and certified individuals and firms to address lead hazards safely and effectively during lead hazard control, and renovation, remodeling, and maintenance activities.
Total .....	.....	.....		.....	\$104,784,753.10	

Appendix K**FY2021 Tribal VASH-Expansion (FR-6400-N-73)**

Contact: Hilary Atkin, 202-402-3427.

Organization name	Address	City	State	Zip code	Award amount	Description of project
Cook Inlet Housing Authority.	3510 Spendard Road.	Anchorage.	AK	99503	\$154,869	This Tribal HUD-VASH Expansion grant has been awarded to Cook Inlet Housing Authority for \$154,869. This grant will be used to provide rental assistance to approximately 10 Native American veterans, as well as administrative funding to support the program during the period of performance. Subrecipients and any subrecipient activities are unknown at the time of award.
Tohono O'odham Ki:Ki Housing Authority.	P.O. Box 790	Sells	AZ	85634	500,304	This Tribal HUD-VASH Expansion grant has been awarded to Tohono O'odham Ki:Ki Housing Authority for \$500,304. This grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program during the period of performance. Subrecipients and any subrecipient activities are unknown at the time of award.
White Mountain Apache Housing Authority.	50 W Chinatown Street.	Whiteriver	AZ	85941	185,940	This Tribal HUD-VASH Expansion grant has been awarded to White Mountain Apache Housing Authority for \$185,940. This grant will be used to provide rental assistance to approximately 15 Native American veterans, as well as administrative funding to support the program during the period of performance. Subrecipients and any subrecipient activities are unknown at the time of award.
Total .....	.....	.....	.....	.....	\$841,113	

Appendix L**FY2022 Tribal HUD VASH Renewals (PIH Notice 2022-08)**

Contact: Hilary Atkin, 202-402-3427.

Organization name	Address	City	State	Zip code	Amount	Description of project
Association of Village Council Presidents Regional Housing Authority.	P.O. Box 767	Bethel	AK	99559	\$591,915.00	The Tribal HUD-VA Supportive Housing program (Tribal HUD-VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to AVCP RHA for \$591,915. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Cook Inlet Housing Authority.	3510 Spenard Road, Sutie 100.	Anchor-age.	AK	99503	356,595.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Cook Inlet HA for \$356,595. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Tlingit-Haida Regional Housing Authority.	5446 Jenkins Drive	Juneau ...	AK	99801	664,590.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Tlingit Haida Regional HA for \$664,590. This renewal grant will be used to provide rental assistance to approximately 30 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Leech Lake Housing Authority.	611 Elm Ave	Cass Lake.	MN	56633	218,415.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Leech Lake Housing Authority for \$218,415. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Lumbee Tribe of North Carolina.	6984 Highway 711	Pembroke	NC	28372	571,486.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Lumbee Tribe of North Carolina for \$571,486. This renewal grant will be used to provide rental assistance to approximately 30 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Oneida Nation	P.O. Box 68	Oneida ...	WI	54155	275,532.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Oneida Nation of Wisconsin for \$275,532. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
White Earth Reservation Housing Authority.	3303 US Hwy 59	Waubun ..	MN	56589	249,525.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to White Earth Housing Authority for \$249,525. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Apsaalooke Tribal Housing Authority.	P.O. Box 99	Crow Agency.	MT	59022	97,980.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Apsaalooke Housing Authority for \$97,980. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Blackfeet Housing Authority.	P.O. Box 449	Browning	MT	59417	300,645.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Blackfeet Housing Authority for \$300,645. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Oglala Sioux (Lakota) Housing Authority.	P.O. Box 603	Pine Ridge.	SD	57770	262,860.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Oglala Sioux Lakota Housing for \$262,860. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Sicangu Wicoti Awayankapi Corporation (SWA).	P.O. Box 69	Rosebud	SD	57570	279,810.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Sicangu Wicoti Awayankapi Corporation for \$279,810. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Standing Rock Housing Authority.	P.O. Box 769	Fort Yates.	ND	58538–0769	207,975.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Standing Rock Housing Authority for \$207,975. This renewal grant will be used to provide rental assistance to approximately 15 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Turtle Mountain Housing Authority.	P.O. Box 620	Belcourt ..	ND	58316	265,320.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Turtle Mountain Housing Authority for \$265,320. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Colville Indian Housing Authority.	P.O. Box 528	Nespelem	WA	99155	290,055.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Colville Indian Housing Authority for \$290,055. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Fort Hall Housing Authority.	161 Wardance Circle.	Pocatello	ID	83202	165,270.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Fort Hall Housing Authority for \$165,270. This renewal grant will be used to provide rental assistance to approximately 15 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Spokane Indian Housing Authority.	P.O. Box 195	Wellpinit	WA	99040	323,460.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Spokane Indian Housing Authority for \$323,460. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Warm Springs Housing Authority.	P.O. Box 1167	Warm Springs.	OR	97761	160,050.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Warm Springs Housing Authority for \$160,050. This renewal grant will be used to provide rental assistance to approximately 10 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Yakama Nation Housing Authority.	611 S Camas Avenue.	Wapato ...	WA	98951	289,650.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Yakama Nation Housing Authority for \$289,650. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Cherokee Nation	P.O. Box 1669	Tahlequah.	OK	74465–1669	255,510.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Cherokee Nation for \$255,510. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Cheyenne-Arapaho Housing Authority.	2100 Dog Patch Road.	Clinton	OK	73601	363,810.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Cheyenne Arapaho Housing Authority for \$363,810. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Choctaw Nation Housing Authority.	P.O. Box G 207 Jim Monroe Road.	Hugo	OK	74743	430,440.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Choctaw Nation Housing Authority for \$430,440. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
Muscogee (Creek) Nation.	P.O. Box 580	Okmulgee	OK	74447	696,600.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Muscogee (Creek) Nation for \$696,600. This renewal grant will be used to provide rental assistance to approximately 50 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Osage Nation	627 Grandview	Pawhuska	OK	74056	367,740.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Osage Nation for \$367,740. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Hopi Tribal Housing Authority.	P.O. Box 906	Polacca ..	AZ	86042	245,040.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Hopi Housing Authority for \$245,040. This renewal grant will be used to provide rental assistance to approximately 15 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Navajo Housing Authority.	P.O. Box 4980	Window Rock.	AZ	86515	273,840.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Navajo Housing Authority for \$273,840. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.

Organization name	Address	City	State	Zip code	Amount	Description of project
San Carlos Apache Housing Authority.	P.O. Box 740	Peridot	AZ	85542	287,025.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to San Carlos HA for \$287,025. This renewal grant will be used to provide rental assistance to approximately 15 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Tohono O'odham—KIKI Association.	P.O. Box 790	Sells	AZ	85634	580,920.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Tohono O'odham Ki:ki Housing Authority for \$580,920. This renewal grant will be used to provide rental assistance to approximately 20 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Zuni Housing Authority.	P.O. Box 710	Zuni	NM	87327	165,810.00	The Tribal HUD–VA Supportive Housing program (Tribal HUD–VASH) provides rental assistance and supportive services to Native American veterans who are Homeless or At Risk of Homelessness living on or near a reservation or other Indian areas. This renewal grant has been awarded to Zuni HA for \$165,810. This renewal grant will be used to provide rental assistance to approximately 10 Native American veterans, as well as administrative funding to support the program, during the Fiscal Year (FY) 2022 renewal period ending September 30, 2023.
Total .....	.....	.....		.....	9,237,868.00	

Appendix M

FY 2022 Public Housing Operating Fund Shortfall Funding Program (PIH Notice 2022–17)

Contact: shortfallfunding@hud.gov.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
AL005—Phenix City Housing Authority.	200 16Th Street ...	Phenix City	AL	36867	\$124,988.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL008—Selma Housing Authority.	444 Washington Street.	Selma	AL	36702	322,120.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL079—Housing Authority Of The Town Of Montevallo.	1204 Island Street	Montevallo	AL	35115	90,774.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL111—Housing Authority Of The City Of Florala.	22765 5Th Ave	Florala	AL	36442	20,303.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
AL147—Housing Authority Of The City Of Bridgeport.	603 6Th Street	Bridgeport	AL	35740	54,107.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL153—Housing Authority Of The Town Of Parrish.	25 Bank Street	Parrish	AL	35580	7,812.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL156—Housing Authority Of The City Of Brewton.	201 Washington Circle.	Brewton	AL	36426	18,928.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AL181—Evergreen Housing Authority.	203 Rabb Drive	Evergreen	AL	36401	53,478.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
AR037—Housing Authority Of The City Of Prescott.	P.O. Box 119	Prescott	AR	71857	1,597.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AR042—Star City Housing Authority.	301 E Joslyn Avenue.	Star City	AR	71667	56,986.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AR047—Housing Authority Of The City Of Hoxie.	400 SW Maple	Hoxie	AR	72433	48,538.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AR112—Housing Authority Of The City Of Marmaduke.	957 Lillian Boulevard.	Marmaduke	AR	72443	18,021.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
AR146—Housing Authority Of The City Of Kensett.	405 E Wilbur D. Mills.	Kensett	AR	72082	8,161.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
AZ008—Winslow Public Housing Authority.	900 Henderson Square.	Winslow	AZ	86047	48,223.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
CA001—Housing Authority Of The City & County Of Sf.	1815 Egbert Avenue.	San Francisco	CA	94124	95,046.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
CA011—Housing Authority Of The County Contra Costa.	3133 Estudillo Street.	Martinez	CA	94553	2,327,481.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
CA025—City Of Eureka Housing Authority.	735 W Everding Street.	Eureka	CA	95503	145,919.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
CO030—Burlington Housing Authority.	944 Lowell Avenue	Burlington	CO	80807	7,835.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
CT003—Housing Authority Of The City Of Hartford.	180 John D. Wardlaw Way.	Hartford	CT	06106	652,558.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
CT035—Housing Authority Of The Town Of Seymour.	28 Smith Street	Seymour	CT	06483	89,483.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
DE002—Dover Housing Authority.	76 Stevenson Drive.	Dover	DE	19901	239,662.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL011—Housing Authority Of The City Of Lakeland.	430 Hartsell Avenue.	Lakeland	FL	33815	342,323.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL017—Housing Authority Of The City Of Miami Beach.	200 Alton Road	Miami Beach ..	FL	33139	211,446.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL024—Ormond Beach Housing Authority.	100 New Britain Ave.	Ormond Beach	FL	32174	9,155.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
FL032—Ocala Housing Authority.	1629 Nw 4Th Street.	Ocala	FL	34475	166,337.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL033—Seminole County Housing Authority.	662 Academy Place.	Oviedo	FL	32765	19,885.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL065—Macclenny Housing Authority.	402 E Stansell Avenue.	Macclenny	FL	32063	12,244.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
FL104—Pasco County Housing Authority.	36739 S R. 52, Suite 108.	Dade City	FL	33525	425,312.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
GA064—Housing Authority Of The City Of Bainbridge.	108 South Sims Street.	Bainbridge	GA	39817	693,016.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA095—Housing Authority Of The City Of Newnan.	48 Ball Street	Newnan	GA	30263	49,144.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA109—Housing Authority Of The City Of Newton.	51 Hilliard Street ...	Camilla	GA	31730	36,622.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA118—Housing Authority Of The County Of Stewart.	P.O. Box 327	Lumpkin	GA	31815	30,823.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
GA128—Housing Authority Of The City Of Thomson.	219 Pecan Avenue	Thomson	GA	30824	150,806.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA174—Housing Authority Of The City Of Dahlonega.	90 Thompson Circle.	Dahlonega	GA	30533	18,117.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA186—Housing Authority Of The City Of Abbeville.	248 Barnes St	Abbeville	GA	31001	5,630.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
GA214—Housing Authority Of The City Of Ellaville.	Buena Vista	Ellaville	GA	31806	16,335.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
GA239—Housing Authority Of The City Of Soperton.	700 Eastman Road	Soperton	GA	30457	27,141.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IL025—Housing Authority Cook County.	175 W Jackson	Chicago	IL	60604	510,523.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IL088—Housing Authority Of The County Of Wayne, Illinois.	303 N 1St Street ..	Fairfield	IL	62837	4,356.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IL107—Housing Authority Of The City Of North Chicago, Il.	1440 Jackson Street.	North Chicago	IL	60064	25,424.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
IN004—Delaware County Housing Authority.	2401 S Haddix Avenue.	Muncie	IN	47302	122,641.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IN015—Housing Authority Of South Bend.	501 Alonzo Watson Drive.	South Bend	IN	46601	1,548,904.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IN024—Rockport Housing Authority.	601 Washington Street.	Rockport	IN	47635	46,784.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
IN031—Housing Authority City Of Bedford.	1305 K Street	Bedford	IN	47421	95,941.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
IN034—Sullivan Housing Authority.	200 N Court Street	Sullivan	IN	47882	45,568.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS023—Kinsley Housing Authority.	210 W 9Th Street	Kinsley	KS	67547	16,202.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS029—Augusta Housing Authority.	620 Osage Street	Augusta	KS	67010	144,976.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS057—Housing Authority Of Medicine Lodge.	200 S Cherry St ...	Medicine Lodge.	KS	67104	34,158.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
KS062—Chanute Housing Authority.	818 S Santa Fe Suite C.	Chanute	KS	66720	103,004.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS063—Manhattan Housing Authority.	300 No. 5Th Street	Manhattan	KS	66502	199,879.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS069—Neodesha Housing Authority.	118 S Sixth St	Neodesha	KS	66757	35,605.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS073—Newton Housing Authority.	105 W 9Th Street	Newton	KS	67114	63,947.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
KS079—Howard Housing Authority.	134 E Washington #A.	Howard	KS	67349	30,612.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS105—Junction City Housing Authority.	1202 Country Club Ln.	Junction City ...	KS	66441	157,740.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KS155—Cherryvale Housing Authority.	621 W 4Th	Cherryvale	KS	67335	13,071.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY010—Housing Authority Of Corbin.	1336 Madison Street.	Corbin	KY	40702	86,511.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
KY030—Housing Authority Of Murray.	716 Nash Drive	Murray	KY	42071	191,944.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY044—Housing Authority Of Whitesburg.	4 Banks Street	Whitesburg	KY	41858	53,320.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY059—Housing Authority Of Falmouth.	412 Beech Street	Falmouth	KY	41040	110,339.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY067—Housing Authority Of Horse Cave.	990 N Dixie Street	Horse Cave	KY	42749	37,782.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
KY070—Housing Authority Of Central City.	509 S 9Th Street ..	Central City	KY	42330	26,586.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY079—Stanford Housing Authority.	100 Lacy Street	Stanford	KY	40484	29,540.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY083—Housing Authority Of Hodgenville.	501 Miami Court ...	Hodgenville	KY	42748	68,119.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY093—Housing Authority Of Morganfield.	703 Culver Drive ..	Morganfield	KY	42437	137,423.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
KY094—Housing Authority Of Sturgis.	116 E Old Providence Road.	Sturgis	KY	42459	71,763.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY098—Housing Authority Of Owenton.	100 Gaines Village Drive.	Owenton	KY	40359	37,095.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY106—Housing Authority Of Owingsville.	180 Kendall Springs Avenue.	Owingsville	KY	40360	30,242.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
KY122—Housing Authority Of Beaver Dam.	3030 James Court	Beaver Dam ...	KY	42320	52,155.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
LA027—Housing Authority Of New Iberia.	325 North Street ...	New Iberia	LA	70560	113,906.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
LA238—Housing Authority Of City Of Covington.	303 W 33Rd Avenue.	Covington	LA	70433	16,235.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
ME009—Housing Authority City of Bangor.	161 Davis Road	Bangor	ME	4401	741,463.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI031—Muskegon Heights Housing Commission.	615 E Hovey Avenue.	Muskegon Heights.	MI	49444	516,810.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MI046—Saint Joseph Housing Commission.	601 Port Street	St Joseph	MI	49085	133,217.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI055—Livonia Housing Commission.	19300 Purlingbrook Street.	Livonia	MI	48152	169,988.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI066—Muskegon Housing Commission.	1080 Terrace	Muskegon	MI	49442	75,398.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI069—Sturgis Housing Commission.	128 S Nottawa Street.	Sturgis	MI	49091	4,387.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MI073—Grand Rapids Housing Commission.	1420 Fuller Avenue Se.	Grand Rapids	MI	49507	262,162.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI093—Rockford Housing Commission.	59 S Main Street ..	Rockford	MI	49341	1,317.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MI168—Ingham County Housing Commission.	3882 Dobie Road	Okemos	MI	48864	91,593.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN022—Hra of The City of Blue Earth, Minnesota.	220 E 7Th Street ..	Blue Earth	MN	56013	10,112.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MN038—Hra of St. Cloud, Minnesota.	1225 W Saint Germain.	Saint Cloud	MN	56301	98,368.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN047—Hra of Bagley, Minnesota.	516 Main Avenue N.	Bagley	MN	56621	16,484.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN052—Hra of Braham, Minnesota.	409 Central Drive W.	Braham	MN	55006	10,424.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN062—Hra of City of Delano, Minnesota.	125 5Th Street S ..	Delano	MN	55328	13,316.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MN090—Hra Of Red Wing, Minnesota.	428 W 5Th Street	Red Wing	MN	55066	120,833.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN096—Hra Of Cook, Minnesota.	111 5Th Street Se	Cook	MN	55723	25,901.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN101—Hra Of Mora, Minnesota.	820 Howe Ave	Mora	MN	55051	65,695.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN176—Big Stone County Hra.	301 Nw First Street.	Ortonville	MN	56278	18,612.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MN182—Stevens County Hra.	100 S Columbia Avenue.	Morris	MN	56267	31,296.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN188—Cass County Hra.	Post Office Box 33	Backus	MN	56435	17,189.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MN208—Housing & Redevelopment Authority of Janesville.	106 E North Street	Janesville	MN	56048	30,581.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MO073—Lawson Housing Authority.	517 N Doniphan St	Lawson	MO	64062	9,787.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MO149—Housing Authority of The City of Rolla.	1440 Forum Drive	Rolla	MO	65401	103,473.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MO156—Housing Authority of The City of Alton.	111 Walnut Street	Alton	MO	65606	25,146.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MO209—Housing Authority of The City of Cabool.	6B Cedar Bluff Avenue.	Cabool	MO	65689	43,143.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MS004—The Housing Authority of The City of Meridian.	2425 E Street	Meridian	MS	39302	58,351.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
MS081—The Housing Authority of The City of Sardis.	321 Greenhill Circle.	Sardis	MS	38666	16,759.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
MT006—Richland County Housing Authority.	1032 6Th Street Sw.	Sidney	MT	59270	46,587.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NC035—Sanford Housing Authority.	1000 Carthage Street.	Sanford	NC	27330	185,697.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NC043—Troy Housing Authority.	408 S Main Street	Troy	NC	27371	122,558.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NC060—Roxboro Housing Authority.	500 Mount Bethel Church Road.	Roxboro	NC	27573	175,734.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
ND003—Rolette County Housing Authority.	211 2Nd Ave Ne ...	Rolla	ND	58367	51,981.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
ND058—Nelson County Housing Authority.	1405 1St Ave N	Grand Forks ...	ND	58203	56,423.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NE123—McCook Housing Authority.	502 Missouri Avenue Circle.	McCook	NE	69001	5,971.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NH011—Berlin Housing Authority.	10 Serenity Circle	Berlin	NH	3570	32,082.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NJ032—Rahway Housing Authority.	165 E Grand Avenue.	Rahway	NJ	7065	151,900.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NJ036—Guttenberg Housing Authority.	6900 Broadway	Guttenberg	NJ	7093	20,246.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NJ037—Irvington Housing Authority.	101 Union Avenue	Irvington	NJ	7111	1,510,637.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NJ049—Bridgeton Housing Authority.	110 E Commerce Street.	Bridgeton	NJ	8302	135,099.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NJ074—Penns Grove Housing Authority.	Penn Towers South.	Penns Grove ..	NJ	8069	12,585.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NM047—Housing Authority of The Village of Chama.	P.O. Box 695	Chama	NM	87520	14,826.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY023—Freeport Housing Authority.	240 S Main Street	Freeport	NY	11520	648,428.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NY026—North Tarrytown Housing Authority.	126 Valley Street ..	Sleepy Hollow	NY	10591	164,794.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY030—Elmira Housing Authority.	737—D Reservoir St.	Elmira	NY	14905	187,846.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY044—Geneva Housing Authority.	41 Lewis St	Geneva	NY	14456	45,348.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY056—Village of Spring Valley Housing Authority.	76 Gesner Drive ...	Spring Valley ..	NY	10977	281,688.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NY065—Norwich Housing Authority.	13 Brown St	Norwich	NY	13815	47,812.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY082—Peekskill Housing Authority.	807 Main Street	Peekskill	NY	10566	168,437.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY085—Village of Hempstead Ha.	260 Clinton Street	Hempstead	NY	11550	377,846.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
NY144—Village of Great Neck Housing Authority.	700 Middle Neck Road.	Great Neck	NY	11023	83,963.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
NY414—West Carthage Housing Authority.	63 Madison St	Carthage	NY	13619	49,264.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OH032—Hocking Metropolitan Housing Authority.	33601 Pine Ridge Dr..	Logan	OH	43138	430,308.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OH062—Miami Metropolitan Housing Authority.	1695 Troy Sidney Road.	Troy	OH	45373	55,208.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK025—Housing Authority of The Town of Antlers.	225 Nw A Street ...	Antlers	OK	74523	55,754.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
OK068—Housing Authority of The City of Haileyville.	816 2Nd St	Haileyville	OK	74547	18,396.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK072—Housing Authority of The City of Hartshorne.	615 Wichita Avenue.	Hartshorne	OK	74547	58,883.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK075—Housing Authority of The City of Beggs.	201 S Choctaw St	Beggs	OK	74421	85,312.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK089—Housing Authority of The City of Hobart.	329 S Lincoln Street.	Hobart	OK	73651	36,294.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
OK092—Housing Authority of The Town of Granite.	100 Locust, Unit 12.	Granite	OK	73547	16,935.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK120—Housing Authority of The City of Yale.	600 Watson Dr.	Yale	OK	74085	23,674.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OK147—Housing Authority of The Town of Lone Wolf.	901 Walker Circle	Lone Wolf	OK	73655	14,934.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
OR003—Housing Authority of Douglas County.	1000 West Stanton Street.	Roseburg	OR	97471	124,909.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
OR006—Housing Authority & Comm Svcs of Lane Co.	100 W 13Th Ave ..	Eugene	OR	97401	210,298.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
PA005—Housing Authority of The City of McKeesport.	2901 Brownlee Avenue.	Mc Keesport ...	PA	15132	603,449.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
PA007—Chester Housing Authority.	1111 Avenue Of The States.	Chester	PA	19013	917,416.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
PA041—The Housing Auth of The County of Mifflin.	141 S Pine Road ..	Lewistown	PA	17044	29,304.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
PA051—Bucks County Housing Authority.	350 S Main Street	Doylestown	PA	18901	465,649.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
PA056—Housing Authority of The City of Franklin.	1212 Chestnut Street.	Franklin	PA	16323	28,784.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
PA060—Housing Authority of The County of Northumberland.	50 Mahoning Street.	Milton	PA	17847	7,966.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
RI009—Johnston Housing Authority.	8 Forand Circle	Johnston	RI	2919	77,625.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
RI010—Cumberland Housing Authority.	573 Mendon Road	Cumberland	RI	2864	48,972.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
RI016—Coventry Housing Authority.	14 Manchester Circle.	Coventry	RI	2816	33,508.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
RI021—Jamestown Housing Authority.	45 Pemberton Avenue.	Jamestown	RI	2835	15,025.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
RI026—Narragansett Housing Authority.	25 5Th Avenue	Narragansett ...	RI	2882	6,568.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
RI027—Tiverton Housing Authority.	99 Hancock Street	Tiverton	RI	2878	19,635.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
SD019—Hot Springs Housing And Redevelopment Commission.	201 S River Street	Hot Springs	SD	57747	218,672.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
SD034—Aberdeen Housing & Redevelopment Commission.	2222 3Rd Avenue Se.	Aberdeen	SD	57401	21,217.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TN009—Union City Housing Authority.	1409 E Main Street.	Union City	TN	38261	56,318.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
TN034—Jellico Housing Authority.	120 Bacon Street	Jellico	TN	37762	49,591.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TN055—Harriman Housing Authority.	924 Sewanee Street.	Harriman	TN	37748	436,310.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TN065—Maryville Housing Authority.	311 Atlantic Avenue.	Maryville	TN	37801	111,535.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TN078—Oliver Springs Housing Authority.	113 Wagner Court	Oliver Springs	TN	37840	148,037.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
TN081—Erwin Housing Authority.	750 Carolina Avenue.	Erwin	TN	37650	2,628.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX012—Housing Authority of The City of Baytown.	1805 Cedar Bayou Road.	Baytown	TX	77520	72,482.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX156—Housing Authority Of Spearman.	201 S Brandt Street.	Spearman	TX	79081	20,157.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX157—Housing Authority Of Mclean.	711 North Wheeler	Mclean	TX	79057	13,924.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
TX182—Housing Authority Of Rotan.	P.O. Drawer J	Rotan	TX	79546	28,158.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX194—Housing Authority Of Childress.	407 Avenue B Nw	Childress	TX	79201	27,950.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX223—Housing Authority Of Newton.	103 Sartain	Newton	TX	75966	86,220.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX266—Smithville Housing Authority.	100 Ken Blaschke Drive.	Smithville	TX	78957	50,492.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
TX339—Housing Authority Of Clifton.	608 N Avenue I	Clifton	TX	76634	59,392.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX405—Housing Authority Of Hubbard.	640 Ne 7Th Street	Hubbard	TX	76648	2,439.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX448—La Joya Housing Authority.	945 South Leo Avenue.	La Joya	TX	78560	44,098.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
TX455—Housing Authority City Of Odessa.	124 E 2Nd Street	Odessa	TX	79761	9,233.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
TX457—Housing Authority Of Marshall.	1401 Poplar Street	Marshall	TX	75670	5,630.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
VA016—Charlottesville Redevelopment & Housing Authority.	500 S 1St Street ...	Charlottesville	VA	22902	517,238.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
VA029—Cumberland Plateau Regional Housing Authority.	35 Fox Meadow Drive.	Lebanon	VA	24266	52,827.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
VA030—Marion Redevelopment & Housing Authority.	237 Miller Avenue	Marion	VA	24354	256,828.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
WA012—Ha City Of Kennewick.	1915 W 4Th Place	Kennewick	WA	99336	106,469.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WA041—Ha Of Whatcom County.	208 Unity Street ...	Bellingham	WA	98225	15,829.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI046—Richland Center Housing Authority.	701 W Seminary Street.	Richland Center.	WI	53581	9,883.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI052—Housing Authority Of The City Of Cumberland.	1295 6Th Avenue	Cumberland	WI	54829	47,896.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
WI057—Luck Housing Authority.	416 S 1St Street ...	Luck	WI	54853	19,029.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI071—Grantsburg Housing Authority.	213 W Burnett Avenue.	Grantsburg	WI	54840	13,679.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI075—Pulaski Housing Authority.	430 S Saint Augustine Street, #14.	Pulaski	WI	54162	47,497.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI090—Baraboo Community Development Authority.	920 10Th Street ...	Baraboo	WI	53913	14,769.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
WI113—Housing Authority of The City of Oshkosh, Wi.	600 Merritt Avenue	Oshkosh	WI	54902	140,388.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI166—Trempealeau County Housing Authority.	36358 Main Street	Whitehall	WI	54773	32,533.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WI214—Dane County Housing Authority.	6000 Gisholt Drive	Monona	WI	53713	508,901.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
WV015—Housing Authority of The City of Beckley.	100 Beckwoods Drive.	Beckley	WV	25801	25,538.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Organization name	Street address	City	State	Zip code	Award amount total	Project description
WV021—Housing Authority Of The City of St. Albans.	650 6Th Street	Saint Albans ...	WV	25177	143,199.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.
Total .....	.....	.....	.....	.....	25,000,000.00	Purpose: Provide assistance for short-falls in operating reserves. Activities to be Performed: Awardee must submit an improvement plan to HUD; improve financial performance by taking management actions; submit budgets and actuals to HUD on an annual and semi-annual basis. Deliverables and Expected Outcomes: Improvement plans; Budgets and actuals. Intended Beneficiaries: Public Housing Residents. Subrecipient Activities: This award has no sub-recipients.

Appendix N

FY2022 Mainstream Vouchers Grant (PIH Notice 2022–07)

Contact: Emily Warren, 202–402–7515.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Conway.	335 South Mitchell Street.	Conway	AR	72034	\$19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Phoenix Housing Department.	Neighborhood Improvement Hsg D 251 W Washington St., 4th Fl.	Phoenix	AZ	850031611	643,664.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City & County of San Francisco.	1815 Egbert Ave ..	San Francisco	CA	94124	114,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the County of Los Angeles.	C.D.C. County Of Los Angeles 700 W Main Street.	Alhambra	CA	91801	101,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
County of Sacramento Housing Authority.	801 12th Street	Sacramento	CA	95814	108,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the County of San Mateo.	264 Harbor Blvd., Bldg. A.	Belmont	CA	94002	862,134.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of San Bernardino.	715 E Brier Drive ..	San Bernardino.	CA	924082841	186,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
County of Monterey Hsg Auth.	123 Rico Street	Salinas	CA	939070000	478,672.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of Yolo.	147 W Main Street	Woodland	CA	95776	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of County of Marin.	4020 Civic Center Drive.	San Rafael	CA	94903	88,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
City of Berkeley Housing Authority.	1947 Center Street, 5th Floor.	Berkeley	CA	947040000	45,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Crescent City Hsg Auth.	235 "H" Street	Crescent City ..	CA	95531	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
San Diego Housing Commission.	1122 Broadway, Suite 300.	San Diego	CA	92101	855,426.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Santa Cruz County Hsg Auth.	2160 41St Ave	Capitola	CA	95010	120,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Napa.	1115 Seminary Street P.O. Box 660.	Napa	CA	945590660	37,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Santa Barbara.	808 Laguna St	Santa Barbara	CA	931010000	615,380.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Pasadena.	646 N Fair Oaks Ave. Suite 202.	Pasadena	CA	91103	37,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Inglewood.	One Manchester Blvd, # 750.	Inglewood	CA	90301	37,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
County of Sonoma	1440 Guerneville Road.	Santa Rosa	CA	954034107	115,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
County of Humboldt Housing Authority.	735 West Everding Street.	Eureka	CA	955030000	37,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Santa Ana.	20 Civic Center Plaza P.O. Box 22030.	Santa Ana	CA	92701	115,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Anaheim Housing Authority.	201 S Anaheim Blvd., Ste 200.	Anaheim	CA	928050000	198,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of San Diego.	3989 Ruffin Road	San Diego	CA	92123	115,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Vacaville	40 Eldridge Avenue, Suites 1–5.	Vacaville	CA	956870000	50,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
City of Roseville	Economic & Community Services 311 Vernon St.	Roseville	CA	95678	110,712.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
County of Solano Hsg Auth.	Suite 5500 675 Texas St.	Fairfield	CA	94533	26,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Imperial Valley Housing Authority.	1401 D Street	Brawley	CA	922270000	62,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Placer County Housing Authority.	11519 B Avenue ...	Auburn	CA	95603	22,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Boulder Housing Partners.	4800 Broadway	Boulder	CO	803040000	89,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Arvada Housing Authority.	8101 Ralston Road	Arvada	CO	800020000	121,766.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Boulder County Housing Authority.	2040 14th Street P.O. Box 471.	Boulder	CO	803060471	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Jefferson County Housing Authority.	7490 West 45th Avenue.	Wheatridge	CO	800330000	419,670.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Norwalk.	24 1/2 Monroe Street.	Norwalk	CT	6856	188,709.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Danbury.	2 Mill Ridge Road P.O. Box 86.	Danbury	CT	68100000	45,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Community Connections.	801 Pennsylvania Ave, Se 201.	Washington	DC	20003	144,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Orlando Housing Authority.	390 North Bumby Avenue.	Orlando	FL	328030000	26,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Fort Lauderdale.	437 SW 4th Avenue.	Fort Lauderdale.	FL	333150000	33,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Lakeland.	P.O. Box 1009 430 S Hartsell Avenue.	Lakeland	FL	33815	218,178.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Miami Beach.	200 Alton Road	Miami Beach ..	FL	331396742	37,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Cocoa.	828 Stone St	Cocoa	FL	32922	26,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Pahokee Housing Authority.	465 Friend Terrace	Pahokee	FL	334760000	123,870.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Seminole County Housing Authority.	662 Academy Place.	Oviedo	FL	32765	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Hialeah Housing Authority.	75 East 6th Street	Hialeah	FL	330100000	723,506.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Homestead.	29355 South Federal Hwy.	Homestead	FL	33030	76,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Alachua County Housing Authority.	703 NE 1St Street	Gainesville	FL	326015304	192,432.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Tallahassee Housing Authority.	2940 Grady Road	Tallahassee	FL	323120000	98,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Clearwater Housing Authority.	908 Cleveland Street.	Clearwater	FL	33755	75,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Palm Beach County Housing Authority.	3432 W 45th Street.	West Palm Beach.	FL	334070000	529,870.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Pasco County Housing Authority.	14517 Seventh Street.	Dade City	FL	33525	89,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Albany.	P.O. Box 485 521 Pine Avenue.	Albany	GA	317020485	19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Georgia Residential Finance.	60 Executive Park South, NE Suite 250.	Atlanta	GA	303292257	102,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
County of Hawaii ...	Office Of Hsg & Comm Dev 1990 Kino'Ole St Suite 102.	Hilo	HI	967200000	43,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Municipal Housing Agency of Council Bluffs.	505 South Sixth Street.	Council Bluffs	IA	515030000	32,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Eastern Iowa Regional Housing Authority.	7600 Commerce Park.	Dubuque	IA	520029673	46,647.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Idaho Housing And Finance Association.	565 W Myrtle Street P.O. Box 7899.	Boise	ID	837071899	132,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of Joliet.	6 South Broadway Street.	Joliet	IL	60436	556,837.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of Jackson, IL.	P.O. Box 1209 300 N 7th Street.	Murphysboro ..	IL	629660000	40,986.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Dupage Housing Authority.	711 East Roosevelt Road.	Wheaton	IL	601875646	371,466.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Lafayette.	P.O. Box 6687	Lafayette	IN	479036687	68,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Indiana Housing And Community Development Au.	30 S Meridian St Suite 1000.	Indianapolis	IN	46204	318,438.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Lawrence/Douglas County Housing Authority.	1600 Haskell Ave- nue.	Lawrence	KS	660440000	68,709.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Louisville Metro Housing Authority.	420 South Eighth Street.	Louisville	KY	40203	507,038.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Lexington.	300 New Circle Road.	Lexington	KY	40505	276,112.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Bowling Green CDA.	707 E Main Avenue Post Office Box 430.	Bowling Green	KY	421020430	90,758.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Bossier Parish Section 8.	C/O Bossier Parish Sec 8 Hsg 3022 Old Minden Road, Ste 206.	Bossier City	LA	71112	92,154.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Somerville Housing Authority.	30 Memorial Road	Somerville	MA	2145	56,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Dedham Housing Authority.	163 Dedham Blvd	Dedham	MA	20262511	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Falmouth Housing Authority.	115 Scranton Ave	Falmouth Town	MA	25403598	50,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Mansfield Housing Authority.	22 Bicentennial Court.	Mansfield Town.	MA	2048	26,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
The Bridge of Central Massachusetts.	4 Mann Street	Worcester	MA	1602	178,088.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Bridgewell	471 Broadway	Lynnfield	MA	1940	164,194.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Middlesex North Resources Center, Inc.	471 Broadway	Lynnfield	MA	1940	132,210.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Department of Housing & Community Development.	100 Cambridge Street.	Boston	MA	2114	145,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Opprty Com of Mont- gomery Co.	10400 Detrick Ave- nue.	Kensington	MD	208952484	923,644.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of St. Mary's County, MD.	21155 Lexwood Drive Suite C.	Lexington Park	MD	20653	135,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Howard County Housing Commission.	9770 Patuxent Woods Drive Suite 100.	Columbia	MD	21046	459,622.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Washington County.	319 E Antietam, Street 2nd Floor.	Hagerstown	MD	21740	86,728.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Cecil County Housing Agency.	200 Chesapeake Blvd., Suite 1800.	Elkton	MD	21921	19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Carroll County Housing And Community Dev.	10 Distillery Drive, Suite 101.	Westminster ...	MD	211575194	54,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Fort Fairfield Housing Authority.	18 Fields Lane	Fort Fairfield ...	ME	4742	23,639.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Presque Isle Housing Authority.	58 Birch Street	Presque Isle ...	ME	4769	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
The Housing Authority of the City of Westbroo.	30 Liza Harmon Drive.	Westbrook	ME	40924741	109,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Port Huron Housing Commission.	905 Seventh Street	Port Huron	MI	480600000	92,001.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Ann Arbor Housing Commission.	727 Miller Avenue	Ann Arbor	MI	481030000	125,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Grand Rapids Housing Commission.	1420 Fuller Ave Se	Grand Rapids	MI	49507	123,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Services for Eaton County.	P.O. Box 746	Charlotte	MI	48813	106,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Public Housing Agency of the City of St Paul.	555 North Wabasha, Suite 400.	St. Paul	MN	551021017	434,745.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
PHA In And for the City of Minneapolis.	1001 Washington Ave North.	Minneapolis	MN	554011043	112,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
HRA of Duluth, Minnesota.	P.O. Box 16900	Duluth	MN	558160900	16,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HRA of Fergus Falls, Minnesota.	1151 Friberg Avenue.	Fergus Falls ...	MN	565372535	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
HRA of Wadena, Minnesota.	222 Second Street Se.	Wadena	MN	564821327	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HRA of St. Cloud, Minnesota.	1225 West St. Germain.	St. Cloud	MN	56301	88,206.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Mankato EDA	P.O. Box 3368	Mankato	MN	560023368	120,564.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of St Louis Park, Minnesota.	5005 Minnetonka Blvd.	St. Louis Park	MN	554161785	97,994.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Dakota County CDA.	1228 Town Centre Drive.	Eagan	MN	55123	213,440.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Itasca County HRA	1115 NW 4th St	Grand Rapids	MN	55744	25,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Metropolitan Council.	390 Robert Street North.	St. Paul	MN	551011805	673,238.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Clay County HRA ..	P.O. Box 99	Dilworth	MN	565290099	155,741.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Morrison County HRA.	County Courthouse 304 Second Street, Southeast.	Little Falls	MN	563450000	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Todd County HRA	300 Linden Avenue South.	Browerville	MN	56438	51,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Douglas County HRA.	1224 N Nokomis Street P.O. Box 965.	Alexandria	MN	563080000	42,242.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Rice County HRA ..	320 NW 3rd Street, Suite 5.	Faribault	MN	550210000	11,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Washington County HRA.	7645 Currell Bou- levard.	Woodbury	MN	55125	19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of Kansas City, Missouri.	3822 Summit	Kansas City	MO	64106	341,646.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of St. Louis County.	8865 Natural Bridge.	St. Louis	MO	631210000	520,296.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Columbia, MO.	201 Switzler Street	Columbia	MO	652034156	143,088.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Lincoln County Public Housing Agency.	Lincoln County Pha 16 North Court.	Bowling Green	MO	633340000	76,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
St. Francois County Public Housing Agency.	P.O. Box N	Park Hills	MO	636010358	32,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Ripley County Public Housing Agency.	3019 Fair Street ...	Poplar Bluff	MO	639010000	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Jasper County Public Housing Agency.	P.O. Box 207	Joplin	MO	648020000	103,376.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Assistance Prog of St Charles County.	201 N Second Street Room 529.	St. Charles	MO	63301	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Tennessee Valley Regional Housing Authority.	P.O. Box 1329	Corinth	MS	388340000	144,860.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Mississippi Regional Housing Authority No. IV.	P.O. Box 1051	Columbus	MS	397031051	61,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
The Housing Authority of the City of Jackson.	2747 Livingston Road P.O. Box 11327.	Jackson	MS	392831327	238,546.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Missoula Housing Authority.	1235 34th Street ...	Missoula	MT	598014933	33,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Wilson.	213 Broad Street P.O. Box 185.	Wilson	NC	27894185	23,762.08	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Gastonia Housing Authority.	340 W Long Avenue P.O. Box 2398.	Gastonia	NC	280532398	237,506.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Sandhills Community Action Program, Inc.	103 Saunders Street P.O. Box 937.	Carthage	NC	28327	19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Cass County.	230 8th Ave West	West Fargo	ND	580780000	56,894.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Williston.	1801—8th Avenue West, #50.	Williston	ND	588010000	54,663.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Great Plains Housing Authority.	300 2nd St NE—200.	Jamestown	ND	58401	161,821.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Grand Forks Housing Authority.	1405 1st Avenue North.	Grand Forks ...	ND	58203	274,177.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Fargo Housing And Redevelopment Authority.	P.O. Box 430	Fargo	ND	581070430	264,376.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Minot Housing Authority.	108 East Burdick Expy.	Minot	ND	58701	48,025.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Stark County Housing Authority.	1149 West Villard P.O. Box 107.	Dickinson	ND	586020107	53,140.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Douglas County Housing Authority.	5404 North 107th Plaza.	Omaha	NE	681340000	192,927.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Dover Housing Authority.	62 Whittier Street	Dover	NH	3820	109,562.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Concord Housing Authority.	23 Green Street	Concord	NH	3301	88,788.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Keene Housing Authority.	831 Court Street ...	Keene	NH	3431	50,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Harbor Homes, Inc	45 High Street	Nashua	NH	3060	112,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
New Hampshire Housing Finance Agency.	P.O. Box 5087	Manchester	NH	31085087	170,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority City of Jersey City.	400 U.S. Highway #1.	Jersey City	NJ	73066731	568,277.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Bayonne Housing Authority.	50 East 21St Street.	Bayonne	NJ	70023761	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Morris County Housing Authority.	99 Ketch Road	Morristown	NJ	79603115	115,868.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Somerville Housing Authority.	25 End Avenue	Somerville	NJ	88761800	93,979.84	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Manville Housing Authority.	325 Main Street	Manville	NJ	88351009	6,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Gloucester County Housing Authority.	100 Pop Moylan Boulevard.	Deptford	NJ	80961907	365,666.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the County of Santa Fe.	52 Camino De Jacobo.	Santa Fe	NM	87507	86,614.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Southern Nevada Regional Housing Authority.	340 North 11th St	Las Vegas	NV	89104	637,902.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Utica Housing Authority.	509 Second Street	Utica	NY	135010000	96,492.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Albany Housing Authority.	200 South Pearl ...	Albany	NY	122020000	75,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Rochester Housing Authority.	675 West Main Street.	Rochester	NY	146110000	335,415.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Town of Islip Housing Authority.	963 Montauk Highway.	Oakdale	NY	117690000	35,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Glen Falls Housing Authority.	Stichman Towers Jay Street.	Glens Falls	NY	128010000	87,704.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
NY Dept of Housing Preservation & Development.	Dept Of Hsg Preservation & Dev 100 Gold Street Room 501.	New York	NY	100380000	983,620.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Port Jervis CDA	13–19 Jersey Ave, Erie Depot P.O. Box 1002.	Port Jervis	NY	127710000	117,578.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Village of Kiryas Joel HA.	51 Forest Road Suite 360.	Monroe	NY	109500000	145,700.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Cuyahoga Metropolitan Housing Authority.	8120 Kinsman Road.	Cleveland	OH	441040000	124,527.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Akron Metropolitan Housing Authority.	100 W Cedar Street.	Akron	OH	443070000	89,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Mansfield Metropolitan Housing Authority.	P.O. Box 1029 150 Park Avenue West.	Mansfield	OH	449011029	39,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Lake Metropolitan Housing Authority.	189 First Street	Painesville	OH	440770000	13,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Erie Metropolitan Housing Authority.	322 Warren Street	Sandusky	OH	448700000	32,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Huron Metropolitan Housing Authority.	P.O. Box 1029 150 Park Avenue West.	Mansfield	OH	449011029	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Portage Metropolitan Housing Authority.	2832 State Route 59.	Ravenna	OH	442662741	316,713.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Crawford Metropolitan Housing Authority.	P.O. Box 1029	Mansfield	OH	449011029	16,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Geauga Metropolitan Housing Authority.	385 Center Street	Chardon	OH	440240000	6,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Knox Metropolitan Housing Authority.	201A West High Street.	Mount Vernon	OH	430500000	84,269.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Sandusky Metropolitan Housing Authority.	1358 Mosser Drive	Fremont	OH	434200000	23,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Seneca Metropolitan Housing Authority.	P.O. Box 1029 150 Park Avenue West.	Mansfield	OH	449011029	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Marietta	304 Putnam Street	Marietta	OH	457500000	32,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Emerald Development And Economic Network.	7812 Madison Avenue.	Cleveland	OH	44102	185,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of Clackamas County.	P.O. Box 1510	Oregon City	OR	970450510	107,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority & Comm Svcs of Lane Co.	177 Day Island Rd	Eugene	OR	974010000	75,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Salem.	360 Church St SE	Salem	OR	97301	96,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Washington County.	111 NE Lincoln St Suite 200–L, Ms63.	Hillsboro	OR	971240000	390,798.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Mid-Columbia Housing Authority.	500 E 2nd St	The Dalles	OR	970580000	64,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Allegheny County Housing Authority.	625 Stanwix St, 12th Floor.	Pittsburgh	PA	15222	334,146.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority County of Delaware.	1855 Constitution Avenue P.O. Box 100.	Woodlyn	PA	190940000	292,835.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of Franklin.	436 West Washington Street.	Chambersburg	PA	17201	48,733.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the County of Jefferson.	201 N Jefferson Street.	Punxsutawney	PA	15767	16,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of Clarion.	8 West Main Street	Clarion	PA	16214	128,122.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority Providence.	100 Broad St	Providence	RI	29030000	70,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Municipality of Vega Baja.	P.O. Box 4555	Vega Baja	RQ	6944555	20,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Municipality of Fajardo.	P.O. Box 1049	Fajardo	RQ	7380000	19,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Beaufort.	P.O. Box 1104 1009 Prince St.	Beaufort	SC	299011104	102,484.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Memphis Housing Authority.	P.O. Box 3664	Memphis	TN	381033664	129,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Murfreesboro Housing Authority.	415 North Maple Street.	Murfreesboro ..	TN	371300000	107,988.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Austin Housing Authority.	P.O. Box 41119	Austin	TX	78704	219,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Houston Housing Authority.	2640 Fountain View.	Houston	TX	77057	787,810.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Brownsville Housing Authority.	P.O. Box 4420	Brownsville	TX	785234420	164,095.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Texarkana.	1611 N Robison Rd.	Texarkana	TX	75501	88,010.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
McKinney Housing Authority.	603 N Tennessee St.	Mc Kinney	TX	75069	112,789.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Denton Housing Authority.	1225 Wilson Street	Denton	TX	762056352	490,461.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Tarrant County Housing Assistance Office.	2100 Circle Dr., Suite 200.	Fort Worth	TX	76119	376,864.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Arlington Housing Authority.	501 W Sanford, Suite 20.	Arlington	TX	760110231	328,944.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
City of Mesquite Housing Office.	1515 N Galloway P.O. Box 850137.	Mesquite	TX	751850137	291,384.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Bexar County Housing Authority.	1017 N Main Ave., Suite 201.	San Antonio	TX	78212	267,613.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Travis County Housing Authority.	P.O. Box 1527	Austin	TX	787670000	133,125.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Rosenberg.	117 Lane Drive, Suite 18.	Rosenberg	TX	774710000	115,752.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Ogden.	1100 Grant Ave	Ogden	UT	84404	319,426.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the County of Salt Lake.	3595 S Main Street.	Salt Lake City	UT	841154434	415,890.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Provo.	650 West 100 North.	Provo	UT	846012632	98,113.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
St. George Housing Authority.	975 N 1725 W, #101.	St. George	UT	847704963	37,588.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Weber Housing Authority.	2661 Washington Blvd.	Ogden	UT	844011340	112,919.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Cedar City Housing Authority.	364 South 100 East.	Cedar City	UT	847200000	43,671.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Danville Redevelopment & Housing Authority.	P.O. Box 1476	Danville	VA	24543	92,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Chesapeake Redevelopment & Housing Authority.	1468 S Military Highway.	Chesapeake ...	VA	233271304	266,670.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Lynchburg Redevelopment & Housing Authority.	P.O. Box 1298 918 Commerce Street.	Lynchburg	VA	245050000	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Harrisonburg Redevelopment & Housing Authority.	P.O. Box 1071 286 Kelley Street.	Harrisonburg ...	VA	22801	49,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Fairfax County Re-development & Hsg Authority.	3700 Pender Drive Suite 300.	Fairfax	VA	22030	441,684.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
County of Albemarle/Office of Housing.	1600 5th Street, Suite B.	Charlottesville	VA	22902	81,559.20	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
People Inc. of Southwest Virginia.	1173 West Main St	Abingdon	VA	24210	31,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Bennington Housing Authority.	22 Willibrook Drive	Bennington	VT	05201	26,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Vermont State Housing Authority.	One Prospect Street.	Montpelier	VT	56023556	437,484.40	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Seattle Housing Authority.	120 Sixth Avenue North, P.O. Box 19028.	Seattle	WA	981091028	711,348.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HA of King County	600 Andover Park West.	Seattle	WA	981882583	1,141,450.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
HA City of Tacoma	902 South “L” Street, Suite 2C.	Tacoma	WA	984050000	39,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HA City of Everett	3107 Colby Ave., P.O. Box 1547.	Everett	WA	982061547	76,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Vancouver.	2500 Main Street, #200.	Vancouver	WA	986602697	166,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Columbia Gorge Housing Authority.	500 E 2nd St	The Dalles	WA	97058	39,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of Snohomish County.	12711 4th Ave W	Everett	WA	982040000	135,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HA City of Yakima	810 N 6th Ave	Yakima	WA	989020000	57,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
HA of Thurston County.	1206 12th Avenue Se.	Olympia	WA	98501	359,719.60	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
HA City of Spokane	25 W Nora Ave	Spokane	WA	99205	114,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Sauk County Housing Authority.	1211 Eighth Street	Baraboo	WI	539130000	23,000.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Dane County Housing Authority.	6000 Gisholt Dr., #203.	Monona	WI	537133707	76,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Housing Authority of the City of Parkersburg.	1901 Cameron Avenue.	Parkersburg	WV	26101	12,500.00	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.

Organization name	Street address	City	State	Zip code	Award amount	Project description
Housing Authority of the City of Fairmont.	103 12th Street, P.O. Box 2738.	Fairmont	WV	265552738	208,918.80	The purpose of the Mainstream vouchers and extraordinary administrative fees awarded through 2022–07 is to assist non-elderly disabled households with housing assistance and provide PHAs with additional resources to help households successfully use their voucher. The awardees will provide a Mainstream voucher to non-elderly disabled households and use extraordinary administrative fees for regular administrative expenses for Mainstream and/or costs related to the retention, recruitment, and support of participating owners in the form of security deposits, signing bonuses, vacancy payments, and damage mitigation. Expected outcomes are vouchers for Mainstream-eligible households and successful leasing. The intended beneficiaries are non-elderly disabled households. There are no sub-recipient activities.
Total .....	.....	.....	.....	.....	36,022,633.72	

Appendix O

FY2021 Indian Housing Block Grant: IHBG Program (FR–6500–N–48)

Contact: Hilary Atkin, 202–402–3427.

Organization	Address	City	State	Zip code	Award amount	Project description
All Mission Indian Housing Authority.	27368 Via Industria, Suite 113.	Temecula	CA	92590	\$3,250,000	The All Mission Indian Housing Authority will use the grant (\$3,250,000) and \$1,116,098 of leveraged funds to build ten (10) homeowner units on five different Reservations (La Jolla Band of Luiseno Indians, Pauma Band of Mission Indians, Viejas Band of Kumeyaay Indians, Cahuilla Band of Indians, and Santa Rosa Band of Cahuilla Indians). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (10 new homeowner units).
Cherokee Nation	P.O. Box 1669	Tahlequah.	OK	74465–1669	5,000,000	The Cherokee Nation will use the grant (\$5,000,000) and \$1,666,667 of leveraged funds to build 39 homeowner units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (39 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Cheyenne River Housing Authority.	401 Owhe Nupa Drive.	Eagle Butte.	SD	57625	3,977,662	The Cheyenne River Housing Authority will use the grant (\$3,977,662) and \$1,325,888 of leveraged funds to build 24 rental units in Eagle Butte, South Dakota. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (24 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Chippewa Cree Tribe	96 Clinic Road N	Box Elder	MT	59521-8849	5,000,000	The Chippewa Cree Tribe will use the grant (\$5,000,000) and \$1,670,457 of leveraged funds to build 24 homeowner units on the Rocky Boy's Indian Reservation. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (24 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Cook Inlet Housing Authority.	3510 Spenard Rd ...	Anchorage.	AK	99503-3777	5,000,000	The Cook Inlet Housing Authority will use the grant (\$5,000,000) and \$1,770,822 of leveraged funds to build 89 new units. Anticipated Outcome(s): Add 38 family units and 51 units for chronically homeless elders and individuals who qualify for permanent supportive housing. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Dry Creek Rancheria Band of Pomo Indians.	P.O. Box 607	Geyserville.	CA	95441-0607	5,000,000	The Dry Creek Rancheria Band of Pomo Indians will use the grant (\$5,000,000) and \$1,683,042 of leveraged funds to build 11 single family affordable housing units. The Dry Creek Rancheria Band of Pomo Indians will use the grant (\$5,000,000) and \$1,683,042 of leveraged funds to build 11 single family affordable housing units. Anticipated Outcome(s): Increase the number of housing units available by 11 affordable housing units for low-income elderly tribal members and tribal members with disabilities. Sub-recipient activities are unknown at the time of the award.
Fort Belknap Housing Authority.	668 Agency Main St	Harlem ...	MT	59526-9455	5,000,000	The Fort Belknap Housing Authority will use the grant (\$5,000,000) and \$1,670,000 of leveraged funds to build 15 homeowner units on the Fort Belknap Indian Reservation. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (15 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Fort Peck Housing Authority.	P.O. Box 667	Poplar	MT	59255-0667	5,000,000	The Fort Peck Housing Authority will use the grant (\$5,000,000) and \$1,670,000 of leveraged funds to construct 29 housing units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (17 new rental units and 12 new homeownership units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Grand Traverse Band of Ottawa and Chippewa Indians.	2605 N West Bay Shore Drive.	Peshawbestown.	MI	.....	5,000,000	The Grand Traverse Band of Ottawa and Chippewa Indians will use the grant (\$5,000,000) and \$1,700,000 of leveraged funds to build 20 rental units around Traverse City, Michigan, and to construct roads to these new units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (20 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Housing Authority of the Peoria Tribe of Indians of Oklahoma.	3606 Sencay Ave ...	Miami	OK	74354-5343	2,438,000	The Housing Authority of the Peoria Tribe of Indians of Oklahoma will use the grant (\$2,438,000) and \$781,500 of leveraged funds to build 16 single-family rental units in Miami, Oklahoma. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (16 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Isleta Pueblo Housing Authority.	P.O. Box 760	Isleta	NM	87022-0760	5,000,000	The Isleta Pueblo Housing Authority will use the grant (\$5,000,000) and \$1,667,000 of leveraged funds to build 14 single-family homeowner units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (14 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Jicarilla Apache Housing Authority.	42 Dawks Drive	Dulce	NM	87528-0486	5,000,000	The Jicarilla Apache Housing Authority will use the grant (\$5,000,000) and \$1,783,089 of leveraged funds to build 19-unit single family homeownership units. Anticipated Outcome(s): Increase the number of housing units available by 19 single family homeownership units. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Kenaitze Salamatof Tribally Designated Housing Entity.	P.O. Box 988	Kenai	AK	99611-0988	5,000,000	The Kenaitze Salamatof Tribally Designated Housing Entity will use the grant (\$5,000,000) and \$1,666,670 of leveraged funds to build an 18-unit Elder housing facility with multi-purpose community space in Kenai, Alaska. Anticipated Outcome(s): Increase the number of housing units available to AIAN Elders (18 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Kiowa Tribe Housing Authority.	1701 E Central Blvd	Anadarko	OK	73005-4448	5,000,000	The Kiowa Tribe Housing Authority (KTHA) will use the grant (\$5,000,000) and \$1,666,670 of leveraged funds to develop three (3) rental units in the Kiowa Tribe service area and construct affordable-housing infrastructure on 40-acres of land purchased by the Kiowa Tribe and donated to KTHA for the future development of an additional 37 units. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (3 new rental units) and develop the housing-related infrastructure necessary for future affordable housing development.
Little Traverse Bay Bands of Odawa Indians.	7500 Odawa Circle	Harbor Springs.	MI	49740-9692	5,000,000	The Little Traverse Bay Bands of Odawa Indians will use the grant (\$5,000,000) and \$1,754,860 of leveraged funds to build four (4) apartment buildings with a total of 38 rental units at Mtiigwakis Village. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (38 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Northern Circle Indian Housing Authority.	694 Pinoleville Drive	Ukiah	CA	95482-3165	5,000,000	The Northern Circle Indian Housing Authority will use the grant (\$5,000,000) and \$1,250,000 of leveraged funds to build eight (8) single-family rental units for low-income families on the Mooretown Rancheria. The homes will utilize renewable solar energy technology. Funding will also be used for related housing infrastructure and utilities. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (8 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Salish & Kootenai Housing Authority.	P.O. Box 38	Pablo	MT	59855-0038	5,000,000	The Salish and Kootenai Housing Authority will use the grant (\$3,827,781) and \$1,670,000 of leveraged funds to build fifteen (15) rental units on the Flathead Indian Reservation. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (15 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Santa Ynez Band of Chumash Mission Indians.	100 Via Juana Rd ..	Santa Ynez.	CA	93460-9110	1,826,050	The Santa Ynez Band of Chumash Mission Indians will use the grant (\$1,826,050) and \$622,794 of leveraged funds to build five (5) single-family homeowner units on the Santa Ynez Reservation in central Santa Barbara County, California. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (5 new homeowners' units).
Scotts Valley Band of Pomo Indians.	1005 Parallel Drive	Lakeport	CA	95453-5709	4,196,040	The Scotts Valley Band of Pomo Indians will use the grant (\$4,196,040) and \$1,400,000 of leveraged funds to build twelve (12) single-family homeowner units in Kelseyville, California. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (12 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Sicangu Wicoti Awayankape Corporation.	P.O. Box 69	Rosebud	SD	57570-0069	4,579,640	The Sicangu Wicoti Awayankape Corporation will use the grant (\$4,579,640) and \$650,650 of leveraged funds to build 18 new homeownership housing units. Anticipated Outcome(s): Increase the number of housing units available by 18 new homeownership units servicing 18 low-income Indian families. The beneficiaries will be low income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Sisseton-Wahpeton Housing Authority.	605 Lydia Goodsell St.	Sisseton	SD	57262	5,000,000	The Sisseton-Wahpeton Housing Authority will use the grant (\$5,000,000) and \$1,960,479 of leveraged funds to build 42 rental units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (42 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Skokomish Indian Tribe.	80 N Tribal Center Rd.	Skokomish.	WA	98584-9748	1,869,075	The Skokomish Indian Tribe will use the grant (\$1,869,075) and \$623,025 of leveraged funds to build seven (7) rental units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (7 new rental units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Susanville Indian Rancheria Housing Authority.	P.O. BOX 970	Susanville	CA	96130-3628	2,837,856	The Susanville Indian Rancheria Housing Authority will use the grant (\$4,196,040) and \$358,000 of leveraged funds to build ten (10) rental units, of which six (6) will be for families and four (4) will be handicap-accessible and/or available to Elders on the Susanville Indian Rancheria. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (10 new rental units), and make the homes accessible and available for Elders. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
The Suquamish Indian Tribe of the Port Madison Reservation.	18490 Suquamish Way.	Suquamish.	WA	98392-0498	3,897,024	The Suquamish Indian Tribe of the Port Madison Reservation will use the grant (\$3,897,024) and \$1,300,305 of leveraged funds to build 20 housing units on the Port Madison Reservation. The project will consist of five multi-family townhome structures with a total of 20 housing units. The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award. Anticipated Outcome(s): Increase the number of housing units available to AIAN families, which are also energy efficient (20 new homeowner units).
Tlingit Haida Regional Housing Authority.	5446 Jenkins Drive	Juneau ...	AK	99801-9511	5,000,000	The Tlingit Haida Regional Housing Authority will use the grant (\$5,000,000) and \$1,689,802 of leveraged funds to build twelve (12) three-bedroom homeowner units in Juneau, Alaska. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (12 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.

Organization	Address	City	State	Zip code	Award amount	Project description
Torres Martinez Desert Cahuilla Indians.	P.O. BOX 1160	Thermal ..	CA	92274-1160	2,000,000	The Torres Martinez Desert Cahuilla Indians will use the grant (\$2,000,000) and \$671,945 of leveraged funds to build six (6) single-family homeowner units on the Torres-Martinez Reservation. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (6 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Village of Venetie	110 Woodyard Road.	Venetie ...	AK	99781	600,000	The Village of Venetie will use the grant (\$600,000) and \$200,000 of leveraged funds to build two (2) single-family homeowner units. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (2 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Yurok Indian Housing Authority.	15540 Highway 101 N.	Klamath ..	CA	95548-9351	4,280,512	The Yurok Indian Housing Authority will use the grant (\$4,280,512) and \$556,684 of leveraged funds to build five (5) single-family homeowner units and provide supportive services. Anticipated Outcome(s): Increase the number of housing units available to AIAN families (5 new homeowner units). The beneficiaries will be low and moderate income American Indian and Alaska Native families. Sub-recipient activities are unknown at the time of the award.
Total .....	.....	.....	.....	.....	115,751,859	

Appendix P

FY 2019 and 2020 Section 8 Housing Choice Vouchers: Implementation of the Housing Choice Voucher Mobility Demonstration (FR-6191-N-01)

Contact: Alison Bell, (202) 402-5673.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Housing Authority of the City of Los Angeles.	2600 Wilshire Blvd, 3rd Floor.	Los Angeles ...	CA	90057	\$4,825,472.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Housing Authority of New Orleans.	4100 Touro Street	New Orleans ..	LA	70122	5,203,873.00	3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities. 1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Minneapolis Public Housing Authority.	1001 Washington Avenue North.	Minneapolis	MN	55401	4,650,441.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities. 1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Rochester Housing Authority.	675 Main Street	Rochester	NY	14611	4,813,646.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities. 1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
New York Housing Preservation and Development.	100 Gold Street	New York	NY	10038	5,514,580.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Cuyahoga Metropolitan Housing Authority.	8120 Kinsman Road.	Cleveland	OH	44104	4,970,959.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Allegheny County Housing Authority.	625 Stanwix Street, 12th Floor.	Pittsburgh	PA	15222	4,655,345.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Housing Authority of Chester County.	30 W Barnard Street.	West Chester	PA	19382	3,711,653.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Metropolitan Development and Housing Agency.	701 South Sixth Street.	Nashville	TN	37202	4,984,654.00	3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities. 1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Housing Authority of the City of Pittsburgh.	200 Ross Street ...	Pittsburgh	PA	15219	249,419.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Chester Housing Authority.	1111 Avenue of the States.	Chester	PA	19013	803,120.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Los Angeles County Development Authority.	700 West Main Street.	Alhambra	CA	91801	761,339.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Metropolitan HRA ..	390 Robert Street North.	St. Paul	MN	55101	585,649.00	1. Purpose; The purpose of the Community Choice Demonstration is to assist voucher families with children in accessing areas of opportunity. 2. Activities to be performed; The awardees will provide mobility-related services to families with children. 3. Deliverables and expected outcomes; The awardee will participate in a robust evaluation and HUD anticipates learning what mobility-related services are effective in helping voucher families with children access areas of opportunity. 4. Intended beneficiary(ies); The intended beneficiaries are voucher families with children, and 5. Subrecipient Activities; There are no subrecipient activities.
Total .....	.....	.....		.....	45,730,150.00	

Appendix Q

FY 2021 Choice Neighborhoods Implementation Grants (FR-6500-FA-34)

Contact: Luci Blackburn, (202) 402-4190.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
City of Omaha	1819 Farnam St ...	Omaha	NE	68183	\$50,000,000.00	1. Purpose: Choice Neighborhoods Implementation Grants fund the transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs. 2. Activities to be performed: Redevelop the Southside Terrace public housing development, provide case management and supportive services to Southside Terrace residents, and carryout physical neighborhood improvement projects.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Durham Housing Authority.	330 E Main St	Durham	NC	27701	40,000,000.00	3. Deliverables and expected outcomes: One-for-one replacement of public housing units, plus additional affordable and market rate units in a mixed-income community; improved outcomes for residents related to health, education, and income and employment. 4. Intended beneficiary(ies): local residents, PHAs, local government 5. Subrecipient Activities: The recipient does not intend to subaward funds. 1. Purpose: Choice Neighborhoods Implementation Grants fund the transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs. 2. Activities to be performed: Redevelop the 519 E. Main Street and Liberty Street Apartments public housing development, provide case management and supportive services to 519 E. Main Street and Liberty Street Apartments residents, and carryout physical neighborhood improvement projects. 3. Deliverables and expected outcomes: One-for-one replacement of public housing units, plus additional affordable and market rate units in a mixed-income community; improved outcomes for residents related to health, education, and income and employment. 4. Intended beneficiary(ies): local residents, PHAs, local government 5. Subrecipient Activities: The recipient does not intend to subaward funds.
Knoxville Community Development Corporation.	901 Broadway	Knoxville	TN	37917	40,000,000.00	1. Purpose: Choice Neighborhoods Implementation Grants fund the transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs. 2. Activities to be performed: Redevelop the Western Heights Addition public housing development, provide case management and supportive services to Southside Terrace residents, and carryout physical neighborhood improvement projects.

Organization name	Address	City	State	Zip	Amount grant funds	Project description
Tulsa Housing Authority.	415 E Independence St.	Tulsa	OK	74106	50,000,000.00	3. Deliverables and expected outcomes: One-for-one replacement of public housing units, plus additional affordable and market rate units in a mixed-income community; improved outcomes for residents related to health, education, and income and employment. 4. Intended beneficiary(ies): local residents, PHAs, local government 5. Subrecipient Activities: The recipient does not intend to subaward funds. 1. Purpose: Choice Neighborhoods Implementation Grants fund the transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing to transform neighborhoods of poverty into functioning, sustainable, mixed-income neighborhoods with appropriate services, schools, public assets, transportation, and access to jobs. 2. Activities to be performed: Redevelop the Comanche Park Apartments public housing development, provide case management and supportive services to Comanche Park Apartments residents, and carryout physical neighborhood improvement projects. 3. Deliverables and expected outcomes: One-for-one replacement of public housing units, plus additional affordable and market rate units in a mixed-income community; improved outcomes for residents related to health, education, and income and employment. 4. Intended beneficiary(ies): local residents, PHAs, local government 5. Subrecipient Activities: The recipient does not intend to subaward funds.
Total					180,000,000.00	

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Part III

Securities and Exchange Commission

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed New Rules 900.3NYP, 925.1NYP, 928NYP, 928.1NYP, and 952NYP and Amendments to Rules 900.3NY, 925NY, 925.1NY, 928NY, 952NY, 953.1NY, 967NY, 967.1NY, and 985NY; Notice

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–97869; File No. SR–NYSEAMER–2023–34]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed New Rules 900.3NYP, 925.1NYP, 928NYP, 928.1NYP, and 952NYP and Amendments to Rules 900.3NY, 925NY, 925.1NY, 928NY, 952NY, 953.1NY, 967NY, 967.1NY, and 985NY

July 10, 2023.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”)² and Rule 19b–4 thereunder,³ notice is hereby given that, on, June 27, 2023, NYSE American LLC (“NYSE American” or the “Exchange”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. 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 [sic] new Rules 900.3NYP (Orders and Modifiers), 925.1NYP (Market Maker Quotations), 928NYP (Pre-Trade and Activity-Based Risk Controls), 928.1NYP (Price Reasonability Checks—Orders and Quotes), and 952NYP (Auction Process) and proposes amendments to Rules 900.3NY (Orders Defined), 925NY (Obligations of Market Makers), 925.1NY (Market Maker Quotes), 928NY (Risk Limitation Mechanism), 952NY (Opening Process), 953.1NY (Limit-Up and Limit-Down During Extraordinary Market Volatility), 967NY (Price Protection—Orders), 967.1NY (Price Protection—Quotes), and 985NY (Qualified Contingent Cross Trade) to reflect the implementation of the Exchange’s Pillar trading technology on its options market. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Background

The Exchange plans to transition its options trading platform to its Pillar technology platform. The Exchange’s affiliated options exchange, NYSE Arca, Inc. (“NYSE Arca” or “Arca Options”) is currently operating on Pillar, as are the Exchange’s cash equity market and those of its national securities exchange affiliates’ cash equity markets.⁴ For this transition, the Exchange proposes to use the same Pillar technology already in operation on Arca Options.⁵ In doing so, the Exchange will be able to offer not only common specifications for connecting to both of its equity and options markets, but also common trading functions across the Exchange and its affiliated options exchange, NYSE Arca Options. In this regard, the Exchange recently adopted new rules to reflect the priority, ranking, and allocation of single-leg interest on Pillar.⁶

⁴ The Exchange’s national securities exchange affiliates’ cash equity markets include: the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE National, Inc., and NYSE Chicago, Inc.

⁵ See Securities Exchange Act Release No. 94072 (January 26, 2022), 87 FR 5592 (February 1, 2022) (SR–NYSEArca–2021–47) (the “Arca Options Approval Order”). See also, e.g., Arca Options Rules 6.76P–O (Order Ranking and Display) and 6.76AP–O (Order Execution and Routing) (together, the “Arca Options Priority Rules”); Arca Options Rules 6.37AP–O (Market Maker Quotations), 6.40P–O (Pre-Trade and Activity-Based Risk Controls), 6.41P–O (Price Reasonability Checks—Orders and Quotes), 6.62P–O (Orders and Modifiers), and 6.64P–O (Auction Process) (collectively, the “Arca Options non-Priority Rules”). See also NYSE Arca Rule 1.1 (Definitions) (which includes definitions that describe terms applicable to options trading on Pillar).

⁶ See Rules 964NYP (Order Ranking, Display, and Allocation), 964.1NYP (Directed Orders and DOMM Quoting Obligations) and 964.2NYP (Participation Entitlement of Specialists and e-Specialists)

The Exchange plans to roll out the new technology platform over a period of time based on a range of underlying symbols beginning on October 23, 2023.⁷ As was the case for Arca Options when it transitioned to Pillar, the Exchange will announce by Trader Update⁸ when underlying symbols will be transitioning to the Pillar trading platform. With this transition, certain rules would continue to be applicable to options overlying symbols trading on the current trading platform—the “Exchange System,”⁹ but would not be applicable to options overlying symbols that have transitioned to trading on Pillar.

Instead, the Exchange proposes new rules to reflect how options would trade on the Exchange once Pillar is implemented. These proposed rule changes will (1) use Pillar terminology that is identical to Pillar terminology governing options trading on NYSE Arca, except as otherwise noted; and (2) provide for common functionality on both its options markets.¹⁰

Proposed Use of “P” Modifier

As proposed, and consistent with the American Pillar Priority Filing, new rules governing options trading on Pillar would have the same numbering as

(collectively, the “American Pillar Priority Rules”). See also Securities Exchange Act Release No. 97297 (April 13, 2023), 88 FR 24225 (April 19, 2023) (SR–NYSEArca–2023–16) (adopting new the American Pillar Priority Rules on an immediately effective basis, which rules utilize the Pillar concepts introduced in the Priority Arca rules and incorporate the Exchange’s current Customer priority and pro rata allocation model) (the “American Pillar Priority Filing”). The American Pillar Priority Rules (like the rules proposed herein) will not be implemented until all other Pillar-related rule filings are either effective or approved, as applicable. See *id.*

⁷ See Trader Update, January 30, 2023 (announcing Pillar Migration Launch date of October 23, 2023, for the Exchange), available here: <https://www.nyse.com/trader-update/history#110000530919>. The Exchange would not begin to migrate underlying symbols to the Pillar platform until all Pillar-related rule filings (*i.e.*, proposed rules with a “P” modifier) are either approved or operative, as applicable.

⁸ Trader Updates are available here: <https://www.nyse.com/trader-update/history>. Anyone can subscribe to email updates of Trader Updates, available here: <https://www.nyse.com/subscriptions>.

⁹ As noted in the American Pillar Priority Filing, on Pillar, the Exchange will no longer use the terms “Exchange System” or “System,” which are defined in Rule 900.2NY as referring to the Exchange’s current “electronic order delivery, execution, and reporting system for designated option issues through which orders and quotes of Users are consolidated for execution and/or display,” and will file a subsequent proposed rule change to delete these defined terms and any references thereto after the migration to Pillar is completed.

¹⁰ The current proposal seeks to adopt rules based on the Arca Options non-Priority Rules, as well as certain definitions that describe terms applicable to options trading on Pillar set forth in NYSE Arca Rule 1.1. See *supra* note 5.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

current rules that address the same functionality, but with the modifier “P” appended to the rule number. All other current rules that have not had a version added with a “P” modifier will be applicable to how trading functions on both the Exchange System and Pillar. Once options overlying all symbols have migrated to the Pillar platform, the Exchange will file a separate rule proposal to delete rules that are no longer operative because they apply only to trading on the Exchange System.¹¹ As further proposed, and consistent with the handling of the transition to Pillar by Arca Options, if a symbol (and the option overlying such symbol) is trading on the Pillar trading platform, a rule with the same number as a rule with a “P” modifier would no longer be operative for that symbol.¹²

The Exchange will not implement the “P” rules proposed herein until all other Pillar-related rule filings (*i.e.*, with a “P” modifier) are either approved or operative, as applicable, and the Exchange announces the rollout of underlying symbols to Pillar by Trader Update.

Summary of Proposed Rule Changes

In this filing, the Exchange proposes the following new Pillar rules: Rules 900.3NYP (Orders and Modifiers), 925.1NYP (Market Maker Quotations), 928NY (Pre-Trade and Activity-Based Risk Controls), 928.1NYP (Price Reasonability Checks—Orders and Quotes), and 952NYP (Auction Process). Because certain proposed rules have definitions and functions that carry forward to other proposed rules, the Exchange proposes to describe the new rules in the following order (rather than by rule number order): orders and modifiers, market maker quotations, pre-trade and activity-based risk controls, price reasonability checks, and auctions.

These proposed rules would describe the Exchange’s options trading model on Pillar and, among other things, would use existing Pillar terminology and functionality currently in effect on Arca Options. However, because the Exchange has (and will continue to have) a priority and allocation scheme that differs from the price-time model on Arca Options, certain of the proposed rules differ from Arca Options

insofar as they reflect the Exchange’s existing (Customer priority and pro rata allocation) model.¹³ As discussed in greater detail below, except as noted herein, the Exchange is not proposing fundamentally different functionality applicable to options trading on Pillar than on the Exchange System. However, with Pillar, the Exchange would introduce new terminology, and as applicable, new or updated functionality that would be available for options trading on the Pillar platform, which functionality is (unless otherwise specified) identical to—or nearly identical to—functionality and rules already in place on Arca Options.¹⁴

To promote clarity and transparency, the Exchange further proposes to add a preamble to the following current rules specifying that they would not be applicable to trading on Pillar: 900.3NY (Orders Defined), 925.1NY (Market Maker Quotes), 928NY (Risk Limitation Mechanism), 952NY (Opening Process), 967NY (Price Protection-Orders), 967.1NY (Price Protection-Quotes), and 985NY (Qualified Contingent Crosses). In addition, the Exchange also proposes conforming changes to current Rules 925NY (Obligations of Market Makers), 953.1NY (Limit-Up and Limit-Down During Extraordinary Market Volatility), and 994NY (Broadcast Order Liquidity Delivery Mechanism) (the “BOLD Mechanism”) to add cross-references to certain of the new Pillar rules, including those proposed in this filing.¹⁵

¹³ See, *e.g.*, Rule 964NYP. See also the American Pillar Priority Filing.

¹⁴ The Exchange notes that certain differences between the two options markets will permeate the proposed rules, including that each exchange uses different terms to describes their permit holders—the Exchange refers to American Trading Permit (“ATP”) Holders, whereas Arca Options refers to Options Trading Permit (“OTP”) Holders or OTP Firms. See, *e.g.*, Rule 900.2NY and NYSE Arca Rule 1.1, respectively. In addition, the Exchange utilizes Market Makers that act as Specialists whereas Arca Options has Market Makers that act as Lead Market Makers or LMMs. See, *e.g.*, Rule 927NY and Arca Options Rule 6.37–O, respectively. Also, because the rule numbering differs on each options exchange, there will be differences in the Exchange’s proposed rule as compared to its analogous Arca Options Rule to the extent that a proposed Exchange rule includes a cross-reference to another Exchange rule. The Exchange has not identified every such instance where these specified differences occur as it believes the differences are immaterial because they do not relate to the functionality proposed herein.

¹⁵ The proposed conforming changes to Rule 994NY regarding the BOLD mechanism would include adding cross-references to new Rule 964NYP (in addition to existing references to current Rule 964NY) and to paragraph (k) of this Rule, which latter reference would state, in relevant part, that “[f]ollowing the exposure period, consistent with Rule 964NYP(k), the Exchange will route the remaining portion of the exposed order to other exchanges” and that “[a]ny portion of a routed order that returns unfilled will trade against the Exchange’s best bid/offer unless another

Proposed Rule Changes

Proposed Rule 900.3NYP: Orders and Modifiers

Current Rule 900.3NY (Orders Defined) defines the order types that are currently available for options trading both on the Exchange System and for open outcry trading on the Exchange. The Exchange proposes that new Rule 900.3NYP would set forth the order types and modifiers that would be available for options trading both on Pillar (*i.e.*, electronic order entry) and in open outcry trading. The Exchange proposes to specify that Rule 900.3NY would not be applicable to trading on Pillar.

Because the Exchange would have the same orders and modifiers as Arca Options, the Exchange proposes to structure proposed Rule 900.3NYP to be identical to Arca Options Rule 6.62P–O and use the same terminology. The Exchange also proposes to title proposed Rule 900.3NYP as “Orders and Modifiers,” which title is identical to Arca Options Rule 6.62P–O. In addition, as was done on Arca Options, the Exchange proposes to include in the description of each order type the “Pillar Priority Category” within which such order would be ranked for priority, display, and allocation purposes. However, on the Exchange, the Pillar Priority Categories assigned to each order type would be handled in accordance with the Exchange’s Customer priority/pro rata allocation model, per Rule 964NYP.¹⁶

Primary Order Types. Proposed Rule 900.3NYP(a) is identical Arca Options Rule 6.62P–O(a) and would specify the Exchange’s primary order types, which would be Market Orders and Limit Orders. Proposed Rule 900.3NYP(a) would also set forth the Exchange’s proposed Limit Order Price Protection functionality and Trading Collars, which proposed functionality would likewise be identical to Arca Options Rule 6.62P–O(a).

Market Orders. Proposed Rule 900.3NYP(a)(1) is identical to Arca Options Rule 6.62P–O(a)(1) and would define a Market Order. As proposed, a Market Order would be an unpriced

exchange is quoting at a better price in which case new orders will be generated and routed to trade against such better prices, consistent with Rule 964NYP(k).”). See proposed Rule 994NY(c)(1) and (c)(4), respectively.

¹⁶ See Rule 964NYP(e) (which provides that “[a]t each price, all orders and quotes are assigned a priority category, and, within each priority category, Customer orders are ranked ahead of non-Customer. If, at a price, there are no remaining orders or quotes in a priority category, then same-priced interest in the next priority category has priority.”).

¹¹ See American Pillar Priority Filing (adopting, among other rules, new Rule 964NYP, which would be operative instead of current Rule 964NY). See *id.*

¹² The Exchange believes that this explanation regarding the “P” modifier in Exchange rules provides transparency regarding which rules would be operative during the symbol migration to Pillar. See *id.* NYSE Arca used the same “P” modifier when it transitioned its options platform to Pillar. See Arca Options Approval Order.

order message to buy or sell a stated number of option contracts at the best price obtainable, subject to the Trading Collar assigned to the order, and would further specify that unexecuted Market Orders may be designated Day or GTC, which represents current functionality, and that unexecuted Market Orders would be ranked Priority 1—Market Orders.¹⁷ Similarly, the Exchange proposes to reference that trading of a Market Order would be subject to the Trading Collar assigned to the order, which is similar to the third paragraph of the current definition of Market Order in Rule 900.3NY(a). As described in greater detail below, the Exchange proposes changes to its Trading Collar functionality on Pillar.

Proposed Rule 900.3NYP(a)(1) would further provide that for purposes of processing Market Orders, the Exchange would not use an adjusted NBBO.¹⁸ The Exchange proposes to not use an adjusted NBBO when processing Market Orders, which processing is identical to Arca Options Rule 6.62P–O(a)(1). The Exchange believes that because Market Orders trade immediately on arrival, using an unadjusted NBBO would provide a price protection mechanism by using a more conservative view of the NBBO.

Proposed Rule 900.3NYP(a)(1)(A) is identical to Arca Options Rule 6.62P–O(a)(1)(A) and would provide that a Market Order that arrives during continuous trading would be rejected, or that was routed, returns unexecuted, and has no resting quantity to join would be cancelled if it fails the validations specified in proposed Rules 900.3NYP(a)(1)(A)(i)–(iv). This

proposed rule is based in part on Rule 900.3NY(a), which specifies that a Market Order will be rejected during Core Trading Hours if, when received, there is no NBBO for the applicable option series as disseminated by OPRA, with differences to use Pillar terminology and to expand the circumstances when a Market Order would be rejected beyond the absence of an NBBO. As proposed, and identical to Arca Options Rule 6.62P–O(a)(1)(A)(i)–(iv), a Market Order would be rejected (or cancelled if routed first) if:¹⁹

- There is no NBO (proposed Rule 900.3NYP(a)(1)(A)(i)). This criterion is similar to the current rule, which provides that a Market Order will be rejected if there is no NBO and is identical to Arca Options Rule 6.62P–O(a)(1)(A)(i). The Exchange believes that in the absence of an NBO, Market Orders should not trade as there is no market for the option.

- There is no NBB and the NBO is higher than \$0.50 (for sell Market Orders only). The Exchange further proposes that if there is no NBB and the NBO is \$0.50 or below, a Market Order to sell would not be rejected and would have a working price and display price one MPV above zero and would not be subject to a Trading Collar (proposed Rule 900.3NYP(a)(1)(A)(ii)).²⁰ The Exchange believes that if there is no NBB, but an NBO \$0.50 or below, the Exchange would be able to price that Market Order to sell at one MPV above zero. The functionality described in this proposed rule is identical to Arca Options Rule 6.62P–O(a)(1)(A)(ii) and is designed to provide an opportunity for an arriving sell Market Order to trade when the NBO is below \$0.50. The proposed rule would further provide that a Market Order to sell would be

cancelled if it was assigned a Trading Collar, routed, and when it returns unexecuted, it has no resting portion to join and there is no NBB, regardless of the price of the NBO. Accordingly, in this scenario, if there is no NBB and there is an NBO that is \$0.50 or below, the returned, unexecuted Market Order would be cancelled rather than displayed at one MPV above zero.

- There are no contra-side Market Maker quotes on the Exchange or contra-side ABBO, provided that a Market Order to sell would be accepted as provided for in proposed Rule 900.3NYP(a)(1)(A)(ii) (proposed Rule 900.3NYP(a)(1)(A)(iii)). This functionality is identical to Arca Options Rule 6.62P–O(a)(1)(A)(iii) and is designed to prevent a Market Order from trading at prices that may not be current for that series in the absence of Market Maker quotations or an ABBO.

- The NBBO is not locked or crossed, and the spread is equal to or greater than a minimum amount based on the midpoint of the NBBO (proposed Rule 900.3NYP(a)(1)(A)(iv)), which is identical to Arca Options Rule 6.62P–O(a)(1)(A)(iv)). The proposed “wide-spread” parameter for purposes of determining whether to reject a Market Order is similar to the wide-spread parameter applied when determining whether a trade is a Catastrophic Error, as set forth in Rule 975NY(d)(3), with two differences. First, as shown below, the lowest bucket would be \$0.00 up to and including \$2.00, instead of \$0.00 to \$1.99, which means the \$2.00 price point would be included in this bucket. Second, the wide-spread calculation would be based off of the midpoint of the NBBO, rather than off of the bid price, as follows:

The midpoint of the NBBO	Spread parameter
\$0.00 to \$2.00	\$0.75
Above \$2.00 to and including \$5.00	1.25
Above \$5.00 to and including \$10.00	1.50
Above \$10.00 to and including \$20.00	2.50
Above \$20.00 to and including \$50.00	3.00
Above \$50.00 to and including \$100.00	4.50
Above \$100.00	6.00

The Exchange notes that this proposed protection for Market Orders is identical to the protection afforded Market Orders per Arca Options Rule 6.62P–O(a)(1)(A)(iv) and would provide a new risk control for options trading on the Exchange that is designed to protect against erroneous executions using the

¹⁷ Market Orders are currently defined in Rule 900.3NY(a) as follows: “A Market Order is an order to buy or sell a stated number of option contracts and is to be executed at the best price obtainable when the order reaches the Exchange. Market Orders entered before the opening of trading will be eligible for trading during the Opening Auction Process. The system will reject a Market Order entered during Core Trading Hours if at the time the order is received there is not an NBB and an NBO (“collectively NBBO”) for that series as disseminated by OPRA. If the Exchange receives a Market Order to buy (sell) and there is an NBB (NBO) but no NBO (NBB) as disseminated by OPRA at the time the order is received, the order will be processed pursuant to Rule 967NY(a)—Trade Collar Protection.”

¹⁸ See American Pillar Priority Filing (amplifying the definition of “NBBO” per Rule 900.2NY to provide that when using an unadjusted NBBO, the NBBO would not be adjusted based on information about orders the Exchange sends to Away Markets, execution reports received from those Away Markets, and certain orders received by the Exchange). As noted in the American Pillar Filing, the Exchange believes that the unadjusted NBBO is a more conservative view of the NBBO because the Exchange waits for an update from OPRA rather than updating it based on its view of the NBBO, which is identical to NYSE Arca Rule 1.1, as relates to options trading.

¹⁹ The Exchange will also reject a Market Order if it is entered when the underlying NMS stock is either in a Limit State or a Straddle State, which is current functionality. See Rule 953.1NY(a)(1). The Exchange proposes a non-substantive amendment to Rule 953.1NY(a)(1) to add a cross reference to proposed Rule 900.3NYP(a). The Exchange also proposes to amend the second sentence of Rule 953.1NY(a)(1) to remove references to trading collars, and instead specify that the Exchange would cancel any resting Market Orders if the underlying NMS stock enters a Limit State or a Straddle State and would notify ATP Holders of the reason for such cancellation. This proposed change is identical to Arca Options Rule 6.65A–O(a)(1) and would describe both how Market Orders function today on the Exchange System and how they would be processed on Pillar.

²⁰ See Rules 964NYP(a)(3) (defining “working price” as the price at which an order or quote is eligible to trade at any given time, which may be different from the limit price or display price of the order) and (a)(1) (defining “display price” as the price at which an order or quote ranked Priority 2-Display Orders or Market Order is displayed, which may be different from the limit price or working price of the order).

midpoint of the NBBO as a basis for a price protection mechanism.²¹

Proposed Rule 900.3NYP(a)(1)(B) is identical to Arca Options Rule 6.62P–O(a)(1)(B) and would provide that an Aggressing Market Order to buy (sell) would trade with all orders or quotes to sell (buy) on the Consolidated Book priced at or below (above) the Trading Collar before routing to Away Market(s) at each price.²² Proposed Rule 900.3NYP(a)(1)(B) would further provide that after trading or routing, or both, a Market Order would be displayed at the Trading Collar, subject to proposed Rule 900.3NYP(a)(1)(C) (described immediately below), which is consistent with current functionality that each Market Order is displayed at a Trading Collar, per Rule 967NY(a)(5).

Proposed Rule 900.3NYP(a)(1)(C) is identical to Arca Options Rule 6.62P–O(a)(1)(C) and would provide that a Market Order would be cancelled before being displayed if there are no remaining contra-side Market Maker quotes on the Exchange or contra-side ABBO. Proposed Rule 900.3NYP(a)(1)(D) is identical to Arca Options Rule 6.62P–O(a)(1)(D) and would provide that a Market Order would be cancelled after being displayed at its Trading Collar if it ceases to be a contra-side NBBO. These proposed cancellation events are similar to functionality described in current Rule 967NY(a)(4)(E), which provides that “[t]he Exchange will cancel a Market Order, or the balance thereof, that has been collared pursuant to paragraph (a)(1)(A) or (B) [of that Rule] above, if after exhausting trading opportunities within the Collar Range, the Exchange determines there are no quotes on the Exchange and/or no interest on another market in the affected option series.” As proposed, in Pillar, the Exchange would cancel a Market Order in similar circumstances, with proposed modifications that a Market Order would be cancelled only if there are no remaining contra-side Market Maker quotes on the Exchange or if there is no contra-side ABBO. The Exchange believes that, as is the case on Arca Options, the proposal to cancel a

Market Order either before or after it is displayed in these circumstances would help to prevent such order from being displayed when there is no real market in a series.

Finally, proposed Rule 900.3NYP(a)(1)(E) is identical to Arca Options Rule 6.62P–O(a)(1)(E) and would provide that a resting, displayed Market Order that is locked or crossed by an Away Market would be routed to that Away Market. Because Market Orders are intended to trade at the best price obtainable, the Exchange proposes to route displayed Market Orders if they are locked or crossed by an Away Market.²³ This proposed Rule is based on current functionality, which is not described in the current rule. Therefore, the proposed rule is designed to promote clarity and transparency in Exchange rules.

Limit Orders. Proposed Rule 900.3NYP(a)(2) is identical to Arca Options Rule 6.62P–O(a)(2) and would define a Limit Order as an order message to buy or sell a stated number of option contracts at a specified price or better, subject to Limit Order Price Protection and the Trading Collar assigned to the order, and that a Limit Order may be designated Day, IOC, or GTC. In addition, unless otherwise specified, the working price and the display price of a Limit Order would be equal to the limit price of the order, it is eligible to be routed, and it would be ranked under the proposed category of “Priority 2—Display Orders.”²⁴ The ability for a Limit Order to be designated IOC, Day, or GTC is also based on current Rules 900.3NY(k), (m) and (n), respectively, and is consistent with current options trading functionality. In addition, consistent with current options trading functionality, Limit Orders would be subject to trading collars, and, as described in more detail below, the Exchange proposes trading collar functionality that will operate in the same manner as on Arca Options.

Proposed Rule 900.3NYP(a)(2)(A) is identical to Arca Options Rule 6.62P–O(a)(2)(A) and would provide that a marketable Limit Order to buy (sell) received by the Exchange would trade with all orders and quotes to sell (buy) on the Consolidated Book priced at or

below (above) the NBO (NBB) before routing to the ABO (ABB) and may route to prices higher (lower) than the NBO (NBB) only after trading with orders and quotes to sell (buy) on the Consolidated Book at each price point, and once no longer marketable, the Limit Order would be ranked and displayed on the Consolidated Book. This proposed rule text is based on Rule 900.3NY(b), which provides that a “‘marketable’ limit order is a Limit Order to buy (sell) at or above (below) the NBBO.”

Limit Order Price Protection. The Exchange proposes to describe its proposed Limit Order Price Protection functionality in proposed Rule 900.3NYP(a)(3), which functionality would operate in a manner identical to Arca Options Rule 6.62P–O(a)(3). On the Exchange System, the concept of “Limit Order Price Protection” for orders is set forth in Rule 967NY(b). For quotes, price protection filters are described in Rule 967.1NY. The proposed “Limit Order Price Protection” on Pillar would be applicable to both Limit Orders and quotes and, at a high level, would work similarly to how the current price protection mechanisms function on the Exchange System because a Limit Order or quote would be rejected if it is priced at a specified threshold away from the contra-side NBB or NBO.²⁵ The Exchange proposes to enhance the functionality for options trading on Pillar by using new thresholds and reference prices (as discussed further below) that would be applicable to both orders and quotes. The concept of a “Reference Price” as used in connection with risk controls is identical to the same concept used in Arca Options Rule 6.62P–O(a)(3)(B) and would be consistent how this term is used on other options exchanges.²⁶ Thus, this term is not new or novel.

²⁵ Current Rule 967NY(b) provides that unless otherwise determined by the Exchange, the specified threshold percentage for orders is 100% when the contra-side NBB or NBO is priced at or below \$1.00 and 50% when the contra-side NBB or NBO is priced above \$1.00. Current Rule 967.1NY(a)(1)(A) provides that unless otherwise determined by the Exchange, the specified threshold for Market Maker bids is \$1.00 if the contra-side NBO is priced at or below \$1.00 and for Market Maker offers no limit if the NBB is priced at or below \$1.00. Current Rule 967.1NY(a)(1)(B) provides that unless otherwise determined by the Exchange, the specified threshold for Market Maker bids (offers) is 50% if the contra-side NBO (NBB) is priced above \$1.00.

²⁶ See, e.g., Choe Rule 5.6(c) (setting forth the “reference price” applicable to orders for which Choe delta-adjusts the execution price after the market close). As discussed *infra*, the Exchange likewise proposes to use the term Reference Price in connection with Trading Collars (proposed Rule 900.3NYP(a)(4)).

²¹ The Exchange notes that using the midpoint of the NBBO as a basis for a price protection mechanism is also consistent with similar functionality on other options markets. See, e.g., Choe Rule 5.34(a)(2) (setting forth the “Market Order NBBO Width Protection” wherein Choe cancels or rejects market orders submitted “when the NBBO width is greater than x% of the midpoint of the NBBO,” subject to minimum and maximum dollar values determined by Choe).

²² See Rule 964NYP(a)(5) (adopting the definition of an Aggressing Order). For purposes of this proposed rule, an Aggressing Market Order is a Market Order that is an Aggressing Order.

²³ Per Rule 964NYP(b)(2), displayed interest other than displayed Market Orders would stand their ground if locked or crossed by an Away Market. The Exchange would provide an option for Limit Orders to instead be routed, see discussion *infra*, regarding proposed Rule 6.62P–O(i)(1) and the proposed Proactive if Locked/Crossed Modifier.

²⁴ See Rule 964NYP(a)(2) (defining “limit price” as the highest (lowest) specified price at which a Limit Order or quote to buy (sell) is eligible to trade).

Proposed Rule 900.3NYP(a)(3)(A) is identical to Arca Options Rule 6.62P–O(a)(3)(A) and would provide that each trading day, a Limit Order or quote to buy (sell) would be rejected or cancelled (if resting) if it is priced at a “Specified Threshold” (described below), equal to or above (below) the Reference Price, rounded down to the nearest price within the MPV for the Series (“Limit Order Price Protection”). In other words, a Limit Order designated GTC would be re-evaluated for Limit Order Price Protection on each day that it is eligible to trade and would be cancelled if the limit price is through the Specified Threshold. In addition, the proposed rounding down is standard on Pillar for price protection mechanisms and is identical to how Limit Order Price Protection is calculated on Arca Options if it is not within the MPV for the security. The proposed text would therefore promote granularity in Exchange rules. The proposed rule would further provide that Cross Orders and Limit-on-Open (“LOO”) Orders (described below), as well as orders represented in open outcry (except CTB Orders), would not be subject to Limit Order Price Protection and that Limit Order Price Protection would not be applied to a Limit Order or quote if there is no Reference Price, which is consistent with current functionality.

- Proposed Rule 900.3NYP(a)(3)(A)(i) is identical to Arca Options Rule 6.62P–O(a)(3)(A)(i) and would provide that a Limit Order or quote that arrives when a series is open would be evaluated for Limit Order Price Protection on arrival.

- Proposed Rule 900.3NYP(a)(3)(A)(ii) is identical to Arca Options Rule 6.62P–O(a)(3)(A)(ii) and would provide that a Limit Order or quote received during a pre-open state would be evaluated for Limit Order Price Protection after an Auction concludes.²⁷

- Proposed Rule 900.3NYP(a)(3)(A)(iii) is identical to Arca Options Rule 6.62P–O(a)(3)(A)(iii) would provide that a Limit Order or quote that was resting on the Consolidated Book before a trading halt would be evaluated for Limit Order Price Protection again after the Trading Halt Auction concludes.

As noted above, these proposed rules are identical to Arca Options Rules 6.62P–O(a)(3)(A)(i)–(iii), and the Exchange believes that these proposed rules would add clarity and transparency to when the Exchange

would evaluate a Limit Order or quote for Limit Order Price Protection.

Proposed Rule 900.3NYP(a)(3)(B) is identical to Arca Options Rule 6.62P–O(a)(3)(B) and would specify that the Reference Price for calculating Limit Order Price Protection for an order or quote to buy (sell) would be the NBO (NBB), provided that, immediately following an Auction, the Reference Price would be the Auction Price, or if none, the upper (lower) Auction Collar price, or, if none, the NBO (NBB). The Exchange believes that adjusting the Reference Price for Limit Order Price Protection immediately following an Auction would ensure that the most up-to-date price would be used to assess whether to cancel a Limit Order that was received during a pre-open state or would be reevaluated after a Trading Halt Auction. The Exchange further proposes that for purposes of calculating Limit Order Price Protection, the Exchange would not use an adjusted NBBO, which use of an unadjusted NBBO is identical to how Limit Order Price Protection currently functions per Arca Options Rule 6.62P–O(a)(3)(B).²⁸ The Exchange believes that using an unadjusted NBBO for risk protection mechanisms is consistent with the goal of such mechanisms to prevent erroneous executions by using a more conservative view of the NBBO.

Proposed Rule 900.3NYP(a)(3)(C) is identical to Arca Options Rule 6.62P–O(a)(3)(C) and would specify the Specified Threshold and would provide that unless determined otherwise by the Exchange and announced to American Trading Permit Holders or “ATP Holders”²⁹ by Trader Update, the Specified Threshold applicable to Limit Order Price Protection would be:

Reference price	Specified threshold
\$0.00 to \$1.00	\$0.30
\$1.01 to \$10.00	50%
\$10.01 to \$20.00	40%
\$20.01 to \$50.00	30%
\$50.01 to \$100.00	20%
\$100.01 and higher	10%

²⁸ References to the NBBO, NBB, and NBO in proposed Rule 900.3NYP (which are identical to Arca Options Rule 6.62P–O) refer to using a determination of the national best bid and offer that has not been adjusted.

²⁹ An ATP Holder is a natural person, sole proprietorship, partnership, corporation, limited liability company or other organization, in good standing, which has been issued an ATP, and references to “member”, and “member organization” as those terms are used in the Rules of the Exchange should be deemed to be references to ATP Holders. See Rule 900.2NY. An ATP is an American Trading Permit issued by the Exchange for effecting approved securities transactions on the Exchange’s Trading Facilities. See *id.*

The Exchange believes that it would provide a more reasonable and deterministic trading outcome to use a fixed dollar amount (of \$0.30) rather than a percentage calculation when the Reference Price is \$1.00 or less. The Exchange believes that the balance of the proposed thresholds, which are percentages tied to the amount of the Reference Price that decrease as that Price increases, are more granular than those currently specified in Rules 967NY(b) (for orders) and 967.1NY(a)(1)(A) and (B) (for quotes) and therefore determining whether to reject a Limit Order or quote will be more tailored to the applicable Reference Price.³⁰ In addition, consistent with Rules 967NY(b) and 967.1NY(a)(1), the Exchange proposes that these thresholds could change, subject to announcing the changes by Trader Update. Providing flexibility in Exchange rules regarding how the Specified Thresholds would be set is not only identical to the flexibility afforded per Arca Options Rule 6.62P–O(a)(3)(C) but is also consistent with the rules of other options exchanges.³¹

Trading Collar. Trading Collars on the Exchange System are currently described in Rule 967NY(a). Under the current rules, incoming Market Orders and marketable Limit Orders are limited in having an immediate execution if they would trade at a price greater than one “Trading Collar.” A collared order is displayed at that price and then can be repriced to new collars as the NBBO updates. On Pillar, the Exchange proposes Trading Collar functionality that would be identical to Trading Collar functionality on Arca Options as described below.

As proposed, a Market Order or Limit Order would be assigned a single Trading Collar that would be applicable to that order until it is fully executed or cancelled (unless the series is halted). The new proposed Trading Collar would function as a ceiling (for buy

³⁰ On the Exchange System, the thresholds for price protection on orders and quotes (per Rules 967NY(b) and 967.1NY(a)(1), respectively), depend solely on whether the contra-side NBBO (*i.e.*, the reference price) is more or less than \$1.00. The Exchange believes the additional Reference Price levels—and corresponding Specified Thresholds—would make the application of the Limit Order Price Protection more precise to the benefit of all market participants.

³¹ See, e.g., Cboe Rule 5.34(a)(4) (describing the “Drill-Through Protection” and that Cboe “determines the buffer amount on a class and premium basis” without specifying the amount of such buffers); and the Nasdaq Stock Market LLC (“Nasdaq”) Options 3, Section 15(a)(1)(B) (specifying that “Order Price Protection” can be a configurable dollar amount not to exceed \$1.00 through such contra-side Reference BBO as specified by Nasdaq and announced via an Options Trader Alert).

²⁷ See discussion *infra*, regarding proposed Rule 952NYP(a) and proposed definitions for the terms “Auction,” “Auction Price,” “Auction Collar,” “pre-open state,” and “Trading Halt Auction.”

orders) or floor (for sell orders) of the price at which such order could be traded, displayed, or routed. The Exchange further proposes that when an order is working at its assigned Trading Collar, it would cancel if not executed within a specified time period.

More specifically, proposed Rule 900.3NYP(a)(4) is identical to Arca Options Rule 6.62P–O(a)(4) and would provide that a Market Order or Limit Order to buy (sell) would not trade or route to an Away Market at a price above (below) the Trading Collar assigned to that order. As further proposed, Auction-Only Orders, Limit Orders designated IOC or FOK, Cross Orders, ISOs, and Market Maker quotes would not be subject to Trading Collars, which interest is excluded under current functionality.³² The proposed rule would also be the same as Arca Options Rule 6.62P–O(a)(4) because it would explicitly add reference to Auction-Only Orders, Cross Orders, ISOs, and Market Maker quotes being excluded from Trading Collars, which new detail would add granularity to the proposed rule and would also address that the proposed Day ISOs, described below, would not be subject to Trading Collars. In addition, Trading Collars would not be applicable during Auctions but (as described below) would be calculated after such Auction concludes.

Proposed Rule 900.3NYP(a)(4)(A) is identical to Arca Options Rule 6.62P–O(a)(4)(A) and would provide that a Trading Collar assigned to an order would be calculated once per trading day and would be updated only if the series is halted. Accordingly, an order designated GTC would receive a new Trading Collar each day, but that Trading Collar would not be updated intraday unless the series is halted. Proposed Rule 900.3NYP(a)(4)(A)(i) is identical to Arca Options Rule 6.62P–O(a)(4)(A)(i) and would provide that an order that is received during continuous trading would be assigned a Trading Collar before being processed for either trading, repricing, or routing and that an order that is routed on arrival and returned unexecuted would use the Trading Collar previously assigned to it. Proposed Rule 900.3NYP(a)(4)(A)(ii) is identical to Arca Options Rule 6.62P–O(a)(4)(A)(ii) and would provide that an order received during a pre-open state would be assigned a Trading Collar after an Auction concludes. Finally, proposed Rule 900.3NYP(a)(4)(A)(iii) is identical to Arca Options Rule 6.62P–

O(a)(4)(A)(iii) and would provide that the Trading Collar for an order resting on the Consolidated Book before a trading halt would be calculated again after the Trading Halt Auction concludes. The Exchange believes that because Trading Collars are intended as a price protection mechanism, updating the Trading Collar after a series has reopened would allow for the Trading Collar assigned to an order to reflect more updated pricing. As noted above, proposed Rules 900.3NYP(a)(4)(A)(i)–(iii) are identical to Arca Options Rules 6.62P–O(a)(4)(A)(i)–(iii).

Proposed Rule 900.3NYP(a)(4)(B) is identical to Arca Options Rule 6.62P–O(a)(4)(B) and would provide that the Reference Price for calculating the Trading Collar for an order to buy (sell) would be the NBO (NBB), which is consistent with how trading collars are currently determined for Limit Orders, with differences to use this Reference Price for all orders and for how the Reference Price would be determined after an Auction.³³ As is the case per Arca Options Rule 6.62P–O(a)(4)(B), the Exchange likewise proposes to use the Pillar term “Reference Price” to describe what would be used for Trading Collar calculations.³⁴ The proposed rule, like the Arca Options Rule, would further provide that for Auction-eligible orders to buy (sell) that were received during a pre-open state or orders that were re-assigned a Trading Collar after a trading halt, the Reference Price would be the Auction Price or, if none, the upper (lower) Auction Collar price or, if none, the NBO (NBB). For reasons similar to those described above, the Exchange proposes to use a more conservative view of the NBBO for purposes of risk protection mechanisms. Therefore, the Exchange proposes that for purposes of calculating a Trading Collar, the Exchange would not use an adjusted NBBO. Proposed Rule 900.3NYP(a)(4)(B)(i) is identical to Arca Options Rule 6.62P–O(a)(4)(B)(i) and would further provide that a Trading Collar would not be assigned to a Limit Order if there is no Reference Price at the time of calculation, which is consistent with current functionality and the proposed rule would add granularity to Exchange rules.

Proposed Rule 900.3NYP(a)(4)(C) is identical to Arca Options Rule 6.62P–O(a)(4)(C) and would describe how the Trading Collar would be calculated and would provide that the Trading Collar

for an order to buy (sell) would be a specified amount above (below) the Reference Price, as follows: (1) for orders with a Reference Price of \$1.00 or lower, \$0.20; or (2) for orders with a Reference Price above \$1.00, the lesser of an amount specified in the table in proposed Rule 900.3NYP(a)(4)(C) (ranging from \$0.20 for orders with a Reference Price of \$1.01 to \$2.00 to \$1.90 for orders with a Reference Price of \$100.01 and above) or 25% of the Reference Price. Trading Collars under the current rule are based on a specified dollar amount (set forth in ten tranches).³⁵ As is the case with Trading Collars on Arca Options, the proposed functionality would tailor the Trading Collar calculations with either a specified dollar amount or percentage, depending on the Reference Price, and would align the specified thresholds with the current parameters for determining whether a trade is an Obvious Error or Catastrophic Error.³⁶ Proposed Rule 900.3NYP(a)(4)(C)(i) is identical to Arca Options Rule 6.62P–O(a)(4)(C)(i) and would further provide that if the calculation of a Trading Collar would not be in the MPV for the series, it would be rounded down to the nearest price within the applicable MPV. Proposed Rule 900.3NYP(a)(4)(C)(ii) is identical to Arca Options Rule 6.62P–O(a)(4)(C)(ii) and would further provide that for orders to sell, if subtracting the Trading Collar from the Reference Price would result in a negative number, the Trading Collar for Limit Orders would be the limit price and the Trading Collar for Market Orders would be one MPV above zero, which would provide more granularity in Exchange rules and would ensure that there will be a Trading Collar calculated for low-priced orders to sell. As noted above, this proposed rule is identical to Arca Options Rule 6.62P–O(a)(4)(C) and its subparagraphs (i)–(ii).

Proposed Rule 900.3NYP(a)(4)(D) is identical to Arca Options Rule 6.62P–O(a)(4)(D) and would describe how the Trading Collar would be applied and would provide that if an order to buy (sell) would trade or route above (below) the Trading Collar or would have its working price repriced to a Trading Collar that is below (above) its limit

³⁵ Under current Rule 967NY(a)(2)(A)(i)–(v), the Trading Collar for buy (sell) orders is as follows: \$0.25 for each option contract for which the NBB (NBO) is less than \$2.00; \$0.40 where the NBB (NBO) is between \$2.00–\$5.00; \$0.50 where the NBB (NBO) is between \$5.01–\$10.00; \$0.80 where the NBB (NBO) is more than \$10.00 but does not exceed \$20.00; and \$1.00 when the NBB (NBO) is \$20.01 or more.

³⁶ See Rules 975NY(c)(1) (thresholds for Obvious Errors) and 975NY(d)(1) (thresholds for Catastrophic Errors).

³³ Under current rules, trading collars are calculated based off of the contra-side NBBO. See Rule 967NY(a)(1)(A)(ii).

³⁴ See also discussion regarding Cboe Rule 5.34(a)(4) and Nasdaq Options 3, Section 15(a)(1)(B), *supra* note 31.

³² See Rule 967NY(a)(3) (“Trade Collar Protection does not apply to quotes, IOC Orders, AON Orders, FOK Orders and NOW Orders.”).

price, the order would be added to the Consolidated Book at the Trading Collar for 500 milliseconds and if not traded within that period, would be cancelled. In addition, once the 500-millisecond timer begins for an order, the order would be cancelled at the end of the timer even if it repriced or has been routed to an Away Market during that period, in which case any portion of the order that is returned unexecuted would be cancelled.

The Exchange believes that the proposed Trading Collar functionality is designed to provide a similar type of order protection as is currently available (as described in Rule 967NY(a)) because it would limit the price at which a marketable order could be traded, routed, or displayed. The proposed differences from the current rule, which are identical to Arca Options Rule 6.62P–O(a)(4), would simplify the functionality by applying a static ceiling price (for a buy order) or floor price (for a sell order) at which such order could be traded or routed, which price would be determined at the time of entry (or after a series opens or reopens) and would be applicable to the order until it is traded or cancelled. The Exchange believes that the proposed functionality would provide greater determinism to an ATP Holder of the Trading Collar that would be applicable to a Market Order or Limit Order and when such order may be cancelled if it reaches its Trading Collar.

Time in Force Modifiers. Proposed Rule 900.3NYP(b) is identical to Arca Options Rule 6.62P–O(b) and would set forth the time-in-force modifiers that would be available for options trading on Pillar. The Exchange proposes to offer the same time-in-force modifiers that are currently available for options trading on the Exchange and use Pillar terminology to describe the functionality. As noted above, the Exchange proposes to describe the Time in Force Modifiers in proposed Rule 900.3NYP(b), and then specify for each order type which Time in Force Modifiers would be available for such orders or quotes, which mirrors Arca Options Rule 6.62P–O(b).

Day Modifier. Proposed Rule 900.3NYP(b)(1) would be identical to Arca Options Rule 6.62P–O(b)(1) and would provide that any order or quote to buy or sell designated Day, if not traded, would expire at the end of the trading day on which it was entered and that a Day Modifier cannot be combined with any other Time in Force Modifier. This proposed functionality would operate no differently than how a “Day Order,” as described in Rule 900.3NY(m), currently functions.

Immediate-or-Cancel (“IOC”) Modifier. Proposed Rule 900.3NYP(b)(2) is identical to Arca Options Rule 6.62P–O(b)(2) and would provide that a Limit Order may be designated IOC or Routable IOC, as described in proposed Rules 900.3NYP(b)(2)(A) and (B) and that a Limit Order designated IOC would not be eligible to participate in any Auctions.

Proposed Rule 900.3NYP(b)(2)(A) is identical to Arca Options Rule 6.62P–O(b)(2)(A) and would define a “Limit IOC Order” as a Limit Order designated IOC that would be traded in whole or in part on the Exchange as soon as such order is received, and the unexecuted quantity would be cancelled and that a Limit IOC Order does not route. The proposed Pillar Limit IOC Order would function the same as an “Immediate-or-Cancel Order (IOC Order),” as currently described in Rule 900.3NY(k), without any differences.

Proposed Rule 900.3NYP(b)(2)(B) is identical to Arca Options Rule 6.62P–O(b)(2)(B) and would define a “Limit Routable IOC Order” as a Limit Order designated Routable IOC that would be traded in whole or in part on the Exchange as soon as such order is received, and the unexecuted quantity routed to Away Market(s) and that any quantity not immediately traded either on the Exchange or an Away Market would be cancelled. The proposed Pillar Limit Routable IOC Order is also based on (and would replace) the “NOW Order,” as currently described in Rule 900.3NY(o).

Fill-or-Kill (“FOK”) Modifier. Proposed Rule 900.3NYP(b)(3) is identical to Arca Options Rule 6.62P–O(b)(3) and would provide that a Limit Order designated FOK would be traded in whole on the Exchange as soon as such order is received, and if not so traded is to be cancelled and that a Limit Order designated FOK does not route and does not participate in any Auctions. This proposed rule uses Pillar terminology and would offer the same functionality that is currently described in Rule 900.3NY(l) as the “Fill-or-Kill Order (FOK Order)” without any substantive differences.

Good-Til-Cancelled (“GTC”) Modifier. Proposed Rule 900.3NYP(b)(4) is identical to Arca Options Rule 6.62P–O(b)(4) and would provide that a Limit Order or Market Order designated GTC remains in force until the order is filled, cancelled, the MPV in the series changes overnight, the option contract expires, or a corporate action results in an adjustment to the terms of the option contract. This proposed rule uses Pillar terminology and would offer the same functionality that is currently described

in 900.3NY(n) as the “Good-Till-Cancelled (GTC Order),” with the substantive difference that the proposed text makes clear (consistent with current functionality) that such orders may be cancelled if the MPV changes overnight. Otherwise, the proposed rule describes the same functionality that is currently described in 900.3NY(n) as the “Good-Till-Cancelled (GTC Order).”

Auction-Only Orders. Proposed Rule 900.3NYP(c) is identical to Arca Options Rule 6.62P–O(c) and would define an “Auction-Only Order” as a Limit Order or Market Order that is to be traded only in an Auction pursuant to Rule 952NYP.³⁷ This proposed rule which uses Pillar terminology in lieu of the current description of an “Opening Only Order” set forth in Rule 900.3NY(q), without any functional differences to how such orders trade on Pillar.³⁸ The proposed rule would further provide that an Auction-Only Order would not be accepted when a series is opened for trading (*i.e.*, would be accepted only during a pre-open state, which includes a trading halt) and any portion of an Auction-Only Order that is not traded in a Core Open Auction or Trading Halt Auction would be cancelled. This represents current functionality, which is not described in the current rule, and would provide clarity, transparency, and consistency to Exchange rules.

Proposed Rule 900.3NYP(c)(1) would be identical to Arca Options Rule 6.62P–O(c)(1) and would define a “Limit-on-Open Order (‘LOO Order’)” as a Limit Order that is to be traded only in an Auction. This proposed rule describes functionality that would be no different from current functionality, as described in Rule 900.3NY(q).

Proposed Rule 900.3NYP(c)(2) would be identical to Arca Options Rule 6.62P–O(c)(2) and would define a “Market-on-Open Order (‘MOO Order’)” as a Market Order that is to be traded only in an Auction. This proposed rule describes functionality that would be no different from current functionality, as described in Rule 900.3NY(q).

Proposed Rule 900.3NYP(c)(3) would be identical to Arca Options Rule 6.62P–O(c)(3) and would define an

³⁷ See discussion *infra*, regarding proposed Rule 952NYP and definitions relating to Auctions. As proposed, an “Auction” includes the opening or reopening of a series for trading either with or without a trade. See proposed Rule 952NYP(a)(1).

³⁸ Rule 900.3NY(q) defines an “Opening Only Order” as “a Market Order or Limit Order which is to be executed in whole or in part during the Opening Auction of an options series or not at all.” Per Rule 952NY(e), the Exchange utilizes the same process for orders eligible to participate in the opening or reopening (following a trading halt) of a series.

“Imbalance Offset Order (‘IO Order’)” using Pillar terminology. To provide ATP Holders with greater flexibility for options trading on Pillar based on functionality offered on Arca Options, the Exchange proposes to offer the IO Order for both Core Open Auctions and Trading Halt Auctions.

As proposed, the IO Order functionality is identical to IO Order functionality on Arca Options Rule 6.62P–O(c)(3). Accordingly, proposed Rule 900.3NYP(c)(3) would define an IO Order as a Limit Order that is to be traded only in an Auction.

- Proposed Rule 900.3NYP(c)(3)(A) is identical to Arca Options Rule 6.62P–O(c)(3)(A) and would provide that an IO Order would participate in an Auction only if: (1) there is an Imbalance in the series on the opposite side of the market from the IO Order after taking into account all other orders and quotes eligible to trade at the Indicative Match Price; and (2) the limit price of the IO Order to buy (sell) would be at or above (below) the Indicative Match Price.

- Proposed Rule 900.3NYP(c)(3)(B) is identical to Arca Options Rule 6.62P–O(c)(3)(B) and would provide that the working price of an IO Order to buy (sell) would be adjusted to be equal to the Indicative Match Price, provided that the working price of an IO Order would not be higher (lower) than its limit price.

Orders with a Conditional or Undisplayed Price and/or Size.

Proposed Rule 900.3NYP(d) is identical to Arca Options Rule 6.62P–O(d) and would set forth the orders with a conditional or undisplayed price and/or size that would be available for options trading on Pillar. On Pillar, the Exchange proposes to offer the same type of orders that are available in the Exchange System and that are currently described in Rule 900.3NYP(d) as a “Contingency Order or Working Order,” with changes as described below.³⁹

Reserve Order. The Exchange proposes to introduce Reserve Orders for options traded on Pillar in proposed Rule 900.3NYP(d)(1). On the Exchange, the proposed Reserve Order functionality would be identical to the handling of Reserve Orders per Arca Options Rule 6.62P–O(d)(1). As proposed, a Reserve Order would be defined as a Limit Order with a quantity

of the size displayed and with a reserve quantity of the size (“reserve interest”) that is not displayed and that the displayed quantity of a Reserve Order is ranked under the proposed category of “Priority 2—Display Orders” and the reserve interest is ranked under the proposed category of “Priority 3—Non-Display Orders.” Proposed Rule 900.3NYP(d)(1) would further provide that both the display quantity and the reserve interest of an arriving marketable Reserve Order would be eligible to trade with resting interest in the Consolidated Book or route to Away Markets, unless designated as a Non-Routable Limit Order. Finally, proposed Rule 900.3NYP(d)(1) would further provide that the working price of the reserve interest of a resting Reserve Order to buy (sell) would be adjusted to be the lower (higher) of the limit price or the NBO (NBB), provided that it would never be priced higher (lower) than the working price of the display quantity of the Reserve Order, which text differs from Arca Options Rule 6.62P–O(d)(1) insofar as it does not reference the working price being adjusted in the same manner as a Non-Displayed Limit Order but instead states precisely how such price would be adjusted.⁴⁰ Other than this nuance regarding the rule text used to describe how the working price of a resting Reserve Order would be adjusted, the operation of Reserve Orders on the Exchange would be identical to how such orders are handled per Arca Options Rule 6.62P–O(d)(1).

- Proposed Rule 900.3NYP(d)(1)(A) is identical to Arca Options Rule 6.62P–O(d)(1)(A) and would provide that the displayed portion of a Reserve Order would be replenished when the display quantity is decremented to zero and that the replenish quantity would be the minimum display size of the order or the remaining quantity of the reserve interest if it is less than the minimum display quantity.

- Proposed Rule 900.3NYP(d)(1)(B) is identical to Arca Options Rule 6.62P–

O(d)(1)(B) and would provide that each time the display quantity of a Reserve Order is replenished from reserve interest, a new working time would be assigned to the replenished quantity.

- Proposed Rule 900.3NYP(d)(1)(C) is identical to Arca Options Rule 6.62P–O(d)(1)(C) and would provide that a Reserve Order may be designated as a Non-Routable Limit Order and if so designated, the reserve interest that replenishes the display quantity would be assigned a display price and working price consistent with the instructions for the order. The Exchange believes that the proposed rule would promote transparency and granularity in Exchange rules.

- Proposed Rule 900.3NYP(d)(1)(D) is identical to Arca Options Rule 6.62P–O(d)(1)(D) and would provide that a routable Reserve Order would be evaluated for routing both on arrival and each time the display quantity is replenished. Proposed Rule 900.3NYP(d)(1)(D)(i) is identical to Arca Options Rule 6.62P–O(d)(1)(D)(i) and would provide that if routing is required, the Exchange would route from reserve interest before publishing the display quantity. And proposed Rule 900.3NYP(d)(1)(D)(ii) is identical to Arca Options Rule 6.62P–O(d)(1)(D)(ii) and would provide that any quantity of a Reserve Order that is returned unexecuted would join the working time of the reserve interest and that if there is no reserve interest to join, the returned quantity would be assigned a new working time. As noted above, proposed Rules 900.3NYP(d)(1)(D)(i)–(ii) are identical to Arca Options Rule 6.62P–O(d)(1)(D)(i)–(ii) and would promote transparency and granularity in Exchange rules.

- Proposed Rule 900.3NYP(d)(1)(E) is identical to Arca Options Rule 6.62P–O(d)(1)(E) and would provide that a request to reduce the size of a Reserve Order would cancel the reserve interest before cancelling the display quantity. The Exchange believes that the proposed rule would promote transparency and granularity in Exchange rules.

- Proposed Rule 900.3NYP(d)(1)(F) is identical to Arca Options Rule 6.62P–O(d)(1)(F) and would provide that a Reserve Order may be designated Day or GTC, except that the proposed rule does not reference ALO Orders, which order type is not offered by the Exchange today nor will the order type be offered on Pillar. The Exchange believes this difference is immaterial because the omitted text refers to an order modifier (i.e., ALO) that the Exchange does not propose to offer on Pillar and therefore has no bearing on the proposed

³⁹ See American Pillar Priority Filing (explaining that the term “Working Order File” will not be used on Pillar and proposing to include details about ranking of orders and quotes with contingencies in this proposed Rule 900.3NYP(d) using the Pillar priority scheme). Also, as discussed in the American Pillar Priority Filing, the ranking and priority of quotes under Pillar is consistent with handling on the Exchange System unless otherwise noted therein. See *id.*

⁴⁰ Per Arca Options Rule 6.62P–O(d)(1), “[t]he working price of the reserve interest of a resting Reserve Order to buy (sell) will be adjusted in the same manner as a Non-Displayed Limit Order, as provided for in paragraph (d)(2)(A) of this Rule.” Per Arca Options Rule 6.62P–O(d)(2)(A), “[t]he working price of a Non-Displayed Limit Order to buy (sell) will be the lower (higher) of the limit price or the NBO (NBB).” Because the Exchange is not proposing to adopt the Non-Displayed Limit Order type, proposed Rule 900.3NYP(d)(1) simply restates the relevant text from Arca Options Rule 6.62P–O(d)(2)(A) regarding how the working price of the reserve interest of a resting Reserve Order would be adjusted. The Exchange believes that this distinction is immaterial because the Reserve Order functionality being proposed would be identical to Reserve Order functionality on Arca Options.

functionality. The Exchange believes that the proposed rule would promote transparency and granularity in Exchange rules.

All-or-None (“AON”) Order. Proposed Rule 900.3NYP(d)(3) would be identical to Arca Options Rule 6.62P–O(d)(3) and would describe the handling of AON Orders on Pillar.⁴¹ AON Orders are currently defined in Rule 900.3NY(d)(4) and, consistent with current functionality, AON Orders on Pillar would only execute if such orders can be satisfied in their entirety. However, unlike the Exchange System, where AON Orders are not integrated in the Consolidated Book, on Pillar, the Exchange proposes that AON Orders would be ranked in the Consolidated Book and function as conditional orders that would trade only if their condition could be met. In addition, on Pillar, the Exchange would not support Market Orders designated as AON, which would be a change from current functionality. The Exchange does not believe it needs to continue offering AON Market Orders because such functionality was not used often on the Exchange System, indicating a lack of market participant interest in this functionality.

Specifically, proposed Rule 900.3NYP(d)(3) would provide that an AON Order is a Limit Order that is to be traded in whole on the Exchange at the same time or not at all, which represents current functionality as described in the first sentence of Rule 900.3NY(d)(4). Proposed Rule 900.3NYP(d)(3) uses Pillar terminology and would further provide that an AON Order that does not trade on arrival would be ranked under the proposed category of “Priority 3—Non-Display Orders” and that an AON Order may be designated Day or GTC, does not route, and would not participate in any Auctions. As noted above, this proposed new functionality, including that AON Orders would be ranked on the Consolidated Book, is identical to the handling of AON Order per Arca Options Rule 6.62P–O(d)(3) and the subsections thereunder.

- Proposed Rule 900.3NYP(d)(3)(A) is identical to Arca Options Rule 6.62P–O(d)(3)(A) and would provide that the working price of an AON Order would be assigned on arrival and adjusted when resting on the Consolidated Book and that the working price of an AON

Order to buy (sell) would be the lower (higher) of the limit price or NBO (NBB).

- Proposed Rule 900.3NYP(d)(3)(B) is identical to Arca Options Rule 6.62P–O(d)(3)(B) and would provide that an Aggressing AON Order to buy (sell) would trade with sell (buy) orders and quotes that in the aggregate can satisfy the AON Order in its entirety. This proposed rule would promote clarity in Exchange rules that an Aggressing AON Order (whether on arrival or as a resting order that becomes an Aggressing Order) would be eligible to trade with more than one contra-side order or quote, provided that multiple orders and quotes in the aggregate would satisfy the AON Order in its entirety.

- Proposed Rule 900.3NYP(d)(3)(C) is identical to Arca Options Rule 6.62P–O(d)(3)(C) and would provide that a resting AON Order to buy (sell) would trade with an Aggressing Order or Aggressing Quote to sell (buy) that individually can satisfy the whole AON Order. The Exchange believes this proposed change would provide an AON Order with additional execution opportunities.

- Proposed Rule 900.3NYP(d)(3)(C)(i) is identical to Arca Options Rule 6.62P–O(d)(3)(C)(i) and would provide that if an Aggressing Order or Aggressing Quote to sell (buy) does not satisfy the resting AON Order to buy (sell), that Aggressing Order or Aggressing Quote would not trade with and may trade through such AON Order. Proposed Rule 900.3NYP(d)(3)(C)(ii) is identical to Arca Options Rule 6.62P–O(d)(3)(C)(ii) and would further provide that if a resting non-displayed order to sell (buy) does not satisfy the quantity of a same-priced resting AON Order to buy (sell), a subsequently arriving order or quote to sell (buy) that satisfies the AON Order would trade before such resting non-displayed order or quote to sell (buy) at that price. Both of these proposed rules are similar to current Rule 900.3NY(d)(4), which provides that a resting AON Order can be ignored if its condition is not met. Similar to current functionality, even though an AON would be ranked in the Consolidated Book, it is still a conditional order type and therefore, by its terms, can be skipped over for an execution. As noted above, this proposed rule text is identical to Arca Options Rules 6.62P–O(d)(3)(C)(i) and (ii).

- Proposed Rule 900.3NYP(d)(3)(D) is identical to Arca Options Rule 6.62P–O(d)(3)(D) and would provide that a resting AON Order to buy (sell) would not be eligible to trade against an Aggressing Order or Aggressing Quote to sell (buy): (i) at a price equal to or above

(below) any orders or quotes to sell (buy) that are displayed at a price equal to or below (above) the working price of such AON Order; or (ii) at a price above (below) any orders or quotes to sell (buy) that are not displayed and that have a working price below (above) the working price of such AON Order.

- Proposed Rule 900.3NYP(d)(3)(E) is identical to Arca Options Rule 6.62P–O(d)(3)(E) and would provide that if a resting AON Order to buy (sell) becomes an Aggressing Order it would trade as provided in paragraph (d)(3)(B) of this proposed Rule (described above); however, other resting orders or quotes to buy (sell) ranked Priority 3—Non-Display Orders that become Aggressing Orders or Aggressing Quotes at the same time as the resting AON Order would be processed before the AON Order. This proposed rule text is designed to promote clarity in Exchange rules that if multiple orders ranked Priority 3—Non-Display Orders, including AON and non-AON Orders, become Aggressing Orders or Aggressing Quotes at the same time, the AON Order would not be eligible to trade until the other orders ranked Priority 3- Non-Display Orders have been processed, even if they have later working times. The Exchange believes that it would be consistent with the conditional nature of AON Orders for other same-side non-displayed orders to have a trading opportunity before the AON Order.

Stop Order. Stop Orders are currently defined in Rule 900.3NY(d)(1). The Exchange proposes to use Pillar terminology with more granularity to describe Stop Orders in proposed Rule 900.3NYP(d)(4), as specified below and identical to Arca Options Rule 6.62P–O(d)(4). Proposed Rule 900.3NYP(d)(4) would provide that a Stop Order is an order to buy (sell) a particular option contract that becomes a Market Order (or is “elected”) when the Exchange BB (BO) or the most recent consolidated last sale price reported after the order was placed in the Consolidated Book (the “Consolidated Last Sale”) (either, the “trigger”) is equal to or higher (lower) than the specified “stop” price. The proposed functionality is consistent with existing functionality and provides more granularity of the circumstances when a Stop Order would be elected.⁴² Because a Stop Order becomes a Market Order when it is elected, the Exchange proposes that when it is elected, it would be cancelled if it does not meet the validations specified in proposed

⁴¹ The Exchange proposes to hold Rule 900.3NYP(d)(2) as “Reserved” to keep the numbering of this rule consistent with Arca Options Rule 6.62P–O(d), to account for the fact that the Exchange does not propose to offer Non-Displayed Limit Orders, which are described in Arca Options Rule 6.62P–O(d)(2). See *id.*

⁴² The current rule states that a Stop Order to buy (sell) will be triggered (*i.e.*, elected) when the option contract “trades at a price equal to or greater (less) than the specified ‘stop’ price on the Exchange or another Market Center.” See Rule 900.3NY(d)(1).

Rule 900.3NYP(a)(1)(A)(above) and if not cancelled, it would be assigned a Trading Collar. This is consistent with current functionality, which is not described in the current rule describing Stop Orders, that once converted to a Market Order, such order is subject to the checks applicable in the current rule for Market Orders, *i.e.*, cancelling such order if there is no NBBO. The proposed rule, which as noted above is identical to Arca Options Rule 6.62P–O(d)(4), references the checks that would be applicable to a Market Order on Pillar and thus adds greater granularity and transparency to Exchange rules.

Proposed Rule 900.3NYP(d)(4)(A) is identical to Arca Options Rule 6.62P–O(d)(4)(A) and would provide that a Stop Order would be assigned a working time when it is received but would not be ranked or displayed in the Consolidated Book until it is elected and that once converted to a Market Order, the order would be assigned a new working time and be ranked Priority 1—Market Orders. The original working time assigned to a Stop Order would be used to rank multiple Stop Orders elected at the same time. This is consistent with the current rule, which provides that a Stop Order is not displayed and has no standing in any Order Process in the Consolidated Book, unless or until it is triggered. The proposed rule is identical to Arca Options Rule 6.62P–O(d)(4)(A) and is designed to provide greater granularity and clarity regarding the treatment of Stop Orders, both when received and when elected.

Proposed Rule 900.3NYP(d)(4)(B) is identical to Arca Options Rule 6.62P–O(d)(4)(B) and would specify additional events that are designed to limit when a Stop Order may be elected so that a Market Order does not trade during a period of pricing uncertainty:

- Proposed Rule 900.3NYP(d)(4)(B)(i) is identical to Arca Options Rule 6.62P–O(d)(4)(B)(i) and would provide that if not elected on arrival, a Stop Order that is resting would not be eligible to be elected based on a Consolidated Last Sale unless the Consolidated Last Sale is equal to or in between the NBBO. This proposed rule text provides additional transparency of when a resting Stop Order would be eligible to be elected.

- Proposed Rule 900.3NYP(d)(4)(B)(ii) is identical to Arca Options Rule 6.62P–O(d)(4)(B)(ii) and would provide that a Stop Order would not be elected if the NBBO is crossed.

- Proposed Rule 900.3NYP(d)(4)(B)(iii) is identical to Arca Options Rule 6.62P–O(d)(4)(B)(iii)

and would provide that after a Limit State or Straddle State is lifted, the trigger to elect a Stop Order would be either the Consolidated Last Sale received after such state was lifted or the Exchange BB (BO).⁴³

Stop Limit Order. Stop Limit Orders are currently defined in Rule 900.3NYP(d)(2).⁴⁴ The Exchange proposes to use Pillar terminology with more granularity to describe Stop Limit Orders in proposed Rule 900.3NYP(d)(5), as specified below and identical to Arca Options Rule 6.62P–O(d)(5).

Proposed Rule 900.3NYP(d)(5) would provide that a Stop Limit Order is an order to buy (sell) a particular option contract that becomes a Limit Order (or is “elected”) when the Exchange BB (BO) or the Consolidated Last Sale (either, the “trigger”) is equal to or higher (lower) than the specified “stop” price.⁴⁵ The proposed functionality is consistent with existing functionality and provides more granularity of when a Stop Limit Order would be elected than the current Rule 900.3NYP(d)(2) definition of Stop Limit Order. As further proposed, a Stop Limit Order to buy (sell) would be rejected if the stop price is higher (lower) than its limit price, which rejection mirrors Arca Options Rule 6.62P–O(d)(5) and would prevent the Exchange from accepting potentially erroneously-priced orders. Because a Stop Limit Order becomes a Limit Order when it is elected, the Exchange proposes that when it is elected, it would be cancelled if it fails Limit Order Price Protection or a Price Reasonability Check and if not cancelled, it would be assigned a Trading Collar.⁴⁶ This functionality is consistent with current functionality, though it is not explicitly stated in the current rule describing Stop Limit Orders. Specifically, both in the current

⁴³ Rule 953.1NYP(a)(2) currently provides that the Exchange will not elect Stop Orders when the underlying NMS stock is either in a Limit State or a Straddle State, which would continue to be applicable on Pillar. The Exchange proposes a non-substantive amendment to Rule 953.1NYP(a)(2) to add a cross-reference to proposed Rule 900.3NYP(d)(4). The proposed rule is also identical to how Stop Orders are handled if the underlying NMS stock enters a Limit State or a Straddle State per Arca Options Rule 6.65A–O(a)(2).

⁴⁴ The current rule states that a Stop Limit Order to buy (sell) will be triggered (*i.e.*, elected) when the option contract “trades at a price equal to or greater (less) than the specified ‘stop’ price on the Exchange or another Market Center.” See Rule 900.3NYP(d)(2). Given the contingent nature of Stop Limit Orders, as is the case today, Stop Limit Orders submitted as IOC would be rejected on Pillar.

⁴⁵ The term “Consolidated Last Sale” is defined in proposed Rule 900.3NYP(d)(4).

⁴⁶ See discussion *infra*, regarding proposed Rule 928.1NYP and Price Reasonability Checks.

Exchange System and as proposed on Pillar, once converted to a Limit Order, such order is subject to the checks applicable in the current rule for Limit Orders, *i.e.*, Limit Order Filter on the Exchange System. The proposed rule, which as noted above is identical to Arca Options Rule 6.62P–O(d)(5), references the checks that would be applicable to a Limit Order on Pillar and thus adds greater granularity and transparency to Exchange rules.

Proposed Rule 900.3NYP(d)(5)(A) is identical to Arca Options Rule 6.62P–O(d)(5)(A) and would provide that a Stop Limit Order would be assigned a working time when it is received but would not be ranked or displayed in the Consolidated Book until it is elected and that once converted to a Limit Order, the order would be assigned a new working time and be ranked under the proposed category of “Priority 2—Display Orders.” This functionality is consistent with the current rule, which provides that a Stop Limit Order is not displayed and has no standing in any Order Process in the Consolidated Book, unless or until it is triggered. The proposed rule is designed to provide greater granularity and clarity.

Proposed Rule 900.3NYP(d)(5)(B) is identical to Arca Options Rule 6.62P–O(d)(5)(B) and would specify additional events that are designed to limit when a Stop Limit Order may be elected so that a Limit Order would not have a possibility of trading or being added to the Consolidated Book during a period of pricing uncertainty.

- Proposed Rule 900.3NYP(d)(5)(B)(i) is identical to Arca Options Rule 6.62P–O(d)(5)(B)(i) and would provide that if not elected on arrival, a Stop Limit Order that is resting would not be eligible to be elected based on a Consolidated Last Sale unless the Consolidated Last Sale is equal to or in between the NBBO.

- Proposed Rule 900.3NYP(d)(5)(B)(ii) is identical to Arca Options Rule 6.62P–O(d)(5)(B)(ii) and would provide that a Stop Limit Order would not be elected if the NBBO is crossed.

Orders with Instructions Not to Route. Currently, the Exchange defines non-routable orders in Rule 900.3NYP as a PNP Order (which includes a Repricing PNP Order (“RPNP”)) (current Rule 900.3NYP(p)) or a PNP-Blind Order (current Rule 900.3NYP(x)). The Exchange also defines Intermarket Sweep Orders (current Rule 900.3NYP(u)), which are also non-routable.

The Exchange separately defines quotes—all of which are non-

routable⁴⁷—in Rule 925.1NY and such quotes may be designated as a Market Maker—Light Only Quotation (“MMLO”) (current Rule 925.1NY(a)(3)(A)) and a Market Maker—Repricing Quotation (“MMRP”) (current Rule 925.1NY(a)(3)(B)). On the Exchange System, Market Maker quotes not designated as MMRP will cancel (rather than reprice) if they would lock or cross the NBBO, per Rule 925.1NY(a)(4)(C)(i).

On Pillar, proposed Rule 900.3NYP(e) is identical to Arca Options Rule 6.62P–O(e) and would streamline the non-routable order types and quotes that would be available on the Exchange.⁴⁸ As described in greater detail below, proposed Rule 925.1NYP governing Market Maker Quotations would no longer define how quotations would function. Instead, that rule would specify that a Market Maker may designate a Non-Routable Limit Order as a Market Maker quote. Because the way in which non-routable orders and quotes would function on Pillar would be virtually identical (with differences described below), and because Market Makers could enter a Non-Routable Limit Order and then choose to designate it either as a quote or an order, the Exchange believes that it would promote transparency in Exchange rules to consolidate the description of the functionality in a single rule and eliminate duplication in Exchange rules. As described below, proposed Rule 925.1NYP would cross reference proposed Rule 900.3NYP(e).

On Pillar, like Arca Options, the Exchange would no longer offer functionality based on the PNP-Blind Order or MMLO because it believes that the proposed orders/quotes with instructions not to route on Pillar (described below) would continue to provide ATP Holders with the core functionality associated with these existing order and quotation types, including that the proposed rules would provide for non-routable functionality and the ability to either reprice or cancel such orders/quotes.

Non-Routable Limit Order. Proposed Rule 900.3NYP(e)(1) is identical to the Arca Options Rule 6.62P–O(e)(1) and

would define the Non-Routable Limit Order. As explained further below, this proposed order type incorporates functionality currently available in both the existing PNP and RPNP order types, as defined in Rule 900.3NY, and the existing MMRP quotation type, as defined in Rule 925.1NYP(a)(3)(C).⁴⁹ As described below, a Market Maker can designate a Non-Routable Limit Order as either a quote or an order and such interest so designated would be handled the same except as specified below. Accordingly, references to the capitalized term “Non-Routable Limit Order” describe functionality for either a quote or an order, unless otherwise specified.

Proposed Rule 900.3NYP(e)(1) (like Arca Options Rule 6.62P–O(e)(1)) would provide that a Non-Routable Limit Order is a Limit Order or quote that does not route and may be designated Day or GTC and would further provide that a Non-Routable Limit Order with a working price different from the display price would be ranked under the proposed category of “Priority 3—Non-Display Orders” and a Non-Routable Limit Order with a working price equal to the display price would be ranked under the proposed category of “Priority 2—Display Orders.” This proposed rule, which as noted above is identical to the Arca Options Rule 6.62P–O(e)(1), and uses Pillar terminology, including references to the Pillar concepts of “working” and “display” price as well to Priority rankings as proposed in Rules 964NYP(e)(2) and (3).⁵⁰ This proposed rule also describes functionality similar to that described in the first clause of current Rule 900.3NY(p) relating to a PNP Order, which states that the portion of such order not executed on arrival is ranked in the Consolidated Book without routing any portion of the order to another Market Center (although the current rule does not include Pillar concepts of “working” and “display” price or Pillar Priority rankings).

Proposed Rule 900.3NYP(e)(1)(A) is identical to the Arca Options Rule 6.62P–O(e)(1)(A) and would provide that a Non-Routable Limit Order would not be displayed at a price that would lock or cross the ABBO and that a Non-Routable Limit Order to buy (sell)

would trade with orders or quotes to sell (buy) in the Consolidated Book priced at or below (above) the ABO (ABB). This proposed text is designed to provide granularity that a Non-Routable Limit Order would never be displayed at a price that would lock or cross the ABBO, which is consistent with current PNP and RPNP Order functionality and with current Market Maker quoting functionality, as described in Rules 900.3NY(p), (p)(1), and 925.1NY(a)(3)–(4), respectively. The Exchange proposes to use the new term “ABBO” (as proposed herein) to provide more granularity in Exchange rules.

Proposed Rule 900.3NYP(e)(1)(A)(i) is identical to the Arca Options Rule 6.62P–O(e)(1)(A)(i) and would provide that a Non-Routable Limit Order can be designated to be cancelled if it would be displayed at a price other than its limit price. This would be an optional designation and would provide ATP Holders with functionality similar to how a PNP Order or a Market Maker quote not designated as MMRP currently functions, which cancels if such order or quote locks or crosses the NBBO.⁵¹ The Exchange proposes a substantive difference from the current PNP Order functionality such that if an ATP Holder opts to cancel instead of reprice a Non-Routable Limit Order, such order would be cancelled only if it could not be displayed at its limit price—which could be because the order would be repriced to display at a price that would not lock or cross the ABBO or because it would be repriced due to Trading Collars.⁵² Stated otherwise, if a Non-Routable Limit Order with a designation to cancel could be displayed at its original limit price and not lock or cross the ABBO, such order or quote would not be cancelled. The Exchange believes that the proposed rule provides granularity of the operation of a Non-Routable Limit Order and when such order or quote

⁴⁷ See Rule 925.1NY(a)(2) (providing that “[a] quotation will not route”).

⁴⁸ The Exchange proposes to include details about ranking of orders and quotes with contingencies in this proposed Rule 900.3NYP(e) using the Pillar priority scheme. See, e.g., Rule 964NY(g) (providing that “[t]he Exchange will apply ranking restrictions applicable to specific order, quote, or modifier instructions as provided for in [proposed] Rule 900.3NYP.”). Also, as discussed *infra*, see, e.g., note 39, the ranking and priority of quotes under Pillar is consistent with handling on the Exchange System unless otherwise noted herein.

⁴⁹ Both MMRPs and RPNPs function similarly. Compare current Rule 925.1NY(a)(4)(B) and subparagraphs (i) and (ii) with current Rule 900.3NY(p)(1)(A) and subparagraphs (i) and (ii). They are currently defined in separate rules only because the former rule addresses quotes and the latter rule addresses orders.

⁵⁰ See *supra* note 20 (regarding definitions of “display price” and “working price,” set forth in Rules 964NYP(a)(1) and (a)(4), respectively).

⁵¹ A PNP Order cannot route, and any unexecuted portion is ranked in the Consolidated Book except that such order is canceled if it would lock or cross the NBBO. See Rule 900.3NY(p). A Market Maker quote not designated as MMLO or MMRP will cancel (rather than reprice) if such quote would lock or cross the NBBO. See Rule 925.1NY(a)(4)(C).

⁵² Current Rule 900.3NY(p)(1)(B) provides that an incoming RPNP order would cancel if its limit price is more than a configurable number of MPVs outside its initial display price (on arrival). Under Pillar, because Trading Collars would be applicable to Non-Routable Limit Orders (and such orders may be repriced or “collared” on arrival), the Exchange (like Arca Options) does not propose to cancel an incoming Non-Routable Limit Order if its limit price is more than a configurable number of MPVs outside its initial display price. As such, this aspect of RPNP functionality is not incorporated in the proposed Pillar rules and the Exchange instead proposes to incorporate Trading Collar functionality into the Non-Routable Limit Order.

would be cancelled, if so designated, including specifying circumstances when such order could be repriced, such as to avoid locking or crossing the ABBO or because of Trading collars.

Proposed Rule 900.3NYP(e)(1)(A)(ii) is identical to Arca Options Rule 6.62P–O(e)(1)(A)(ii) and would provide that if not designated to cancel, if the limit price of a Non-Routable Limit Order to buy (sell) would lock or cross the ABO (ABB), it would be repriced to have a working price equal to the ABO (ABB) and a display price one MPV below (above) that ABO (ABB). Accordingly, the proposed Non-Routable Limit Order, if not designated to cancel, would reprice in the same manner as an RPNP order or MMRP quotation reprices on arrival per Rules 900.3NY(p)(1)(A) and 925.1NY(a)(4)(B), which both offer similar functionality.

The Exchange also proposes functionality on Pillar for the Non-Routable Limit Order that is consistent with but different in application to the RPNP Order or MMRP on the Exchange System. Specifically, proposed Rule 900.3NYP(e)(1)(B), which is identical to Arca Options Rule 6.62P–O(e)(1)(B), would provide that the display price of a resting Non-Routable Limit Order to buy (sell) that has been repriced would be repriced higher (lower) only one additional time.⁵³ If after that second repricing, the display price could be repriced higher (lower) again, the order can be designated to either remain at its last working price and display price or be cancelled, provided that a resting Non-Routable Limit Order that is designated as a quote cannot be designated to be cancelled.⁵⁴ As compared to the proposal on Pillar to limit the number of times that Non-Routable Limit Orders may be repriced, the Exchange System restricts repricing of RPNPs and MMRPs based on the

limit price of the interest being a configurable number of MPVs away from its initial display price.⁵⁵ The Exchange therefore believes that the proposed functionality is consistent with current functionality because in either case, there will be limited repricing of resting interest, and would increase determinism in order execution based on the explicit restriction on the number of times resting interest may be repriced.

The Exchange notes that, as is the case per Arca Options Rule 6.62P–O(e)(1)(B), a designation to cancel after an order has been repriced once is separate from the designation to cancel if a Non-Routable Limit Order cannot be displayed at its limit price. When a Non-Routable Limit Order is designated to cancel if it cannot be displayed at its limit price, there is no repricing and therefore the option of a second cancellation designation is moot. Rather, this second cancellation designation is applicable only to a resting Non-Routable Limit Order that has been designated to reprice on arrival and was repriced before it was displayed on the Consolidated Book. This functionality provides ATP Holders with an option to cancel a resting order if market conditions are such that a resting order could be repriced again, *e.g.*, the contra-side ABBO changes. The Exchange proposes that this second cancellation option would not be available for any Non-Routable Limit Orders designated by a Market Maker as a quote. The Exchange believes that this proposed difference would assist Market Makers in maintaining quotes in their assigned series by reducing the potential to interfere with a Market Maker's ability to maintain their continuous quoting obligations.⁵⁶ As noted above, this proposed functionality is identical to Arca Options Rule 6.62P–O(e)(1)(B).

Proposed Rule 900.3NYP(e)(1)(B)(i) is identical to Arca Options Rule 6.62P–O(e)(1)(B)(i) and would provide that if the limit price of the resting Non-Routable Limit Order to buy (sell) that

has been repriced no longer locks or crosses the ABO (ABB), it would be assigned a working price and display price equal to its limit price.⁵⁷

Proposed Rule 900.3NYP(e)(1)(B)(ii) is identical to Arca Options Rule 6.62P–O(e)(1)(B)(ii) and would provide that the working price of a resting Non-Routable Limit Order to buy (sell) that has been repriced would be adjusted to be equal to its display price if the ABO (ABB) is equal to or lower (higher) than its display price. This proposed rule is based in part on how an RPNP or MMRP reprices when the NBO (NBB) updates to lock or cross its display price (as described in Rules 900.3NY(p)(1)(A)(i) and 925.1NY(a)(4)(B)(i)) and uses Pillar terminology (*i.e.*, ABBO and concepts of working price and display price).⁵⁸ The proposed rule would further provide that once the working price and display price of a Non-Routable Limit Order to buy (sell) are the same, the working price would be adjusted higher (lower) only if the display price of the order is adjusted.⁵⁹

Finally, proposed Rule 900.3NYP(e)(1)(C) is identical to Arca Options Rule 6.62P–O(e)(1)(C) and would provide that the designation to cancel a Non-Routable Limit Order (including those designated as quotations)⁶⁰ would not be applicable in an Auction and, per proposed Rule 952NYP(g)(2) (described below) such order would participate in an Auction at its limit price. This proposed rule text promotes clarity and transparency that a

⁵⁷ See American Pillar Priority Filing (regarding Rule 964NYP(b)(2)), which describes when the Exchange would not change the display price of any Limit Orders or quotes ranked under the proposed category of “Priority 2—Display Orders”).

⁵⁸ Rule 900.3NY(p)(1)(A)(i) provides that “if the NBO (NBB) updates to lock or cross the RPNP's display price, such RPNP will trade at its display price.” Rule 925.1NY(a)(4)(B)(i) provides that “if the NBO (NBB) updates to lock or cross the MMRP's display price, such MMRP will trade at its display price.” On Pillar, if the NBO (NBB) updates to lock or cross the display price of a Non-Routable Order, and the working price is adjusted to be equal to the display price, the order will not receive a new working time. See Rule 964NYP(f)(2)(B).

⁵⁹ For example, if the ABO is 1.05 and the Exchange receives a Non-Routable Limit Order to buy priced at 1.10, it would be assigned a display price of 1.00 and a working price of 1.05. If the ABO adjusts to 1.00, the working price of the Non-Routable Limit Order to buy would be adjusted to 1.00 to be equal to its display price. However, if the Away Market BO moves back to 1.05, the Non-Routable Limit Order's working price would not adjust again to 1.05 and would stay at 1.00.

⁶⁰ See discussion, *infra*, regarding proposed Rule 952NYP(g)(1), which provides that “all resting Market Maker quotations”—including Non-Routable Limit Orders designated as quotations—will be canceled in the event of a Trading Halt, which functionality is consistent with current Rule 925.1NY(a)(5), which likewise provides that “[a]ll resting quotations will be cancelled in the event of a trading halt”.

⁵³ For example, on arrival, a Non-Routable Limit Order to buy (sell) with a limit price higher (lower) than the ABO (ABB), would have a display price one MPV below (above) the ABO (ABB) and a working price equal to the ABO (ABB). If the ABO (ABB) reprices higher (lower), the resting Non-Routable Limit Order to buy (sell) would similarly be repriced higher (lower). If the ABO (ABB) adjusts higher (lower) again, the resting Non-Routable Limit Order would not be adjusted again.

⁵⁴ As described in the American Pillar Priority Filing, the working time of a Non-Routable Limit Order would be adjusted as described in Rule 964NYP(f)(2), which would be applicable to any scenario when the working time of an order may change, including a Non-Routable Limit Order. Similar to how the Pillar rules function on Arca Options, the Exchange does not propose to separately describe how the working time of an order changes in proposed Rule 900.3NYP. See also Arca Options Rule 6.76P–O(f)(2) (describing when the working time of an order or quote may change and not repeating this information in Rule 6.62P–O).

⁵⁵ See, *e.g.*, Rule 900.3NY(p)(1)(B) (providing that “[a]n incoming RPNP will be cancelled if its limit price to buy (sell) is more than a configurable number of MPVs above (below) the initial display price (on arrival), after first trading with eligible interest, if any,” which configurable number of MPVs will be determined by the Exchange and be announced by Trader Update) and Rule 925.1NY(a)(4)(C) (providing that, an MMRP to buy (sell) will be canceled after trading with marketable interest in the Consolidated Book up (down) to the NBO (NBB), if its limit price is more than a configurable number of MPVs above (below) the initial display price (on arrival)).

⁵⁶ Proposed Rules 925.1NYP(b) and (c) set forth the continuous quoting obligations of Specialists and Market Makers, respectively.

Non-Routable Limit Order would be eligible to participate in an Auction, but that it would be repriced to its limit price for participation in such Auction, which is consistent with current RPNP functionality, as described in the last sentence of Rule 900.3NY(p) and providing that an RPNP would be processed as a Limit Order and would not be repriced for purposes of participating in an opening or reopening auction. This proposal is also consistent with Rule 925.1NY(a)(5), which provides that MMRPs received when a series is not open for trading will be eligible to participate in the opening auction and re-opening auction (as applicable) at the limit price of the MMRP.

Intermarket Sweep Order (“ISO”). ISOs are currently defined in Rule 900.3NY(u) as a Limit Order for an options series that instructs the Exchange to execute the order up to the price of its limit, regardless of the Away Market Protected Quotations.⁶¹ The Exchange proposes to offer identical functionality on Pillar, including that an ISO is a Limit Order that does not route and meets the requirements of Rule 990NY(8), in proposed Rule 900.3NYP(e)(3), which is identical to Arca Options Rule 6.62P–O(e)(3).⁶²

On Pillar, the Exchange proposes to add the ability for an ATP Holder to designate an ISO either as IOC or with a Day time-in-force designation. The Exchange proposes to describe the functionality for each type of ISO separately, as follows:

- *IOC ISO.* Proposed Rule 900.3NYP(e)(3)(A) is identical to Arca Options Rule 6.62P–O(e)(3)(A) and would define an IOC ISO as an ISO designated IOC to buy (sell) that would be immediately traded with orders and quotes to sell (buy) in the Consolidated

Book up to its full size and limit price and may trade through Away Market Protected Quotations and any untraded quantity of an IOC ISO would be immediately and automatically cancelled. This proposed rule describes Pillar functionality that would be no different from how ISOs currently function on the Exchange.

- *Day ISO.* Proposed Rule 900.3NYP(e)(3)(B) is identical to Arca Options Rule 6.62P–O(e)(3)(B) and would define a Day ISO as an ISO designated Day to buy (sell) that, if marketable on arrival, would be immediately traded with orders and quotes to sell (buy) in the Consolidated Book up to its full size and limit price and may trade through Away Market Protected Quotations and that any untraded quantity of a Day ISO would be displayed at its limit price and may lock or cross Away Market Protected Quotations at the time the Day ISO is received by the Exchange. As noted above, this proposed functionality (allowing Day designation for ISOs) would be consistent with functionality offered on Arca Options and would offer ATP Holders additional control over their trading interest.⁶³ In addition to the proposed functionality being identical to Arca Options Rule 6.62P–O(e)(3)(B), this functionality is also available on other options exchanges.⁶⁴ The proposed Day ISO is also consistent with current Rule 992NY(b)(3), which describes an exception to the prohibition on locking or crossing a Protected Quotation if the Member simultaneously routed an ISO to execute against the full displayed size of any locked or crossed Protected Bid or Protected Offer.⁶⁵ Although the

Exchange has not previously availed itself of this exception, this exception to locking and crossing Protected Bids and Protected Offers would only be needed if an ISO is designated as Day and therefore would be displayed at a price that would lock or cross a Protected Quotation; an IOC ISO would never be displayed and therefore this existing exception would not be applicable to such orders.

Complex Orders. Complex Orders are defined in Rule 900.3NY(e). The Exchange proposes to define Complex Orders for Pillar in proposed Rule 900.3NYP(f), which is identical to Arca Options Rule 6.62P–O(f). The proposed rule is based on current Rule 900.3NY(e)(1)–(2) without any substantive differences. However, like Arca Options Rule 6.62P–O(f), the proposed definition would add clarifying text that the different options series in a Complex Order are also referred to as the “legs” or “components” of the Complex Order and would provide that a Complex Order would be any order involving the simultaneous purchase and/or sale of “two or more options series in the same underlying security,” without including the superfluous and redundant modifier “different” before the phrase “more option series.” In addition, proposed Rule 900.3NYP(f) (like Arca Options Rule 6.62P–O(f)) would not reference mini-options contracts, which no longer trade on the Exchange.

Cross Orders. The Exchange proposes to describe the Cross Orders available on the Exchange in proposed Rule 900.3NYP(g). Proposed Rule 900.3NYP(g)(1) would describe Qualified Contingent Cross Orders, which are defined in Rule 900.3NY(y) and Commentary .01 to Rule 900.3NY. In addition, current Rule 985NY (Qualified Contingent Cross Trade) describes how Qualified Contingent Cross Orders are processed. As proposed, QCC Orders on Pillar would function identically to how Qualified Contingent Cross Orders function on the Exchange System, and for purposes of the rules governing trading on Pillar, the Exchange proposes to merge language from two rules relating to QCC Orders

⁶¹ The terms “Protected Bid,” “Protected Offer,” and “Quotation” are defined in Rules 990NY(15) and (16) and the term “Away Market” is defined in Rule 900.2NY. Accordingly, Away Market Protected Quotations refer to Protected Bids and Protected Offers that are disseminated pursuant to the OPRA Plan and are the Best Bid and Best Offer displayed by an Eligible Exchange, as those terms are defined in Rule 990NY.

⁶² The Exchange proposes to hold Rule 900.3NYP(e)(2) as “Reserved” to keep the numbering of this rule consistent with Arca Options Rule 6.62P–O(e), to account for the fact that the Exchange does not propose to offer ALO Orders, which are described in Arca Options Rule 6.62P–O(e)(2). For avoidance of doubt (and if not otherwise specifically noted herein), the Exchange believes that the omission of reference to ALO Orders (or DAY ISO ALOs) in any proposed rule that is said to be “identical” to the analogous Arca Options rule (that does include such reference(s)), is an immaterial difference as it relates to an order type/modifier not being offered on the Exchange. As such, the omission(s) has no bearing on the proposed Pillar functionality.

⁶³ Unlike on Arca Options, the Exchange will not allow a DAY ISO to be designated with an ALO Modifier (as is available per Arca Options Rule 6.62P–O(e)(3)(C)) because, as noted above, the Exchange does not propose to offer ALO Orders on Pillar. The Exchanges believes that this textual difference is immaterial as it does not impact the proposed Pillar functionality.

⁶⁴ See Nasdaq Options 3, Section 7(a)(7) (“ISOs may have any time-in-force designation . . .”) and Cboe Rules 5.30(a)(2) and (3). See also Cboe US Options Fix Specifications, dated March 29, 2023, Section 4.4.7, available here: http://cdn.cboe.com/resources/membership/US_Options_FIX_Specification.pdf, which references how a Day ISO would be processed under specified circumstances.

⁶⁵ The Commission has previously stated that the requirements in the Options Linkage Plan relating to Locked and Crossed Markets are “virtually identical to those applicable to market centers for NMS stock under Regulation NMS.” See also Securities Exchange Act Release No. 60405 (July 30, 2009), 74 FR 39362, 39368 (August 6, 2009) (Order approving Options Linkage Plan). Accordingly, guidance relating to the ISO exception for locked and crossed markets for NMS stocks that specifically contemplate use of Day ISOs is also applicable to options trading. See Responses to Frequently Asked Questions Concerning Rule 611

and Rule 610 of Regulation NMS, FAQ 5.02 (“The ISO exception to the SRO lock/cross rules, in contrast, requires that ISOs be routed to execute against all protected quotations with a price that is equal to the display price (i.e., those protected quotations that would be locked by the displayed quotation), as well as all protected quotations with prices that are better than the display price (i.e., those protected quotations that would be crossed by the displayed quotation).” Consistent with this guidance, the Exchange implemented Rule 992NY(b)(3). See also Cboe Rule 5.67(b)(3) and Nasdaq Options 5, Section 3(b)(3).

into a single rule, proposed Rule 900.3NYP(g)(1). Proposed Rule 900.3NYP(g)(1) is identical to Arca Options Rule 6.62P–O(g)(1) and would describe rules applicable to electronically-entered QCC Orders and Complex QCC Orders. In addition, the Exchange proposes to adopt new Rule 900.3NYP(g)(1)(D) to provide for the trading of Complex QCC Orders (described below).⁶⁶ In addition, the Exchange proposes to add, as a placeholder, Rule 900.3NYP(g)(2) to describe the new Customer-to-Customer Cross Order type that will be available on Pillar and described in a separate rule filing. Further, for the sake of clarity, the Exchange proposes to adopt Rule 900.3NYP(g)(3) to include orders submitted to the Customer Best Execution (“CUBE”) Auction in the proposed definition of “Cross Orders” as describe below.

Proposed Rule 900.3NYP(g)(1)(A) is identical to Arca Options Rule 6.62P–O(g)(1)(A) and would provide that a QCC Order must be comprised of an originating order to buy or sell at least 1,000 contracts that is identified as being part of a qualified contingent trade coupled with a contra-side order or orders totaling an equal number of contracts. This proposed rule text is based on Rule 900.3NY(y) with a non-substantive difference that the Pillar rule (like Arca Options Rule 6.62P–O(g)(1)(A)) would not reference mini-options contracts, which no longer trade on the Exchange. Proposed Rule 900.3NYP(g)(1)(A) would also specify that if a QCC has more than one option leg (a “Complex QCC Order”), each option leg must have at least 1,000 contracts, which is consistent with existing functionality that is not described in the current rule. Complex QCCs, which are described below, and function in the same manner as on Arca Options, are not novel.⁶⁷ The proposed rule would further provide that a QCC Order that is not rejected per proposed Rules 900.3NYP(g)(1)(C) or (D) would immediately trade in full at its price, would not route, and may be entered with an MPV of \$0.01 regardless of the MPV of the options series⁶⁸ and that

QCC Orders may be entered by Floor Brokers from the Trading Floor or routed to the Exchange from off-Floor. This proposed rule is consistent with current Rule 985NY, which provides that QCC Orders are automatically executed upon entry provided that they meet specified criteria. On Pillar, the Exchange proposes to specify those criteria in proposed Rule 900.3NYP(g)(1)(C), described below. In addition, the proposed Rule would provide that Rule 935NY (related to exposure of orders on the Exchange) does not apply to Cross Orders, which text is substantively identical to Commentary .03 to current Rule 935NY.⁶⁹

Proposed Rule 900.3NYP(g)(1)(B) and subparagraphs (i)–(vi) is identical to Arca Options Rule 6.62P–O(g)(1)(B)(i)–(vi) and would define a “qualified contingent trade” as a transaction consisting of two or more component orders, executed as agent or principal, where specified requirements are also met and uses the same text as currently set forth in Commentary .01 and its subparagraphs (a)–(f) to Rule 900.3NY without any differences.

Proposed Rule 900.3NYP(g)(1)(C) is identical to Arca Options Rule 6.62P–O(g)(1)(C) would describe general rules relating to execution of QCC Orders and would provide that a QCC Order with one option leg would be rejected if received when the NBBO is crossed or if it would be traded at a price that (i) is at the same price as a displayed Customer order on the Consolidated Book and (ii) is not at or between the NBBO and would provide that the QCC Order would never trade at a price worse than the Exchange BBO. This proposed rule is based on Rule 985NY without any substantive differences but adds detail about pricing of a QCC Order vis a vis the Exchange BBO. The Exchange believes that specifying that a QCC Order would be rejected when the NBBO is crossed, which is new text, provides greater granularity than current 985NY(1), which provides that “Qualified Contingent Cross Orders will be automatically cancelled if they cannot be executed.” The other two proposed conditions are identical to the current functionality, as specified in Rule 985NY: that Qualified Contingent Cross Orders are automatically executed “provided that the execution (i) is not at the same price as a Customer Order

applicable to the options class under Rule 960NY(b)). Rule 960NY(b) provides that minimum trading increment for option contracts traded on the Exchange will be one cent (\$0.01) for all series.

⁶⁹ Commentary .03 to Rule 985NY provides that “Rule 935NY does not apply to Qualified Contingent Cross Orders.”

in the Consolidated Book and (ii) is at or between the NBBO.”

Proposed Rule 900.3NYP(g)(1)(D) is identical to Arca Options Rule 6.62P–O(g)(1)(D) would describe how Complex QCC Orders would be executed on the Exchange. As proposed, as is the case per Arca Options Rules 6.62P–O(g)(1)(D)(i)–(iv) (and described below), a Complex QCC Order must include a limit price, no option leg would trade at a price worse than the Exchange BBO, and would be rejected if:

- any option leg cannot execute in compliance with proposed paragraph (g)(1)(C) of this Rule as described above (proposed Rule 900.3NYP(g)(1)(D)(i)), which mirrors Complex QCC handling on Arca Options and is consistent with other options exchanges;⁷⁰
- the best-priced Complex Order(s) on the Exchange contain(s) displayed Customer interest and the Complex QCC Order price does not improve such displayed Customer interest by \$0.01 (proposed Rule 900.3NYP(g)(1)(D)(ii)), which mirrors Complex QCC handling on Arca Options and is consistent with other options exchanges;⁷¹
- the price of the QCC Order is worse than the best-priced Complex Orders in the Consolidated Book or the prices of the best-priced Complex Orders in the Consolidated Book are crossed (proposed Rule 900.3NYP(g)(1)(D)(iii)), which mirrors Complex QCC handling on Arca Options, provides additional protections against potentially erroneous executions, and adds transparency and granularity to the proposed rule; or
- there is no NBO for a given leg (proposed Rule 900.3NYP(g)(1)(D)(iv)), which mirrors Complex QCC handling on Arca Options, provides additional protections against potentially erroneous executions, and adds transparency and granularity to the proposed rule.

As noted above, this proposed rule text is identical to Arca Options Rules 6.62P–O(g)(1)(D)(i)–(iv) and is designed to promote clarity and transparency in Exchange rules regarding the price

⁷⁰ See, e.g., MIAX Rule 515(h)(4) (which provides that each Complex QCC or “cQCC” is “automatically executed upon entry provided that, with respect to each option leg of the cQCC Order, the execution (i) is not at the same price as a Priority Customer Order on the Exchange’s Book; and (ii) is at or between the NBBO”).

⁷¹ See, e.g., Cboe Rule 5.6(c) (Order Instructions, QCC Orders (requiring for the “Execution of QCC Orders” that the “execution price is better than the price of any complex order resting in the [Cboe Complex Order Book], unless the Complex QCC Order is a Priority Customer Order and the resting complex order is a non-Priority Customer Order, in which case the execution price may be the same as or better than the price of the resting complex order”).

⁶⁶ See also Securities Exchange Act Release No. 97739 (June 15, 2023), 88 FR 40893 (June 22, 2023) (SR–NYSEAMER–2023–17) (order approving new Rule 980NYP (Complex Order Trading)) (the “Pillar Complex Approval Order”).

⁶⁷ In addition to trading on Arca Options, other options exchanges also offer Complex QCCs. See, e.g., Cboe Rule 5.6(c) (setting forth operation of Complex QCC Orders) and MIAX Rule 515(h)(4) (same).

⁶⁸ Allowing QCC Orders to trade in pennies under Pillar is consistent with current functionality. See Rule 985NY(2) (providing that QCC Orders may only be entered in the regular trading increments

requirements for a Complex QCC Order, which requirements to protect priority of resting interest are consistent with the rules of other options exchanges, as described above, and to provide additional safeguards against potentially erroneous executions of Complex QCCs.

Proposed Rule 900.3NYP(g)(1)(E) is identical to Arca Options Rule 6.62P–O(g)(1)(E) and would specify rules governing QCC Orders entered from the Trading Floor, which can be entered only by Floor Brokers,⁷² and is based on Commentary .01 to Rule 985NY without any substantive differences.⁷³ The Exchange proposes textual changes as compared to the current Rule that are not designed to change the substance of the Rule, but to instead promote clarity and transparency. The proposed rule would provide that while on the Trading Floor, only Floor Brokers can enter QCC Orders, and that Floor Brokers may not enter QCC Orders for their own account, the account of an associated person, or an account with respect to which it or an associated person thereof exercises investment discretion (each a “prohibited account”). As further proposed, when executing such orders, Floor Brokers would not be subject to Rules 934NY, 934.1NY, 934.2NY, and 934.3NY regarding “Crossing” orders. Floor Brokers must maintain books and records demonstrating that each QCC Order entered from the Floor was not entered for a prohibited account. Any QCC Order entered from the Floor that does not have a corresponding record required by this paragraph would be deemed to have been entered for a prohibited account in violation of this Rule.

Proposed Rule 900.3NYP(g)(1)(F) is identical to Arca Options Rule 6.62P–O(g)(1)(F) and would specify rules governing QCC Orders entered off-Floor

and that ATP Holders must maintain books and records demonstrating that each such order was so routed. This proposed rule is based on Commentary .02 to Rule 985NY without any substantive differences.⁷⁴ The Exchange proposes textual differences as compared to the current Rule that are not designed to change the substance of the Rule, but instead promote clarity and transparency.

In connection with adding QCC to proposed Rule 900.3NYP, the Exchange proposes to add the following preamble to Rule 985NY: “This Rule is not applicable to trading on Pillar.” This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rule 985NY would not be applicable to trading on Pillar.

The Exchange plans to file a separate rule filing to adopt “Customer-to-Customer Cross Orders.” Because this would be a new cross order that does not exist on Arca Options, the Exchange proposes to simply adopt the name of this order type as proposed Rule 900.3NYP(g)(2) and to hold the description of how such order would trade as “Reserved.”

The Exchange proposes to include CUBE Orders in the list of Cross Orders. Proposed Rule 900.3NYP(g)(3) would add clarity to Exchange rules that CUBE Orders are Cross Orders governed by separate Exchange rules.⁷⁵ Specifically, proposed Rule 900.3NYP(g)(3) would provide that Single-Leg CUBE Orders submitted pursuant to proposed Rule 971.1NYP and Complex CUBE Orders submitted pursuant proposed Rule 971.2NYP would be considered Cross Orders.⁷⁶

Orders Available Only in Open Outcry. The Exchange proposes Rule

900.3NYP(h) to describe orders that are available only in open outcry, most of which are currently defined in Rule 900.3NY.

First, proposed Rule 900.3NYP(h)(1) would codify an existing order type, the Clear-the-Book (“CTB”) Order, which is currently described only in a Regulatory Bulletin.⁷⁷ This proposed rule is substantially the same as Arca Options Rule 6.62P–O(h)(1), except that paragraph (h)(1)(B) of the proposed rule accounts for the Exchange’s Customer-centric trading model as described below. Proposed Rule 900.3NYP(h)(1) would describe the CTB Order in the same manner as it is described in Arca Options Rule 6.62P–O(h)(1), which would be an order type available in open outcry that would interface with the Consolidated Book, and therefore with Pillar. As proposed, a CTB Order would be a Limit IOC Order that may be entered only by a Floor Broker, contemporaneous with executing an order in open outcry, that is approved by a Trading Official (the “TO Approval”). The CTB Order would be eligible to trade only with contra-side orders and quotes that were resting in the Consolidated Book prior to the TO Approval. In addition, proposed Rules 900.3NYP(h)(1)(A)–(C) would provide that:

- A CTB Order to buy (sell) would trade with contra-side orders and quotes with a display price below (above) the limit price of the CTB Order (proposed Rule 900.3NYP(h)(1)(A), which is identical to Arca Options Rule 6.62P–O(h)(1)(A));
- A CTB Order to buy (sell) would trade with contra-side orders and quotes that have a display price and working price equal to the limit price of the CTB Order only if there is displayed Customer sell (buy) interest at that price, in which case, the CTB Order to buy (sell) would trade with the displayed Customer interest to sell (buy) (proposed Rule 900.3NYP(h)(1)(B));⁷⁸ and

- Any unexecuted portion of the CTB Order would cancel after trading with all better-priced interest and eligible same-priced interest on the

⁷² An options Floor Broker is “a sole proprietor ATP Holder or a representative of an ATP Holder who is registered with the Exchange for the purpose, while on the Exchange Floor, of accepting and executing option orders.” See Rule 930NY(a).

⁷³ Commentary .01 to Rule 985NY provides: “Qualified Contingent Cross Orders can be entered into the System from on the Floor of the Exchange only by Floor Brokers. Floor Brokers shall not enter such orders for their own account, the account of an associated person, or an account with respect to which it or an associated person thereof exercises investment discretion (each a ‘prohibited account’). When executing such orders, Floor Brokers shall not be subject to Rules 934NY, 934.1NY, 934.2NY, and 934.3NY. Floor Brokers must maintain books and records demonstrating that each Qualified Contingent Cross Order entered from the Floor was not entered for a prohibited account. Any Qualified Contingent Cross Order entered from the Floor that does not have a corresponding record required by this Commentary .01 shall be deemed to have been entered for a prohibited account in violation of this Rule.”

⁷⁴ Commentary .02 to Rule 985NY provides: “With respect to a Qualified Contingent Cross Order that was routed to the System from off of the Floor, ATP Holders must maintain books and records demonstrating that each such order was routed to the system from off of the Floor. This provision would not apply to a Qualified Contingent Cross Order covered by Commentary .01 to this Rule 985NY (i.e., a Qualified Contingent Cross Order routed to a Floor Broker for entry into the System).” The Exchange does not propose to include the last sentence of this Commentary in the proposed Pillar rule because the Exchange does not believe it is necessary to specify that Floor Brokers that enter orders electronically are subject to rules relating to electronic order entry as opposed to rules governing open outcry.

⁷⁵ See, e.g., Rules 971.1NY and 971.2NY describing Single-Leg and Complex CUBE Auctions, respectively.

⁷⁶ The Exchange plans to submit separate rule filings to adopt CUBE Auction functionality on Pillar, which will be set forth in proposed Rules 971.1NYP (for the single-leg CUBE Auction) and 971.2NYP (for the Complex CUBE Auction), respectively. See, e.g., NYSEAMER–2023–21P (prefiling to adopt Rule 971.1NYP for single-leg CUBE Auctions on Pillar).

⁷⁷ See NYSE Amex Options RB–16–02, dated February 19, 2016 (Rules of Priority and Order Protection in Open Outcry), available here: <https://www.nyse.com/publicdocs/nyse/markets/american-options/rule-interpretations/2016/NYSE%20Amex%20Options%2016-02.pdf>.

⁷⁸ This proposed rule differs from Arca Options Rule 6.62P–O(h)(1)(B) because it does not provide for the CTB Order to trade with “any non-Customer interest to sell (buy) with a working time earlier than the latest-arriving displayed Customer interest to sell (buy),” because Customer interest has priority of same-priced non-Customer interest on the Exchange.

Consolidated Book (proposed Rule 900.3NYP(h)(1)(C), which is identical to Arca Options Rule 6.62P–O(h)(1)(C)).

Currently, CTB Orders only trade with displayed Customer interest, but do not trade with better-priced displayed non-Customer interest. In Pillar, as described above, CTB Orders would trade with displayed Customer interest at a price and would also trade with displayed non-Customer interest priced *better* than displayed Customer interest (*i.e.*, a CTB order buying with a \$1.00 limit would now trade with displayed interest offered at \$0.99, whether on behalf of a Customer or a non-Customer). In addition to being similar to Arca Options Rule 6.62P–O(h)(1), the Exchange believes that codifying CTB Order functionality, and thus automating priority would make it easier for Floor Brokers to comply with their obligation to satisfy better-priced interest on the Consolidated Book. In addition, the Exchange believes that this proposed change would increase execution opportunities and achieve the goal of a CTB Order, which is to clear priority on the Consolidated Book at the time of the TO Approval.

In addition, proposed Rule 900.3NYP(h)(1)(D) is identical to Arca Options Rule 6.62P–O(h)(1)(D) and would codify existing regulatory responsibilities of Floor Brokers utilizing CTB Orders to submit such orders in a timely manner after receiving TO Approval and would also provide that because CTB Orders are non-routable (and thus ineligible to clear Protected Quotations), Floor Brokers would still be obligated to route any other eligible orders (*i.e.*, not the CTB Order) to better-priced interest on Away Markets per Rule 992NY.⁷⁹

The Exchange also proposes to include in Rule 900.3NYP additional open outcry order types that are currently defined in Rule 900.3NY:

- Proposed Rule 900.3NYP(h)(2) would define “Facilitation Order” to be identical to the definition of Facilitation Order set forth in Rule 900.3NY(j). The proposed definition is also identical to Arca Options Rule 6.62P–O(h)(2).
- Proposed Rule 900.3NYP(h)(3) would be designated as Reserved.⁸⁰

⁷⁹ See *id.* at pp. 2–3 (describing regulatory responsibilities related to CTB Orders, including that it is the Floor Broker’s responsibility to comply with the terms of the Options Order Protection and Locked/Crossed Market Plan, including by sending ISOs to trade with Protected Quotes).

⁸⁰ The Exchange proposes to hold Rule 900.3NYP(h)(3) as “Reserved” to keep the numbering of this rule consistent with Arca Options Rule 6.62P–O(h), to account for the fact that the Exchange does not propose to offer (nor does the Exchange currently offer) Mid-Point Crossing Orders, which are described in Arca Options Rule 6.62P–O(h)(3).

- Proposed Rule 900.3NYP(h)(4) would define “Not Held Order” to be identical to the definition of Not Held Order set forth in Rule 900.3NY(f). The proposed definition is also identical to Arca Options Rule 6.62P–O(h)(4).

- Proposed Rule 900.3NYP(h)(5) would define “Single Stock Future (“SSF”)/Option Order” to be identical to the definition of Single Stock Future (“SSF”)/Option Order set forth in Rule 900.3NY(i). The proposed definition is also identical to Arca Options Rule 6.62P–O(h)(5).

- Proposed Rule 900.3NYP(h)(6)(A) would define a “Stock/Option Order” to be identical to the definition of Stock/Option Order set forth in Rule 900.3NY(h)(1). The proposed definition is also identical to Arca Options Rule 6.62P–O(h)(6)(A).

- Proposed Rules 900.3NYP(h)(6)(B)(i)–(ii) would define a “Stock/Complex Order” to be identical to the definition of Stock/Complex Order set forth in Rule 900.3NY(h)(2)(A)–(B). The proposed definition is also identical to Arca Options Rule 6.62P–O(h)(6)(B)(i)–(ii).

The Exchange proposes that after the transition to Pillar, the One-cancels-the-other (OCO) Order, which is currently described in Rule 900.3NY(g) but is not used by Floor Brokers, would not be added to proposed Rule 900.3NYP governing orders and modifiers.

Additional Order Instructions and Modifiers. The Exchange proposes to specify the additional order instructions and modifiers that would be available in Pillar in proposed Rule 900.3NYP(i), which are identical to the order instructions and modifiers set forth in Arca Options Rule 6.62P–O(i).

Proactive if Locked/Crossed Modifier. Proposed Rule 900.3NYP(i)(1) is identical to Arca Options Rule 6.62P–O(i)(1) and would provide that a Limit Order that is displayed and eligible to route and designated with a Proactive if Locked/Crossed Modifier would route to an Away Market if the Away Market locks or crosses the display price of the order and that if any quantity of the routed order is returned unexecuted, the order would be displayed in the Consolidated Book. The Exchange believes that offering this as an optional modifier for Limit Orders would provide ATP Holders with additional flexibility to designate a resting displayed order to route if it becomes locked or crossed by an Away Market.

Self-Trade Prevention (“STP”) *Modifier.* Self-Trade Prevention (“STP”) Modifiers are currently defined in Commentary .02 to Rule 964NY and are available only for Market Maker orders and quotes. On Pillar, and identical to

STP functionality on Arca Options Rule 6.62P–O(i)(2), the Exchange proposes to expand the availability of STP to all orders and quotes to offer this protection to trading interest of all ATP Holders, not just Market Makers. The Exchange believes this expansion is appropriate because it would facilitate market participants’ compliance and risk management by assisting them in avoiding unintentional wash-sale trading. Because STP Modifiers are an instruction that can be added to an order or quote, the Exchange proposes that for Pillar, STP Modifiers would be described in proposed Rule 900.3NYP(i)(2) and would be available to all market participants.

Proposed Rule 900.3NYP(i)(2) is identical to Arca Options Rule 6.62P–O(i)(2) and would provide that an Aggressing Order or Aggressing Quote to buy (sell) designated with one of the STP modifiers in proposed Rule 900.3NYP(i)(2) would be prevented from trading with a resting order or quote to sell (buy) also designated with an STP modifier and from the same Client ID; the same MPID, and, if specified, any sub-identifier of that MPID; or an Affiliate (as defined in Rule 900.2NY) identifier, with any such identifier referred to as a “Unique Identifier.” Proposed Rule 900.3NYP(i)(2) would also provide that the STP modifier on the Aggressing Order or Aggressing Quote would control the interaction between two orders and/or quotes marked with STP modifiers. In addition, STP would not be applicable during an Auction or to Cross Orders or when a Complex Order legs out. This proposed rule text is based on Commentary .02 to Rule 964NY with non-substantive differences to use Pillar terminology.

Proposed Rule 900.3NYP(i)(2) would further provide that if the condition for a Limit Order designated FOK, an AON Order, or an arriving order with an MTS modifier designated under proposed Rule 900.3NYP(i)(3)(B)(i) (described below) cannot be met because of STP modifiers, such order would either be cancelled or placed on the Consolidated Book, as applicable. This functionality would be the same as on Arca Options Pillar and reflects that for order types that must trade a specified quantity (either in full or a specified minimum quantity) and could trade with multiple contra-side orders to meet that size requirement, such order types would not be compatible with applying STP, which examines a one-on-one relationship between two interacting orders. This proposed rule text provides clarity that if a condition of an order cannot be met because of STP modifiers,

the order would either cancel (*i.e.*, a Limit Order designated FOK or an order with an MTS modifier), or be added to the Consolidated Book (*i.e.*, an AON Order), and then such resting orders would function as described in Rule 900.3NYP.

The proposed rule would further provide that Aggressing Orders or Aggressing Quotes would be processed as follows:

- Proposed Rule 900.3NYP(i)(2)(A) is identical to Arca Options Rule 6.62P–O(i)(2)(A) and would describe STP Cancel Newest (“STPN”) and provide that an Aggressing Order or Aggressing Quote to buy (sell) marked with the STPN modifier would not trade with resting interest to sell (buy) marked with any STP modifier from the same Unique Identifier; that the Aggressing Order or Aggressing Quote marked with the STPN modifier would be cancelled; and that the resting order or quote marked with one of the STP modifiers would remain on the Consolidated Book. This proposed rule is based on Commentary .02(a) to Rule 964NY with differences to use Pillar terminology and to extend STP functionality to orders with the same Unique Identifiers.

- Proposed Rule 900.3NYP(i)(2)(B) is identical to Arca Options Rule 6.62P–O(i)(2)(B) and would describe STP Cancel Oldest (“STPO”) and provide that an Aggressing Order or Aggressing Quote to buy (sell) marked with the STPO modifier would not trade with resting interest to sell (buy) marked with any STP modifier from the same Unique Identifier; that the resting order or quote marked with the STP modifier would be cancelled; and that the Aggressing Order or Aggressing Quote marked with the STPO modifier would be placed on the Consolidated Book. This proposed rule is based on Commentary .02(b) to Rule 964NY with differences to use Pillar terminology and to extend STP functionality to orders with the same Unique Identifiers.

- Proposed Rule 900.3NYP(i)(2)(C) is identical to Arca Options Rule 6.62P–O(i)(2)(C) and would describe STP Cancel Both (“STPC”) and provide that an Aggressing Order or Aggressing Quote to buy (sell) marked with the STPC modifier would not trade with resting interest to sell (buy) marked with any STP modifier from the same Unique Identifier and that the entire size of both orders and/or quotes would be cancelled. This proposed rule is based on Commentary .02(c) to Rule 964NY with differences to use Pillar terminology and to extend STP functionality to orders with the same Unique Identifiers.

Minimum Trade Size Modifier. The Exchange proposes to add the Minimum Trade Size (“MTS”) Modifier, which is based on the same functionality described in Arca Options Rule 6.62P–O(i)(3), except that the MTS Modifier would only be available for Limit IOC Orders and, as such, the Exchange would not include rule text describing how the MTS Modifier would apply to resting orders.⁸¹ The Exchange proposes to provide this modifier for options trading to provide ATP Holders with more features with respect to order handling. The proposed MTS Modifier is similar in concept to both FOK and AON, which are currently available for options trading. With the MTS Modifier, an ATP Holder would have greater flexibility to designate a size smaller than the entire quantity (which is current FOK and AON functionality) as a condition for execution. In addition to Arca Options, other options exchanges also offer the use of an MTS Modifier.⁸²

Proposed Rule 900.3NYP(i)(3)(A) is identical to Arca Options Rule 6.62P–O(3)(A) and would provide that the quantity of the MTS Modifier may be less than the order quantity; however, an order would be rejected if it has an MTS Modifier quantity that is larger than the size of the order.

Proposed Rule 900.3NYP(i)(3)(B) is identical to Arca Options Rule 6.62P–O(3)(B) and would provide that one of the following instructions must be specified with respect to whether an order to buy (sell) with an MTS Modifier would trade on arrival with: (i) orders or quotes to sell (buy) in the Consolidated Book that in the aggregate meet such order’s MTS; or (ii) only individual order(s) or quote(s) to sell (buy) in the Consolidated Book that each meets such order’s MTS. As noted above, this proposed rule is identical to Arca Options Rule 6.62P–O(i)(3)(B) and sub-paragraphs (i) and (ii).

⁸¹ On Arca Options, in addition to Limit IOC Orders, the MTS Modifier can apply to Non-Displayed Limit Orders. See Arca Options Rule 6.62P–O(i)(3). However, as discussed *infra*, the Exchange is not adopting Non-Displayed Limit Orders and therefore has no reason to discuss the application of MTS functionality to such order types. Similarly, because the MTS Modifier may only be applied to IOC Orders, the Exchange is not adopting rule text regarding how MTS functionality is applied to orders not executed immediately as such text would be inapplicable. See *e.g.*, Arca Options Rules 6.62P–O(i)(3)(C), (E) and (F). The Exchange believes this distinction is immaterial because the MTS Modifier operates in the same manner on both exchanges when applied to Limit IOC Orders.

⁸² See, *e.g.*, Nasdaq Options 3, Section 7(a)(3)(B) (describing “Minimum Quantity Order” as “an order that requires that a specified minimum quantity of contracts be obtained, or the order is cancelled”).

Proposed Rule 900.3NYP(i)(3)(C) would provide that an order with an MTS Modifier cannot be immediately executed would be cancelled. This proposed rule is based on Arca Options Rule 6.62P–O(i)(3)(D).

Finally, proposed Rule 900.3NYP(i)(4) would define a “Directed Orders” to be the same as the Rule 900.3NY(s) definition of Directed Order, except that the wording of the proposed definition is more streamlined with regard to the requirement that a Directed Order be submitted electronically.

In connection with proposed Rule 900.3NYP, the Exchange proposes to add the following preamble to Rule 900.3NY: “This Rule is not applicable to trading on Pillar.” This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rule 900.3NY would not be applicable to trading on Pillar.

Proposed Rule 925.1NYP: Market Maker Quotations

Current Rule 925.1NY describes Market Maker quoting obligations, including defining “quotations,” describing the treatment of such quotations, and specifying Market Maker and Specialist quoting obligations. Proposed Rule 925.1NYP is identical to Arca Options Rule 6.37AP–O and would set forth Market Maker quoting obligations under Pillar.

Current Rule 925.1NY(a)(1) provides that “[t]he term ‘quote’ or ‘quotation’ means a bid or offer entered by a Market Maker that updates the Market Maker’s previous bid or offer, if any.” Pursuant to this Rule, a Market Maker’s same-side quote would be updated when a Market Maker uses the same ATP for quote entry.⁸³ Although not specified in the current rule, the Exchange System utilizes a unique identifier for each Specialist to send quotes, and, as a result, a Specialist cannot have more than one same-side quote in an assigned series.⁸⁴ Therefore, Specialist quotes are subject to the current Rule 925.1NY(a)(1) requirement that a new same-side quote sent by that Specialist updates the previous bid or offer, if any.

On Pillar, Specialists (like Market Makers not acting as Specialists) would

⁸³ See NYSE American Options Fee Schedule, Section V.A. Port Fees (setting forth fees for order/quote entry ports, which fees are currently \$450 per port per month for the first forty such ports and \$150 per port per month for each port in excess of forty (*i.e.*, 41 and greater), available here: https://www.nyse.com/publicdocs/nyse/markets/american-options/NYSE_American_Options_Fee_Schedule.pdf).

⁸⁴ On the Exchange System, Market Makers not acting as Specialists may opt to utilize multiple ATPs to send more than one same-side quote in the same assigned series.

be able to send multiple same-side quotes associated with its ATP by utilizing different order/quote entry ports (*i.e.*, in Pillar, Specialist 1 can send a bid for 1.00 in XYZ over order/quote entry port 1 and another bid for 1.00 in XYZ over order/quote entry port 2 and the bid sent via order/quote entry port 2 would not replace the quote sent over order/quote entry port 1).⁸⁵

Consistent with current functionality, on Pillar, the Exchange would provide Market Makers with the ability to designate bids and offers as quotations. Currently, the Exchange offers designated “quotation” types to Market Makers, which are described in Rule 925.1NY(a)(3).⁸⁶ On Pillar, as described above in connection with proposed Rule 900.3NYP(e)(1), the Exchange is proposing to offer quotation functionality for Market Makers that would be displayed, traded, repriced, or cancelled in the same manner as Non-Routable Limit Orders. As such, Market Makers may designate this “order” type as a quotation and, if designated as a quotation, such bids and offers would be displayed, traded, repriced, or cancelled as described in proposed Rule 900.3NYP(e)(1), as discussed in detail above. In addition, such quotations would be ranked and executed as described in Rule 964NYP.⁸⁷ Moreover, if designated as a quotation, such bids or offers would be identifiable to the Exchange as “quotations,” subject to the Market Maker and Specialist requirements relating to quotations and the Exchange would be able to monitor a Market Maker’s compliance with quoting obligations because its bids or offers would be designated as quotations. If a Market Maker does not choose to designate a bid or offer as a quotation, such bid or offer would be processed as an “order” and would not count towards a Market Maker’s quoting obligations.⁸⁸

⁸⁵ See, *e.g.*, Rules 964NYP(h)(1)(A)(ii) and (h)(2)(B) (providing for the handling of multiple same-side quotes in an assigned series submitted by a Directed Order Market Makers or Specialist, respectively). See also Arca Options Rule 6.37AP–O(a)(1)(A) (providing for the handling of multiple same-side quotations submitted via the same quote entry port).

⁸⁶ As described in Rule 925.1NY(a)(3)(A) and (B), respectively, a Market Maker may designate a quote as Market Maker-Light Only Quotation (“MMLO”) or Market Maker—Repricing Quotation (“MMRP”).

⁸⁷ See Rule 964NYP.

⁸⁸ For example, a Market Maker could choose to designate a Non-Routable Limit Order as either a quote or as an order, which is consistent with current Rule 925.2NY, which provides that a Market Maker may enter all order types permitted to be entered by Users under the Rules to buy or sell options in all classes of options listed on the Exchange. Accordingly, the functionality set forth in proposed Rule 925.1NYP(a)(2) herein is not materially different for Market Makers because,

- Rule 925.1NYP(a) is identical to Arca Options Rule 6.37AP–O(a) and would provide that a Market Maker may send quotations only in the issues included in its appointment. This functionality is based on current Rule 925.1NY(a) but differs in that the proposed rule would use the term “send” rather than “enter,” which is a stylistic preference that does not alter the functionality.

- Proposed Rule 925.1NYP(a)(1) is identical to Arca Options Rule 6.37AP–O(a)(1) and would provide that the term “quote” or “quotation” means “a bid or offer sent by a Market Maker that is not sent as an order,” and that “[a] quotation sent by a Market Maker will replace a previously displayed same-side quotation that was sent from the same order/quote entry port of that Market Maker” and “[i]f multiple same-side quotations are submitted via the same quote entry port, the Exchange will display the Market Maker’s most recent same-side quotation.” The proposed Rule reflects that, on Pillar and as described above, Specialists would be able to send multiple same-side quotes associated with its ATP by utilizing different order/quote entry ports.⁸⁹ Because Specialists would be Market Makers on Pillar, this functionality would also be available to Specialists.⁹⁰

The NYSE American Options Fee Schedule makes clear that Market Makers can obtain upwards of forty ports for quote entry. Thus, the Exchange believes that establishing when a Market Maker’s previously displayed same-side quotation would be replaced (*i.e.*, when sent via the same order/quote entry port) would add clarity and transparency to Exchange rules. This proposed rule text is also designed to clarify the Exchange’s handling of successive Market Maker quotations (from the same quote entry port in the same side and series) should a Market Maker’s quotations queue during a period of excessive message traffic. No system, including Pillar, has unlimited capacity. Accordingly, should the Exchange be in receipt of multiple same-side quotations in the same series from the same Market Maker, the Exchange proposed that it would display only the most recent quotation

under current functionality, they can choose to send as Market Maker orders any order type described in current Rule 900.3NY, including, for example, RPNP and PNP-Blind Order.

⁸⁹ See *supra* note 85 (regarding Rules 964NYP(h)(1)(A)(ii) and (h)(2)(B)).

⁹⁰ See Rule 920NY (Market Makers) (providing that for purposes of Exchange rules, the term Market Maker includes Specialists, unless the context otherwise indicates).

to ensure accurate representation of that Market Maker’s quoting interest. In addition, because the Exchange proposes that a Market Maker may designate Non-Routable Limit Orders as quotes, the Exchange proposes a difference from the current Rule to provide that a quote is a bid or offer not designated as an order.

- Proposed Rule 925.1NYP(a)(2) would provide that a Market Maker may designate a Non-Routable Limit Order as a quote and such quotes would be processed as described in proposed Rule 900.3NYP(e)(1).⁹¹ Proposed Rule 925.1NYP(a)(2) is the same as Arca Options Rule 6.37AP–O(a)(2), except that the proposed rule does not reference ALO Orders, which order type is not offered by the Exchange today nor will the order type be offered on Pillar. The similarities and differences between the proposed Non-Routable Limit Orders on Pillar compared to the existing quote types (*e.g.*, MMRP) are described in more detail above.⁹² Because proposed Rule 900.3NYP(e)(1)), described above, would set forth the treatment of a Non-Routable Limit Order designated as a quote, the Exchange is not proposing to include a (duplicative) section in proposed Rule 925.1NYP regarding the treatment of such quotes.

- Proposed Rules 925.1NYP(b)–(e) would be substantively identical to current Rules 925.1NY(b)–(e), with non-substantive differences to change the term “shall” to “will,” which is a stylistic preference that would add consistency to Exchange rules. These proposed rules would also be the same as Arca Options Rules 6.37AP–O(b)–(e), except that Arca Options Rule 6.37AP–O(b) describes quoting obligations for Lead Market Makers or LMMs, whereas proposed Rule 925.1NYP(b) would describe quoting obligations for Specialists.

Proposed Commentary .01 to Rule 925.1NYP is identical to Commentary .01 to Arca Options Rule 6.37AP–O and would also be substantively identical to Commentary .01 to Rule 925.1NY, with non-substantive differences to streamline the rule text.

⁹¹ See discussion *supra* regarding proposed Rule 900.3NYP(e)(1), Non-Routable Limit Orders, being available as quote types and how such orders compare to the existing MMRP quotation functionality.

⁹² The Exchange notes that it is not proposing the functionality set forth in current Rule 925.1NY(a)(4)(D) that provides for the cancellation of a Market Maker’s quote on the opposite side of the market whenever that Market Maker’s same-side quotation is cancelled because such quotation would lock or cross another options exchange is not designated to reprice (*e.g.*, as an MMRP). This current functionality is based on a system limitation that would not exist under Pillar.

The Exchange also proposes a non-substantive change to paragraph (b) of Rule 953.1NY (Limit-Up and Limit-Down During Extraordinary Market Volatility) to update the cross reference to Market Maker quoting obligations as set forth in Rules 925.1NYP(b) and (c).

In connection with proposed Rule 925.1NYP, the Exchange proposes to add the following preamble to Rule 925.1NY: “This Rule is not applicable to trading on Pillar.” This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rule 925.1NY would not be applicable to trading on Pillar.

Proposed Rule 928NY: Pre-Trade and Activity-Based Risk Controls

Current Rule 928NY sets forth the activity-based Risk Limitation Mechanisms for orders and quotes, which are designed to help ATP Holders effectively manage risk during periods of increased and significant trading activity. With the transition to Pillar, the Exchange proposes to incorporate new risk control functionality that is based on the Exchange’s existing activity-based risk controls and on pre-trade risk controls that are available on Arca Options. Specifically, proposed Rule 928NYP is identical to Arca Options Rule 6.40P–O and would describe the activity-based controls with updated functionality under Pillar and would also describe new optional pre-trade risk controls. The Exchange believes that adding pre-trade risk controls (together with the enhanced activity-based controls), as described below, would provide greater flexibility to ATP Holders in establishing risk controls to align with their risk tolerance for both orders and quotes.

Proposed Rule 928NYP(a) is identical to Arca Options Rule 6.40P–O(a) and would set forth the following definitions that would be used for purposes of the Rule:

- The term “Entering Firm” would mean an ATP Holder (including those acting as Market Makers) (proposed Rule 928NYP(a)(1), which is identical to Arca Options Rule 6.40P–O(a)(1)). The Exchange believes that the addition of this term would add clarity to the proposed rule by using a single, defined term to describe which entities, including Market Makers, could avail themselves of the proposed pre-trade risk controls.

- The term “Pre-Trade Risk Controls” would refer to optional limits that an Entering Firm may utilize with respect to its trading activity on the Exchange (excluding interest represented in open outcry except CTB Orders (proposed Rule 928NYP(a)(2), which is identical to

Arca Options Rule 6.40P–O(a)(2)). Proposed Rules 928NYP(a)(2)(A)(i)–(v) would define the available “Single-Order Risk Controls,” which are identical to the checks offered per Arca Options Rules 6.40P–O(a)(2)(A)(i)–(v), as follows:

- controls related to the maximum dollar amount for a single order to be applied one time (“Single Order Maximum Notional Value Risk Limit”) and the maximum number of contracts that may be included in a single order before it can be traded (“Single Order Maximum Quantity Risk Limit”) and providing that GTC Orders would be subject to these checks only once (proposed Rule 928NYP(a)(2)(A)(i), which is identical to Arca Options Rule 6.40P–O(a)(2)(A)(i)).

- controls related to the price of an order or quote (including percentage-based and dollar-based controls) (proposed Rule 928NYP(a)(2)(A)(ii), which is identical to Arca Options Rule 6.40P–O(a)(2)(A)(ii));

- controls related to the order types or modifiers that can be utilized (proposed Rule 928NYP(a)(2)(A)(iii), which is identical to Arca Options Rule 6.40P–O(a)(2)(A)(iii));

- controls to restrict the options class transacted (proposed Rule 928NYP(a)(2)(A)(iv), which is identical to Arca Options Rule 6.40P–O(a)(2)(A)(iv)); and

- controls to prohibit duplicative orders (proposed Rule 928NYP(a)(2)(A)(v), which is identical to Arca Options Rule 6.40P–O(a)(2)(A)(v)).

Like on Arca Options, use of the pre-trade risk controls proposed would be optional, but all orders and quotes on the Exchange would pass through these risk checks.⁹³ As such, an Entering Firm that does not choose to set limits pursuant to the new proposed pre-trade risk controls would not achieve any latency advantage with respect to its trading activity on the Exchange.⁹⁴ The

⁹³ The Exchange notes that there is nothing unique about this approach as functionality on the Exchange is often applied uniformly to all orders and quotes, regardless of whether a particular client has opted to use that functionality for a particular order or quote. For example, the Exchange’s limit order price protection applies generally to trading on the Exchange and orders or quotes with limit prices are not processed more slowly than those without. Similarly, the Exchange’s trading systems check all orders and quotes for a variety of details and modifiers (e.g., duplicative client order check, order capacity check, and self-trade prevention). See, e.g., Securities Exchange Act Release Nos. 97147 (March 21, 2023), 88 FR 17072, at 17073–76 (March 15, 2023) (SR–NYSEArca–2023–24).

⁹⁴ See *id.*, 88 FR, at 17073–76 (discussing, among other things, that “because all orders on the Exchange would pass through the pre-trade risk controls, there would be no difference in the

Exchange understands that the risk checks of other exchanges, on which the proposed functionality is modeled, also apply symmetrically to all orders.”⁹⁵

- The term “Activity-Based Risk Controls” would refer to three activity-based risk limits that an Entering Firm may apply to its orders and quotes in an options class (excluding those represented in open outcry except CTB Orders) based on specified thresholds measured over the course of an Interval (to be defined below) (proposed Rule 928NYP(a)(3), which is identical to Arca Options Rule 6.40P–O(a)(3)). The proposed Activity-Based Risk Controls are based on the substantially identical risk controls set forth in current Rules 928NY(b)–(d), except that, on Pillar (and identical to Arca Options), a Market Maker’s orders and quotes would be aggregated and applied towards each risk limit (as opposed to current functionality, where a Market Maker’s orders and quotes are counted separately). The Exchange believes that aggregating a Market Maker’s quotes and orders for purposes of calculating activity-based risk controls, which mirrors the application of such controls on Arca Options, would better reflect the aggregate risk that a Market Maker has with respect to its quotes and orders. The proposed rule would also add detail to make clear that orders and quotes represented in open outcry, except CTB Orders, would not be subject to these controls, which is consistent with current functionality.

- The term “Transaction-Based Risk Limit” would refer to a pre-established limit on the number of an Entering Firm’s orders and quotes executed in a specified class of options per Interval (proposed Rule 928NYP(a)(3)(A), which is identical to Arca Options Rule 6.40P–O(a)(3)(A)). This risk control is based on

latency experienced by [Arca Options] OTP Holders who have opted to use the additional ‘Pre-Trade Risk Controls’ versus those who have not opted to use them.”). To the extent that any latency occurs in connection with the proposed pre-trade risk controls, the Exchange expects that (like on Arca Options) such latency would be significantly less than one microsecond. See *id.*, 88 FR, at 17073.

⁹⁵ See, e.g., MEMX Risk FAQ, dated October 13, 2020, available at <https://info.memxtrading.com/us-equities-faq/#Bookmark21> (“The risk checks are applied in a consistent manner to all participant orders in order to mitigate risk without incurring latency disadvantage.”); MIAx Pearl Equities Exchange User Manual, updated October 2022, available at https://www.miaxequities.com/sites/default/files/website_file-files/MIAx_Pearl_Equities_User_Manual_October_2022.pdf, at 29 (stating that all but two of the exchange’s 14 risk checks “are latency equalized *i.e.* there is no latency penalty for a member when opting into and leveraging a risk protection available on the exchange when entering an order as compared to a member not opting into the risk protection when entering an order”).

the substantially identical risk control set forth in current Rule 928NY(b), with the difference described above that a Market Maker's orders and quotes would be aggregated.

- The term "Volume-Based Risk Limit" would refer to a pre-established limit on the number of contracts of an Entering Firm's orders and quotes that could be executed in a specified class of options per Interval (proposed Rule 928NYP(a)(3)(B), which is identical to Arca Options Rule 6.40P-O(a)(3)(B)). This risk control is based on the substantially identical risk control set forth in current Rule 928NY(c), with the difference described above that a Market Maker's orders and quotes would be aggregated.

- The term "Percentage-Based Risk Limit" would refer to a pre-established limit on the percentage of contracts executed in a specified class of options as measured against the full size of such Entering Firm's orders and quotes executed per Interval (proposed Rule 928NYP(a)(3)(C), which is identical to Arca Options Rule 6.40P-O(a)(3)(C)). The proposed definition, like the Arca Options definition, would also provide that to determine whether an Entering Firm has breached the specified percentage limit, the Exchange would calculate the percent of each order or quote in a specified class of option that is executed during an Interval (each, a "percentage"), and sum up those percentages. As further proposed (and like on Arca Options), this proposed definition would state that this risk limit would be breached if the sum of the percentages exceeds the pre-established limit. This risk control is based on the substantially identical risk control set forth in current Rule 928NY(d), with the difference described above that a Market Maker's orders and quotes would be aggregated.

- The term "Global Risk Control" would refer to a pre-established limit on the number of times an Entering Firm may breach its Activity-Based Risk Controls per Interval (proposed Rule 928NYP(a)(4), which is identical to Arca Options Rule 6.40P-O(a)(4)). This proposed definition is also based on the substantially similar functionality set forth in current Rule 928NY(f). The Exchange believes this proposed definition would add clarity and transparency to Exchange rules.

- The term "Interval" would refer to the configurable time period during which the Exchange would determine if an Activity-Based Risk Control or the Global Risk Control has been breached (proposed Rule 928NYP(a)(5), which is identical to Arca Options Rule 6.40P-O(a)(5)). This proposed definition is

consistent with current Rule 928NY, which contains references throughout to a "time period" during which the Exchange will determine whether a breach has occurred. The Exchange believes this proposed definition would add clarity and transparency to Exchange rules.

- The term "Auction-Only Orders" would refer to the order types set for in proposed Rule 900.3NYP(c), as described in detail above (proposed Rule 928NYP(a)(6), which is identical to Arca Options Rule 6.40P-O(a)(6)).

Proposed Rules 928NYP(b)(1)–(2) are identical to Arca Options Rules 6.40P-O(b)(1)–(2) and would set forth how the Pre-Trade, Activity-Based and Global Risk Controls could be set or adjusted. Proposed Rule 928NYP(b)(1) would provide that these risk controls may be set before the beginning of a trading day and may be adjusted during the trading day. Proposed Rule 928NYP(b)(2) would provide that Entering Firms may set these risk controls at the MPID level or at one or more sub-IDs associated with that MPID, or both, and further provide that Pre-Trade Risk Controls to restrict the options class(es) transacted must be set per option class.

Proposed Rule 928NYP(c) is identical to Arca Options Rule 6.40P-O(c) and would set forth the Automated Breach Actions that the Exchange would take if a designated risk limit is breached. Proposed Rules 928NYP(c)(1)(A)(i)–(iii) are identical to Arca Options Rules 6.40P-O(c)(1)(A)(i)–(iii) and would set forth the automated breach actions for the Pre-Trade Risk Controls as described below.

- Proposed Rule 928NYP(c)(1)(A)(i) would provide that a Limit Order or quote that breaches any Single-Order Risk Control would be rejected.

- Proposed Rule 928NYP(c)(1)(A)(ii) would provide that a Market Order that arrives during a pre-open state will be cancelled if the quantity remaining to trade after an Auction breaches the Single Order Maximum Notional Value Risk Limit, and that at all other times, a Market Order that triggers or breaches any Single-Order Risk Control will be rejected.⁹⁶

- Proposed Rule 928NYP(c)(1)(A)(iii) would provide that a Limit Order or quote that would breach a price control under paragraph (a)(2)(A)(ii) above would be rejected or cancelled as specified in Rule 900.3NYP(a)(3)(A) (Limit Order Price Protection).

⁹⁶ The term "Auction" is defined in proposed Rule 952NYP(a)(1), described below in the discussion of proposed Rule 952NYP, to mean the opening or reopening of a series for trading either on a trade or quote.

Consistent with Arca Options, the Exchange likewise proposes to process Market Orders differently from Limit Orders because, until a series is opened, the Exchange is not able to calculate the Single Order Notional Value Risk Limit for a Market Order.⁹⁷ Accordingly, as is the case on Arca Options, this proposed risk limit would be applied only after a series opens, at which point, a Market Order would be cancelled if it fails the risk limit.

Proposed Rule 928NYP(c)(2) is identical to Arca Options Rule 6.40P-O(c)(2) and would set forth the automated breach actions for the Activity-Based Risk Controls.

- Proposed Rule 928NYP(c)(2)(A) is identical to Arca Options Rule 6.40P-O(c)(2)(A) and would first specify that an Entering Firm acting as a Market Maker would be required to apply one of the Activity-Based Risk Controls to all of its orders and quotes; whereas an Entering Firm that is not acting as a Market Maker would have the option, but would not be required, to apply one of the Activity-Based Risk Controls to its orders. The requirement that Market Makers utilize Activity-Based Risk Controls for all quotes mirrors the requirements set forth in Rule 928NY, Commentary .04(a); however, the proposed rule differs in that it likewise requires Market Makers to apply one of the Activity-Based Risk Controls to all of its orders. The Exchange believes that requiring that both Market Maker quotes and Market Maker orders be subject to one of the Activity-Based Controls would enhance Market Makers' ability to assess their total risk exposure on the Exchange. The proposed optionality of the Activity-Based Risk controls for orders sent by an Entering Firm not acting as a Market Maker mirrors current Rule 928NY, Commentary .04(b).

- Proposed Rule 928NYP(c)(2)(B) is identical to Arca Options Rule 6.40P-O(c)(2)(B) and would provide that to determine when an Activity-Based Risk Control has been breached, the Exchange would maintain Trade Counters that would be incremented every time an order or quote trades, including any leg of a Complex Order, and would aggregate the number of contracts traded during each such execution. As further proposed, an Entering Firm may opt to exclude any orders designated IOC or FOK from being considered by a Trade Counter. This is consistent with existing functionality set forth in Rule 928NY(a)

⁹⁷ Compare Arca Options Rules 6.40P-O(c)(1)(A)(ii) and (iii) with proposed Rules 928NYP(c)(1)(A)(ii) and (iii).

and Commentary .07, with a proposed difference to allow an Entering Firm to also exclude orders designated FOK, which, like orders designated IOC, cancel if not executed on arrival and is based on current functionality.⁹⁸ The Exchange believes that specifying that orders designated FOK could be excluded from being considered for a Trade Counter would mirror handling of such orders on Arca Options and would add granularity and clarity to Exchange rules. In addition, as noted above, a Market Maker's quotes and orders in a given option class would be aggregated and therefore the Exchange proposes that there would not be separate Trade Counters for a Market Maker's quotes and orders.

- Proposed Rule 928NYP(c)(2)(C) is identical to Arca Options Rule 6.40P–O(c)(2)(C) and would provide that each Entering Firm must select one of three Automated Breach Actions for the Exchange to take should the Entering Firm breach an Activity-Based Risk Control.

- “Notification Only.” As set forth in proposed Rule 928NYP(c)(2)(C)(i) (which is identical to Arca Options Rule 6.40P–O(c)(2)(C)(i)), if this option is selected, the Exchange would continue to accept new order and quote messages and related instructions and would not cancel any unexecuted orders or quotes in the Consolidated Book. With the “Notification Only” action, the Exchange would provide such notifications, but would not take any other automated actions with respect to new or unexecuted orders. The Exchange believes that making this Automated Breach Action available to Activity-Based Risk Controls, which are unique to options trading, would provide Entering Firms more control and flexibility over setting risk tolerance and, as such, over how Activity-Based Risk Controls are implemented.

- “Block Only.” As set forth in proposed Rule 928NYP(c)(2)(C)(ii) (which is identical to Arca Options Rule 6.40P–O(c)(2)(C)(ii)), if this option is selected, the Exchange would reject new order and quote messages and related instructions, provided that the Exchange would continue to process instructions from the Entering Firm to cancel one or more orders or quotes (including Auction-Only Orders) in full. The

proposed rule would also provide that the Exchange would follow any instructions specified in paragraph (e) of the proposed Rule (and described below). The Exchange believes that making this Automated Breach Action available to Activity-Based Risk Controls, which are unique to options trading, would provide Entering Firms more control and flexibility over setting risk tolerance and, as such, over how Activity-Based Risk Controls are implemented.

- “Cancel and Block.” As set forth in proposed Rule 928NYP(c)(2)(C)(iii) (which is identical to Arca Options Rule 6.40P–O(c)(2)(C)(i)), if this option is selected, in addition to the Block Only actions described above, the Exchange would also cancel all unexecuted orders and quotes in the Consolidated Book other than Auction-Only Orders and orders designated GTC. This proposed Cancel and Block functionality is substantially similar to the automated breach action taken by the Exchange per current Rule 928NY(e) and Commentaries .01 and .02 thereto, except that under the current rules, this is default (not optional) functionality. The Exchange believes that making this Automated Breach Action available to respond to a breach of Activity-Based Risk Controls, which are unique to options trading, would provide Entering Firms more control and flexibility over setting risk tolerance and, as such, over how Activity-Based Risk Controls are implemented.

- Finally, proposed Rule 928NYP(c)(2)(D) is identical to Arca Options Rules 6.40P–O(c)(2)(D) and would provide that if an Entering Firm breaches an Activity-Based Risk Control, the Automated Breach Action selected would be applied to its orders and quotes in the affected class of options. This proposed action is consistent with current Rule 928NY(e) and Commentaries .01 and .02 thereto, which provide that, upon a breach, the Exchange will cancel existing and suspend new orders and quotes trading in the affected class.

Proposed Rule 928NYP(c)(2)(E) is identical to Arca Options Rule 6.40P–O(c)(2)(E) and would provide that the Exchange would specify by Trader Update any applicable minimum, maximum and/or default settings for the Activity-Based Risk Controls, subject to the following:

- For the Transaction-Based Risk Limit, the minimum setting would not be less than one and the maximum setting would not be more than 2,000 (proposed Rule 928NYP(c)(2)(E)(i)), which settings are identical to the Exchange-determined settings provided

under current Rule 928NY, Commentary .03 and identical to Arca Options Rule 6.40P–O(c)(2)(E)(i).

- For the Volume-Based Risk Limit, the minimum setting would not be less than one and the maximum setting would not be more than 500,000 (proposed Rule 928NYP(c)(2)(E)(ii)), which settings are identical to the Exchange-determined settings provided under current Rule 928NY, Commentary .03 and identical to Arca Options Rule 6.40P–O(c)(2)(E)(ii).

- For the Percentage-Based Risk Limit, the minimum setting would not be less than 50 and the maximum setting would not be more than 200,000 (proposed Rule 928NYP(c)(2)(E)(iii)), which maximum setting is the same as the minimum Exchange-determined setting set forth in current Rule 928NY, Commentary .03 and identical to Arca Options Rule 6.40P–O(c)(2)(E)(iii). The Exchange proposes to increase the minimum setting from less than one (in current rule) to not be less than 50 to better reflect actual practice, because under current Rules, there are no ATP Holders that have set their Percentage-Based Risk Limits below 50.

Proposed Rule 928NYP(c)(2)(F) is identical to Arca Options Rule 6.40P–O(c)(2)(F) and would provide that the Exchange would specify by Trader Update the Interval for the Activity-Based Risk Controls, subject to the following:

- The Interval would not be less than 100 milliseconds and would not be greater than 300,000 milliseconds, inclusive of the duration of any trading halt occurring within that time (proposed Rule 928NYP(c)(2)(F)(i)), which minimum setting is identical to the Exchange-determined minimum set forth in current Rule 928NY, Commentary .03 and identical to Arca Options Rule 6.40P–O(c)(2)(F)(i). Although the Exchange's current rule does not include a maximum time period, the Exchange proposes to include a maximum allowable Interval to promote clarity in Exchange rules of the longest time an Interval could be.

- For transactions occurring in the Core Open Auction, per proposed Rule 952NYP, the applicable time period would be the lesser of (i) the time between the Core Open Auction of a series and the initial transaction or (ii) the Interval (proposed Rule 928NYP(c)(2)(F)(ii)), which proposed time period is identical to the timing provided under current Rule 928NY, Commentary .03 and also identical to Arca Options Rule 6.40P–O(c)(2)(F)(ii).

Proposed Rule 928NYP(c)(3) is identical to Arca Options Rule 6.40P–O(c)(3) and would set forth the

⁹⁸ See Securities Exchange Act Release No. 81716 (September 25, 2017), 82 FR 45653 (September 29, 2017) (SR–NYSEAMER–2017–10) (immediately effective filing to exclude IOC Orders from risk settings because such exclusion, among other things, would result in risk settings that may be better calibrated to suit the needs of certain market participants (*i.e.*, those that routinely utilize IOC orders to access liquidity on the Exchange)).

automated breach actions for the Global Risk Controls set by an Entering Firm.

- Proposed Rule 928NYP(c)(3)(A) is identical to Arca Options Rule 6.40P–O(c)(3)(A) and would provide that if the Global Risk Control limit is breached, the Exchange would Cancel and Block, per proposed Rule 928NYP(c)(2)(C)(iii), which proposed functionality is substantively the same as the functionality provided under current Rule 928NY, Commentaries .01 (regarding cancellation of existing orders) and .02 (regarding block/rejection of new orders).

- Proposed Rule 928NYP(c)(3)(B) is identical to Arca Options Rule 6.40P–O(c)(3)(B) and would provide that if an Entering Firm breaches the Global Risk Control, the Automated Breach Action would be applied to all orders and quotes of the Entering Firm in all classes of options regardless of which class(es) of options caused the underlying breach of Activity-Based Risk Controls, which proposed functionality is substantively the same as the functionality provided (in the last sentence) of current Rule 928NY, Commentary .02 in the event of a breach of current Rule 928NY(f) (*i.e.*, breach of global risk setting).

- Proposed Rule 928NYP(c)(3)(C) is identical to Arca Options Rule 6.40P–O(c)(3)(C) and would provide that the Exchange would specify by Trader Update any applicable minimum, maximum and/or default settings for the Global Risk Controls, provided that the minimum setting would not be less than 25 and the maximum setting would not be more than 100. These proposed settings are based on the Exchange-determined setting provided under current Rule 928NY, Commentary .03, except that the current rule allows for a minimum setting of one (1) whereas the proposed rule (like Arca Options) is increasing that minimum to twenty-five (25), which the Exchange believes would better reflect actual practice, because under current Rules, there are no ATP Holders that have set their Global Risk Controls below 25.

- Proposed Rules 928NYP(c)(3)(D)(i)–(ii) are identical to Arca Options Rules 6.40P–O(c)(3)(D)(i)–(ii) and would provide that the Exchange would specify by Trader Update the Interval for the Global Risk Controls, subject to the following:

- The Interval would not be less than 100 milliseconds and would not be greater than 300,000 milliseconds, inclusive of the duration of any trading halt occurring within that time, per proposed Rule 928NYP(c)(3)(D)(i), which minimum setting is identical to the Exchange-determined minimum set forth in current Rule 928NY,

Commentary .03. Although the Exchange's current rule does not include a maximum time period, the Exchange proposes to mimic Arca Options Rule 6.40P–O(c)(3)(D)(i) by including a maximum allowable Interval to allow an outside parameter by which the counters would be reset, which would promote transparency in Exchange rules regarding the maximum allowable Interval.

- For transactions occurring in the Core Open Auction, per proposed Rule 952NYP, the applicable time period is the lesser of (i) the time between the Core Open Auction of a series and the initial transaction or (ii) the Interval, per proposed Rule 928NYP(c)(3)(D)(ii), which proposed time period is identical to the timing provided under current Rule 928NY, Commentary .03 and is also identical to Arca Options Rule 6.40P–O(c)(3)(D)(ii).

Proposed Rule 928NYP(d) is identical to Arca Options Rules 6.40P–O(d) and would describe how an Entering Firm's ability to enter orders, quotes, and related instructions would be reinstated after a "Block Only" or "Cancel and Block" Automated Breach Action has been triggered. In such case, proposed Rule 928NYP(d) provides that the Exchange would not reinstate the Entering Firm's ability to enter orders and quotes and related instructions on the Exchange (other than instructions to cancel one or more orders or quotes in full (including Auction-Only Orders, and orders designated GTC)) without the consent of the Entering Firm, which may be provided via automated contact if it was a breach of an Activity-Based Risk Control. As further proposed, an Entering Firm that breaches the Global Risk Control would not be reinstated unless the Entering Firm provides consent via non-automated contact with the Exchange. This proposed functionality is consistent with current Rule 928NY, Commentary .02 regarding the need for an Entering Firm to make automated or non-automated contact with the Exchange, as applicable, prior to being reinstated.

Proposed Rule 928NYP(e) is identical to Arca Options Rules 6.40P–O(e) and would set forth new "Kill Switch Action" functionality, which would allow an Entering Firm to direct the Exchange to take certain bulk cancel or block actions with respect to orders and quotes. In contrast to the Automated Breach Actions described above, which the Exchange would take automatically after the breach of a risk limit, the Exchange would not take any of the Kill Switch Actions without express direction from an Entering Firm. The Exchange believes that the proposed

Kill Switch Action functionality would also provide ATP Holders with greater flexibility to provide bulk instructions to the Exchange with respect to cancelling existing orders and quotes and blocking new orders and quotes.

In particular, proposed Rule 928NYP(e) would specify that an Entering Firm could direct the Exchange to take one or more of the following actions with respect to orders and quotes (excluding those represented in open outcry except CTB Orders), at either an MPID, or if designated, sub-ID Level: (1) Cancel all Auction-Only Orders; (2) Cancel all orders designated GTC; (3) Cancel all unexecuted orders and quotes in the Consolidated Book other than Auction-Only Orders and orders designated GTC; or (4) Block the entry of any new order and quote messages and related instructions, provided that the Exchange would continue to accept instructions from Entering Firms to cancel one or more orders or quotes (including Auction-Only Orders, and orders designated GTC) in full, and later, reverse that block. The proposed post-trade Kill Switch Actions are not only identical to Arca Options Rule 6.40P–O(e) but are also consistent with the rules of other options exchanges.⁹⁹ The Exchange believes that offering this functionality for options trading under Pillar would give Entering Firms more flexibility in setting risk controls for options trading (as noted above).

Proposed Commentary .01 to Rule 928NYP is identical to Commentary .01 to Arca Options Rule 6.40P–O and would provide that the Pre-Trade, Activity-Based, and Global Risk Controls described in the proposed Rule 98NYP are meant to supplement, and not replace, the ATP Holder's own internal systems, monitoring, and procedures related to risk management and are not designed for compliance with Rule 15c3–5 under the Exchange Act.¹⁰⁰ Responsibility for compliance with all Exchange and SEC rules remains with the ATP Holder. The Exchange does not guarantee that these controls will be sufficiently comprehensive to meet all of an ATP Holder's needs, the controls are not designed to be the sole means of risk management, and using these controls

⁹⁹ See, e.g., Cboe Rule 5.34(c)(6) (describing the optional "Kill Switch" functionality, which allows a Cboe participant to instruct Cboe to simultaneously cancel or reject all orders or quotes (or a subset thereof) as well as to instruct Cboe to block all orders or quotes (or a subset thereof), which block instructions will remain in effect until such participant contacts Cboe's trade desk to remove the block).

¹⁰⁰ 17 CFR 240.15c3–5.

will not necessarily meet an ATP Holder's obligations required by the Exchange or federal rules including, without limitation, the Rule 15c3-5. Use of the Exchange's proposed Pre-Trade Risk Controls will not automatically constitute compliance with Exchange or federal rules, and responsibility for compliance with all Exchange and SEC rules remains with the ATP Holder. The proposed rule, which is new text, makes clear that (like on Arca Options) use of the proposed controls alone does not constitute compliance with Exchange rules or the Exchange Act.

Proposed Commentary .02 to Rule 928NYP is identical to Commentary .02 to Arca Options Rule 6.40P-O and would provide that an Entering Firm may set price controls under proposed Rule 928NYP(a)(2)(A)(ii) (described above) that are equal to or more restrictive than the price level provided per the Exchange's Limit Order Price Protection feature, as set forth in proposed Rule 900.3NYP(a)(3)(A). This proposed commentary is intended to clarify the interplay between the Exchange's Limit Order Price Protection functionality and the price controls that may be set by an Entering Firm pursuant to proposed Rule 928NYP(a)(2)(A)(ii).

In connection with proposed Rule 928NYP, the Exchange proposes to add the following preamble to Rule 928NY: "This Rule is not applicable to trading on Pillar." This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rule 928NY would not be applicable to trading on Pillar.

Proposed Rule 928.1NYP: Price Reasonability Checks—Orders and Quotes

The Exchange proposes to describe its Price Reasonability Checks for orders and quotes in proposed Rule 928.1NYP. For the Exchange System, the concept of "Price Reasonability Checks" for Limit Orders is described in Rule 967NY(c) and the concept of price protection filters for quotes are described in Rule 967.1NY. The proposed "Price Reasonability Checks" on Pillar are identical to those set forth in Arca Options Rule 6.41P-O. As is the case on Arca Options, the proposed "Price Reasonability Checks" would be applicable to both orders and quotes and are designed to provide similar price protections as the current price checks for Limit Orders and price protection filters for quotes on the Exchange System, with differences from the current rule described in detail below. The Exchange believes that applying the same Price Reasonability Checks to both orders and quotes and

describing them in a single rule would make the Exchange's rules easier to navigate, while continuing to provide price protection features for both orders and quotes. The Exchange proposes to locate the rule text for the proposed Price Reasonability Checks in proposed Rule 928.1NYP to immediately follow proposed Rule 928NYP regarding the Pre-Trade and Activity-Based Controls, as this placement would group the risk controls together and make Exchange rules easier to navigate.

Proposed Rules 928.1NYP(a)(1)–(3) are identical to Arca Options Rules 6.41P-O(a)(1)–(3) and would set forth the circumstances under which the proposed Price Reasonability Checks would apply. Proposed Rule 928.1NYP(a) would provide that the Exchange would apply the Price Reasonability Checks, as defined in proposed paragraphs (b) and (c), to all Limit Orders and quotes (excluding those represented in open outcry, except CTB Orders), during continuous trading on each trading day, subject to the following:

- Proposed Rule 928.1NYP(a)(1) is identical to Arca Options Rule 6.41P-O(a)(1) and would provide that a Limit Order or quote received during a pre-open state would be subject to the proposed Price Reasonability Checks after an Auction concludes; that a Limit Order or quote that was resting on the Consolidated Book before a trading halt would be subject to the proposed Price Reasonability Checks again after the Trading Halt Auction; and that a put option message to buy would be subject to the Arbitrage Check regardless of when it arrives. This proposed rule is based on current Rule 967NY(c), which provides that the Price Reasonability Checks (for orders) are applied when a series opens or reopens for trading and is similar to Rule 967.1NY(a)(1), which provides that Market Maker quote protection will be applied when an NBBO is available. NBBO protection is available when a series is opened for trading. Proposed Rule 928.1NYP(a)(1) includes additional detail and granularity regarding when the proposed Price Reasonability Checks would be applied under Pillar. The proposed Rule also adds new functionality that a put option message to buy would be subject to the Arbitrage Check even if a series is not open for trading. The Exchange believes that it is appropriate to apply this check to put option messages to buy at any time because the check is not dependent on an external reference price.

- Proposed Rule 928.1NYP(a)(2) is identical to Arca Options Rule 6.41P-O(a)(2) and would provide that if the calculation of the Price Reasonability

Check is not consistent with the MPV for the series, it would be rounded down to the nearest price within the applicable MPV, which is consistent with current functionality. The Exchange believes this proposed rule would promote clarity and transparency in Exchange rules regarding how the Price Reasonability Check would be calculated.

- Proposed Rule 928.1NYP(a)(3) is identical to Arca Options Rule 6.41P-O(a)(3) and would provide that the proposed Price Reasonability Checks would not apply to (i) any options series for which the underlying security has a non-standard cash or stock deliverable as part of a corporate action; (ii) any options series for which the underlying security is identified as over-the-counter ("OTC"); (iii) any option series on an index; and (iv) any option series for which the Exchange determines it is necessary to exclude underlying securities in the interests of maintaining a fair and orderly market, which the Exchange would announce by Trader Update. Proposed Rule 928.1NYP(a)(3) is based on current Commentary .01 to Rules 967NY (orders) and 967.1NY (quotes), with a non-substantive difference that the proposed rule no longer references Binary Return Derivatives ("ByRDs") because ByRDs are no longer traded on the Exchange.

Proposed Rule 928.1NYP(b) is identical to Arca Options Rule 6.41P-O(b) and would set forth the "Arbitrage Checks" for buy orders or quotes, which subset of Price Reasonability Checks are based on the principle that an option order or quote is in error and should be rejected (or canceled) when the same result can be achieved on the market for the underlying equity security at a lesser cost.

- Proposed Rule 928.1NYP(b)(1) is identical to Arca Options Rule 6.41P-O(b)(1) and relates to "puts" and would provide that order or quote messages to buy for put options would be rejected if the price of the order or quote is equal to or greater than the strike price of the option, which is substantively identical to current Rules 967NY(c)(1)(A) (for orders) and 967.1NY(a)(3) (for quotes).

- Proposed Rule 928.1NYP(b)(2) is identical to Arca Options Rule 6.41P-O(b)(2) and relates to "calls" and would provide that order or quote messages to buy for call options would be rejected or canceled (if resting) if the price of the order or quote is equal to or greater than the price of the last trade (of any size) of the underlying security on the Primary Market, plus a specified threshold to be determined by the Exchange and announced by Trader Update. This proposed rule is

substantially similar to current Rules 967NY(c)(1)(B) (for orders) and 967.1NY(a)(2)(B) (for quotes), with several differences.

First, because the Exchange is monitoring last sales from the Primary Market, the Exchange proposes that the Exchange-specified threshold for the Checks would be based on the price of the last trade (of any size) on the Primary Market rather than on the Consolidated Last Sale.¹⁰¹ The Exchange believes that the last trade on the Primary Market would be indicative of the price of the underlying security and that by using the last trade of the Primary Market rather than the Consolidated Last Sale, the Pillar system would need to ingest and process less data, thereby improving efficiency and performance of the system. The Exchange also believes that applying the Checks to trades in underlying securities of any size, *i.e.*, both round lots and odd lots, would enhance the efficacy of the Checks as this proposed functionality would provide a better representation of the trade prices occurring in the underlying market.¹⁰²

Second, current Rules 967.1NY(a)(2)(A) and (C) specify which price would be used for Market Maker bids made before the underlying security is open or during a trading halt, pause, or suspension of the underlying security. Because on Pillar the proposed Arbitrage Checks for calls (for orders and quotes) would be applied only once a series has opened or reopened for trading, the Exchange no longer needs to specify prices other than the last trade (of any size) on the Primary Market for purposes of calculating the Arbitrage Checks for calls. The Exchange believes the difference in proposed Rule 928.1NYP(b)(2) from current functionality (which is identical to Arca Options Rule 6.41P–O(b)(2)) would not compromise the price protection feature of the proposed Arbitrage Checks.

Proposed Rule 928.1NYP(c) is identical to Arca Options Rule 6.41P–O(c) and would set forth the “Intrinsic Value Checks” for orders or quotes to sell, which are designed to protect

sellers of calls and puts from presumptively erroneous executions based on the “Intrinsic Value” of an option.

- Proposed Rules 928.1NYP(c)(1)–(2) are identical to Arca Options Rules 6.41P–O(c)(1)–(2) and would set forth how the Intrinsic Value of an option would be determined. Proposed Rule 928.1NYP(c)(1) would provide that the Intrinsic Value for a put option is equal to the strike price minus the price of the last trade (of any size) of the underlying security on the Primary Market. Proposed Rule 928.1NYP(c)(2) would provide that the Intrinsic Value for a call option is equal to the price of the last trade (of any size) of the underlying security on the Primary Market minus the strike price. Proposed Rules 928.1NYP(c)(1)–(2) are based on how the intrinsic value is calculated in current Rule 967NY(c)(2) for orders, with two differences. First, the proposed “Intrinsic Value Checks” would also apply to quotes, which would be new on Pillar (but would mimic Arca Options Rules 6.41P–O(c)(1)–(2)) and would provide Market Makers with additional protection for quotes to sell. Second, the Intrinsic Value of an option would be based on the price of the last trade (of any size) on the Primary Market rather than on the Consolidated Last Sale for the same reasons discussed above, that it would enhance performance without compromising the price protection feature of the Intrinsic Value Checks.

- Proposed Rule 928.1NYP(c)(3) is identical to Arca Options Rule 6.41P–O(c)(3) and would provide that ISOs to sell would not be subject to the Intrinsic Value Check, which carve out is substantively identical to current Rule 967NY(c)(2).

- Proposed Rule 928.1NYP(c)(4) is identical to Arca Options Rule 6.41P–O(c)(4) and would describe the application of the Intrinsic Value Checks to puts and calls to sell.

- Proposed Rule 928.1NYP(c)(4)(A) is identical to Arca Options Rule 6.41P–O(c)(4)(A) and would provide that orders or quotes to sell for both puts and calls would be rejected or canceled (if resting) if the price of the order or quote is equal to or lower than its Intrinsic Value, minus a specified threshold to be determined by the Exchange and announced by Trader Update.

- Proposed Rule 928.1NYP(c)(4)(B) is identical to Arca Options Rule 6.41P–O(c)(4)(B) and would provide that the Exchange-determined threshold percentage (per proposed paragraph (c)(4)(A)) would be based on the NBB, provided that, immediately following an Auction, it would be based on the

Auction Price, or, if none, the lower Auction Collar price, or, if none, the NBB.¹⁰³ This proposed threshold percentage is similar to how the Reference Price would be determined for Trading Collars, as described above pursuant to proposed Rule 900.3NYP(a)(4). As further proposed, Rule 928.1NYP(c)(4)(B) would provide that for purposes of determining the Intrinsic Value, the Exchange would not use an adjusted NBBO. The Exchange further proposes that the Intrinsic Value Check for sell orders and quotes would not be applied if the Intrinsic Value cannot be calculated.

Proposed Rules 928.1NYP(c)(4)(A)–(B) are substantially similar to current Rule 967NY(a)(2)(A), which describes the application of the Intrinsic Value check for orders, with the following differences:

- The proposed rule would extend this price protection to quotes, providing Market Makers with additional protection mechanisms;
- The proposed rule would provide additional detail regarding how the specified threshold percentage would be determined immediately following an Auction;
- The proposed rule would establish that an unadjusted NBBO (as opposed to an adjusted NBBO) would be used to calculate the Intrinsic Value; and
- The proposed rule includes text providing that if the Intrinsic Value cannot be calculated, the Check would not be applied.

The Exchange believes that these additions, which mirror Arca Options Rules 6.41P–O(c)(4)(A)–(B), would both add granularity to the rule and enhance the functionality for calculating and applying the Intrinsic Value. For the same reasons described above in connection with Limit Order Price Protection and Trading Collars, the Exchange believes that using an unadjusted NBBO (as opposed to using an adjusted NBBO) would serve price protection purposes by using a more conservative view of the NBBO.

Proposed Rule 928.1NYP(d) is identical to Arca Options Rule 6.41P–O(d) and would provide the Automated Breach Action to be applied when a Market Maker’s order or quote fails one of the Price Reasonability Checks. As proposed, if a Market Maker’s order or quote message is rejected or cancelled (if resting) pursuant to proposed paragraph (b) (Arbitrage Checks) or (c) (Intrinsic Value Checks) of proposed

¹⁰¹ Per Rule 900.2NY, the term “Primary Market” with respect to options traded on the Exchange means the principal market in which the underlying security is traded. The Exchange also notes a difference in that proposed Rule 928.1NYP(b)(2) refers to a “specified threshold,” whereas current Rule 967NY(c)(1)(B) refers to a “specified dollar amount,” which difference is designed to give the Exchange more flexibility in applying the Arbitrage Checks to use a percentage-based threshold.

¹⁰² The Exchange notes that trades in higher-priced underlying securities tend to be odd lots, which highlights the importance of capturing such trades in the Checks.

¹⁰³ See discussion *infra*, regarding proposed Rule 952NYP(a) and proposed definitions for the terms “Auction,” “Auction Price,” “Auction Collar,” “pre-open state,” and “Trading Halt Auction.”

Rule 928.1NYP, the Exchange would Cancel and Block orders and quotes in the affected class of options as described in Rule 928NYP(c)(2)(C)(iii) (as described above in section “Proposed Rule 928NYP”).

Proposed Rule 928.1NYP(d)(1) is identical to Arca Options Rule 6.41P–O(d)(1) and would provide that a breach of proposed Rule 928.1NYP(d) would count towards a Market Maker’s Global Risk Control limit per proposed Rule 928NYP(a)(4) (as described above in section “Proposed Rule 928NYP”).

Proposed Rule 928.1NYP(d)(2) is identical to Arca Options Rule 6.41P–O(d)(2) and concerns how a Market Maker would be reinstated following an automated breach action. As proposed, the Exchange would not reinstate the Market Maker’s ability to enter orders and quotes and related instructions on the Exchange in that class of options (other than instructions to cancel one or more orders/quotes (including Auction-Only Orders and orders designated GTC) in full) without the consent of the Market Maker, which may be provided via automated contact.

Rule 928.1NYP(d) is substantially similar to current Rule 967.1NY(b), except that the proposed rule applies to both the orders and quotes of a Market Maker (not just quotes) and provides the additional functionality that a breach of the Price Reasonability Checks would count towards a Market Maker’s Global Risk Control limit under proposed Rule 928NYP(c)(3), which functionality would be new under Pillar. The Exchange believes that the proposed new functionality, which mirrors Arca Options Rule 6.41P–O(d), would provide ATP Holders greater control and flexibility over setting risk tolerance and exposure for both orders and quotes. In connection with proposed Rule 928.1NYP, the Exchange proposes to add the following preamble to Rules 967NY and 967.1NY: “This Rule is not applicable to trading on Pillar.” This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rules 967NY and 967.1NY would not be applicable to trading on Pillar.

Proposed Rule 952NYP: Auction Process

Current Rule 952NY sets forth the opening process currently used on the Exchange System for opening trading in a series each day and reopening trading in a series following a trading halt. Current Rule 952NY(a) defines the term “Trading Auction” as the process by which trading is initiated in a specified options class that may be employed at the opening of the Exchange each

business day or to re-open trading after a trading halt, and that Trading Auctions will be conducted automatically by the Exchange System. Current Rules 952NY(b) and (c) describe the manner for the automated Trading Auctions and provide that, once the primary market for the underlying security disseminates a quote and a trade that is at or within the quote, the Exchange System then conducts an Auction Process (“current Auction Process”) whereby the Exchange System determines a single price at which a series may be opened by looking to the price at which the greatest number of contracts can trade at or between the NBBO disseminated by OPRA.¹⁰⁴

As described in Rule 952NY(b)(D), the Exchange will not conduct the current Auction Process to open a series if the bid-ask differential for that series is not within an acceptable range, *i.e.*, is not within the bid-ask differential guidelines established in Rule 925NY(b)(4).¹⁰⁵ If a series does not open for trading, Market and Limit Orders entered in advance of the current Auction Process remain in the Consolidated Book and will not be routed, even if another exchange opens that series for trading and such resting orders become Marketable against the ABBO.¹⁰⁶

The Exchange proposes that new Rule 952NYP which is identical to Arca Options Rule 6.64P–O would set forth the automated process for both opening and reopening trading in a series on the Exchange on Pillar. The Exchange proposes to specify that current Rule 952NY would not be applicable to trading on Pillar. With the transition to Pillar, the fundamental process of how an option series would be opened (or reopened) on the Exchange would not materially change because the Exchange would continue to assess whether a series can be opened based on whether

¹⁰⁴ If the same number of contracts can trade at multiple prices, the opening price is the price at which the greatest number of contracts can trade that is at or nearest to the midpoint of the NBBO disseminated by OPRA; unless one such price is equal to the price of any resting Limit Order(s) in which case the opening price is the same price as the Limit Order(s) with the greatest size and, if the same size, the highest price and if there is a tie between price levels and no Limit Orders exist at either of the prices, the Exchange uses the higher price. See Rule 952NY(c).

¹⁰⁵ Because Rule 952NY(b)(D) cross-references the bid-ask differential requirement of Rule 925NY(b)(4), which relates to the obligations of Market Makers in appointed classes, the Exchange will not open a series for trading if the NBBO disseminated by OPRA in a series is not within such bid-ask differentials.

¹⁰⁶ The term “Marketable” is defined in Rule 900.2NY to mean, for a Limit Order, an order that can be immediately executed or routed and Market Orders are always considered marketable.

the bid-ask differential for a series is within a specified range. However, with the availability of Pillar technology, the Exchange proposes differences to the proposed auction process that mirror Arca Options Rule 6.64P–O and are designed to provide additional opportunities for an options series to open or reopen for trading even if the bid-ask differential is wider than the specified guidelines. The Exchange notes that other options exchanges also provide additional opportunities for a series to open after a specified period of time in a wide market.¹⁰⁷ In addition, the Exchange proposes to specify minimum time periods to allow a Market Maker(s) to quote in an assigned series before the series is opened or reopened. With the proposed Auction Process, described further below, the Exchange endeavors to attract the highest quality quote for each series at the open to attract order flow for the auction. While the Exchange does not require Market Makers assigned to a series to quote before a series can be opened (or reopened), the Exchange believes that providing time for such Market Makers to do so would provide both better and more consistent prices on executions to ATP Holders in an Auction and a smoother transition to continuous trading. In addition, the Exchange believes that the proposed changes would enhance the opening/reopening process on the Exchange by providing a transparent and deterministic process for the Exchange to open additional series for trading.

Further, the Exchange proposes additional enhancements (and details them in the rule) that mirror Arca Options Rule 6.64P–O relating to how orders and quotes would be processed if they arrive during the period when the Exchange is processing an Auction and how the Exchange would process orders and quotes when it transitions to continuous trading following an Auction. Accordingly, the structure of proposed Rule 952NYP is identical to Arca Options Rule 6.64P–O and includes a description of how the Exchange would process orders and quotes during a trading halt, which

¹⁰⁷ For example, in 2021, Cboe amended its opening process set forth in Cboe Rule 5.31 to provide for a “forced opening” process that is used if an option class is unable to open because it does not meet the applicable bid-ask differential. In such case, if the “Composite Market” is not crossed and there is no non-zero offer, within a specified time period, Cboe will open the series without a trade. See Securities Exchange Act Release No. 90967 (January 22, 2021), 86 FR 7249 (January 28, 2021) (SR–Cboe–2021–005) (Notice of filing and immediate effectiveness of proposed rule change to amend Cboe’s opening process for simple orders).

would provide granularity and transparency in Exchange rules.

Definitions. Proposed Rule 952NYP(a) contains proposed definitions for options trading on Pillar that are identical to those set forth in Arca Options Rule 6.64P–O(a) and would provide that the proposed Rule would be applicable to all series that trade on the Exchange other than Flex Options.¹⁰⁸

- Proposed Rule 952NYP(a)(1) is identical to Arca Options Rule 6.64P–O(a)(1) and would define the term “Auction” to mean the opening or reopening of a series for trading either with or without a trade. This proposed definition is based in part on current Rule 952NY(a), which defines the term “Trading Auction” to be a process by which trading is initiated in a specified options class that may be employed at the opening of the Exchange each business day or to re-open trading after a trading halt.¹⁰⁹ On Pillar, the Exchange proposes that the term “Auction” would refer to the point in the process where the Exchange determines that a series can be opened or reopened either with or without a trade. After an Auction concludes, the series then transitions to continuous trading. Proposed Rules 952NYP(a)(1)(A)–(B) are identical to Arca Options Rule 6.64P–O(a)(1)(A)–(B). Proposed Rule 952NYP(a)(1)(A) would provide that a “Core Open Auction” means the Auction that opens trading after the beginning of Core Trading Hours and proposed Rule 952NYP(a)(1)(B) would provide that a “Trading Halt Auction” means the Auction that reopens trading following a trading halt. These are Pillar terms that would be new to options trading on the Exchange.

- Proposed Rule 952NYP(a)(2) is identical to Arca Options Rule 6.64P–O(a)(2) and would define the term “Auction Collar” to mean the price collar thresholds for the Indicative

Match Price (defined below) for an Auction. As further proposed, the upper Auction Collar would be the offer of the Legal Width Quote (defined below) and the lower Auction Collar would be the bid of the Legal Width Quote, provided that if the bid of the Legal Width Quote is zero, the lower Auction Collar would be one MPV above zero for the series (per proposed Rule 952NYP(a)(2)(A), which is identical to Arca Options Rule 6.62P–O(a)(2)(A)). In addition, as proposed, if there is no Legal Width Quote, the Auction Collars would be published in the Auction Imbalance Information (defined below) as zero (per proposed Rule 952NYP(a)(2)(B), which is identical to Arca Options Rule 6.62P–O(a)(2)(B)).

As proposed, the Auction Collars would be set at the Legal Width Quote (described below) and would prevent an Auction trade from occurring at a price outside of the Legal Width Quote. The Exchange believes that the concept of Auction Collars is similar to the current requirement that the Exchange will not open a series if the bid-ask differential is not within the bid-ask differential guidelines established under Rule 925NY(b)(4).¹¹⁰ Thus, the proposed Auction Collars (based on a Legal Width Quote) would use Pillar terminology to prevent an Auction that results in a trade from being priced outside the bid-ask differential applicable to Auctions on Pillar.¹¹¹

Proposed Rule 952NYP(a)(3) is identical to Arca Options Rule 6.64P–O(a)(3) and would define the term “Auction Imbalance Information” to mean the information that the Exchange disseminates about an Auction via its proprietary data feeds and includes the Auction Collars, Auction Indicator, Book Clearing Price, Far Clearing Price, Indicative Match Price, Matched Volume, Market Imbalance, and Total Imbalance. With Pillar, the Exchange proposes to disseminate Auction Imbalance Information in the same manner that such information is disseminated on Arca Options. The Exchange currently makes certain auction imbalance information available on its proprietary data feed and the Exchange believes that enhancing this information by disseminating the proposed Auction Collars, Auction Indicator, Book Clearing Price, and Far Clearing Price, which would be new for the Exchange, would promote

transparency. In addition, the Exchange proposes that the Auction Imbalance Information would reflect the quotes and orders eligible to participate in an Auction, which contribute to price discovery. As such, proposed Rule 952NYP(a)(3) (like Arca Options Rule 6.64P–O(a)(3)) would further provide that Auction Imbalance Information would be based on all quotes and orders (including the non-displayed quantity of Reserve Orders) eligible to participate in an Auction, excluding IO Orders. The Exchange believes that specifying that the non-displayed quantity of Reserve Orders would be included in the Auction Imbalance Information is consistent with current functionality that the full quantity of Reserve Orders are eligible to participate in the current Auction Process.

Proposed Rule 952NYP(a)(3)(A) is identical to Arca Options Rule 6.64P–O(a)(3)(A) and would define the term “Auction Indicator” to mean the indicator that provides a status update of whether an Auction cannot be conducted because either (i) there is no Legal Width Quote, or (ii) a Market Maker quote has not been received during the parameters of the Opening MMQ Timer(s) (defined below). This proposed definition would be new for the Exchange and would provide transparency of when an Auction could not be conducted.¹¹²

Proposed Rule 952NYP(a)(3)(B) is identical to Arca Options Rule 6.64P–O(a)(3)(B) and would define the term “Book Clearing Price” to mean the price at which all contracts could be traded in an Auction if not subject to the Auction Collar and states that the Book Clearing Price would be zero if a sell (buy) Imbalance cannot be filled by any buy (sell) interest. The Exchange proposes that the manner that the Book Clearing Price would be calculated would be identical to how it is calculated per Arca Options Rule 6.64P–O(a)(3)(B).

Proposed Rule 952NYP(a)(3)(C) is identical to Arca Options Rule 6.64P–O(a)(3)(C) and would define the term “Far Clearing Price” to mean the price at which Auction-Only Orders could be traded in an Auction within the Auction Collar. The Exchange proposes that the manner that the Far Clearing Price would be calculated would be identical to how it is calculated per Arca Options Rule 6.64P–O(a)(3)(C).

Proposed Rule 952NYP(a)(3)(D) is identical to Arca Options Rule 6.64P–O(a)(3)(D) and would define the term

¹⁰⁸ With the transition to Pillar, the Exchange is not making any changes to how Flex Options trade. Rule 901G provides that Flex Options transactions may be effected during normal Exchange options trading hours on any business day and Rule 902G provides that there will be no trading rotations in Flex Options. Rule 904G sets forth the procedures for trading Flex Options. The opening process for Electronic Complex Orders is set forth in Rule 980NY. The opening process for Electronic Complex Orders is set forth in Rule 980NY. In connection with the transition to Pillar, the Exchange has adopted new Rule 980NYP regarding complex trading on Pillar. See the Pillar Complex Approval Order, *supra* note 66.

¹⁰⁹ See also Rule 952NY(e) (providing that a Trading Auction to reopen an option class after a trading halt is conducted in the same manner as a Trading Auction to open each option class at the start of each trading day, *i.e.*, as described in Rule 952NY(a)–(d)).

¹¹⁰ See Rule 952NY(b)(D) and (E). The Exchange notes that in common parlance bid-ask differentials are known as “legal-width quotes.”

¹¹¹ See also Choe Rule 5.31(a) (defining the “Opening Collar” as the price range that establishes limits at or inside of which Choe determines the opening trade price for a series).

¹¹² Consistent with the proposed rule, Rule 952NY(b)(D) provides that the Exchange will not conduct the current Auction Process if the bid-ask differential for a series is not within an acceptable range.

“Imbalance” to mean the number of buy (sell) contracts that cannot be matched with sell (buy) contracts at the Indicative Match Price at any given time. The Exchange proposes to calculate the Imbalance in a manner identical to how it is calculated per Arca Options Rule 6.64P–O(a)(3)(D).

Proposed Rule 952NYP(a)(3)(D)(i) is identical to Arca Options Rule 6.64P–O(a)(3)(D)(i) and would define the term “Total Imbalance” to mean the Imbalance of all buy (sell) contracts at the Indicative Match Price for all orders and quotes eligible to trade in an Auction. The Exchange proposes to calculate the Total Imbalance in a manner identical to how it is calculated per Arca Options Rule 6.64P–O(a)(3)(D)(i). Proposed Rule 952NYP(a)(3)(D)(ii) is identical to Arca Options Rule 6.64P–O(a)(3)(D)(ii) and would define the term “Market Imbalance” to mean the Imbalance of any remaining buy (sell) Market Orders and MOO Orders that are not matched for trading in the Auction. The Exchange proposes to calculate the Market Imbalance in a manner identical to how it is calculated per Arca Options Rule 6.64P–O(a)(3)(D)(ii).

- Proposed Rule 952NYP(a)(4) is identical to Arca Options Rule 6.64P–O(a)(4) and would define the term “Auction Price” to mean the price at which an Auction that results in a trade is conducted. This proposed definition is designed to add clarity and transparency to Exchange rules as this term would be used as a reference price in proposed Rules 900.3NYP(a)(3)(B), 900.3NYP(a)(4)(B), and 928.1NYP(c)(4)(B).¹¹³

Proposed Rule 952NYP(a)(5) is identical to Arca Options Rule 6.64P–O(a)(5) and would define the term “Auction Process” to mean the process that begins when the Exchange receives an Auction Trigger (defined below) for a series and ends when the Auction is conducted. This proposed term is designed to add clarity and transparency to Exchange rules and address all steps in the process that culminates in an Auction, as described in proposed Rule 952NYP(d).

- Proposed Rule 952NYP(a)(5)(i) is identical to Arca Options Rule 6.64P–O(a)(5)(i) and would define the term “initial Auction Process time period” as

an Exchange-determined time period after the commencement of the Auction Process as specified by Trader Update. This term describes the period after which the Exchange may transition an option series to continuous trading pursuant to proposed Rule 952NYP(d)(4), as discussed below.

- Proposed Rule 952NYP(a)(6) is identical to Arca Options Rule 6.64P–O(a)(6) and would define the term “Auction Processing Period” to mean the period during which the Auction is being processed. The Auction Processing Period is at the end of the Auction Process and is the period when the actual Auction is conducted and the Exchange transitions from a pre-open state (described below) to continuous trading. The end of the Auction Processing Period is the end of the Auction and, depending on the orders and quotes in the Consolidated Book, it concludes either with or without a trade.

- Proposed Rule 952NYP(a)(7) is identical to Arca Options Rule 6.64P–O(a)(7) and would define the term “Auction Trigger” to mean the information disseminated by the Primary Market in the underlying security that triggers the Auction Process for a series to begin. For a Core Open Auction, the proposed Auction Trigger would be when the Primary Market first disseminates at or after 9:30 a.m. Eastern Time both a two-sided quote and a trade of any size that is at or within the quote per proposed Rule 952NYP(a)(7)(A), which is identical to Arca Options Rule 6.64P–O(a)(7)(A). For a Trading Halt Auction, the proposed Auction Trigger would be when the Primary Market disseminates at the end of a trading halt or pause a resume message, a two-sided quote, and a trade of any size that is at or within the quote, per proposed Rule 952NYP(a)(7)(B), which is identical to Arca Options Rule 6.64P–O(a)(7)(B).

This proposed term is also based on how the Exchange currently opens or reopens a series for trading, as set forth in the last sentence of current Rule 952NY(b).¹¹⁴ The proposed rule adds detail not found in the current rule by referring to a “two-sided quote” rather than a “quote,” without any changes to functionality. The Exchange also proposes a difference that an opening trade on the Primary Market may be “of any size,” which would make clear that an odd-lot transaction on the Primary Market could be used as an Auction

Trigger, which would be new on Pillar. The Exchange believes that because it requires both a quote and a trade from the Primary Market before it can open/reopen trading in the overlying option, and because a Primary Market that has disseminated a quote for an underlying security is open for trading, allowing odd-lot sized trades to be included in the trigger would increase the opportunities to open/reopen trading options that overlay low-volume securities that have opened for trading on the Primary Market and would reduce the circumstances needed to manually trigger an Auction for a series.

- Proposed Rule 952NYP(a)(8) is identical to Arca Options Rule 6.64P–O(a)(8) and would define the term “Calculated NBBO” to mean the highest bid and lowest offer among all Market Maker quotes and the ABBO during the Auction Process. The Exchange proposes to use the term “Calculated NBBO” to specify which bids and offers the Exchange would consider for purposes of determining whether to proceed with an Auction on Pillar, as described in greater detail below. The Exchange believes the proposed term provides more clarity than referencing an “NBBO disseminated by OPRA” and is consistent with the proposed definition of ABBO, which by its terms is disseminated by OPRA.¹¹⁵

- Proposed Rule 952NYP(a)(9) is identical to Arca Options Rule 6.64P–O(a)(9) and would define the term “Indicative Match Price” to mean the price at which the maximum number of contracts can be traded in an Auction, including the non-displayed quantity of Reserve Orders, and excluding IO Orders, subject to the Auction Collars. This functionality is consistent with the current process for establishing a single opening price, as described in Rule 952NY(b)(A), but the proposed rule adds more granularity and uses Pillar terminology.¹¹⁶ In addition, the term “Indicative Match Price” refers to the same functionality as the Exchange System’s reference to the term “reference price” in its imbalance information. Proposed Rule 952NYP(a)(9) (like Arca Options Rule 6.64P–O(a)(9)) would further provide that if there is no Legal Width Quote,

¹¹⁵ The Exchange notes that the information used to calculate the proposed Calculated NBBO is consistent with the information that the Exchange receives from OPRA in advance of the Exchange opening or reopening trading (*i.e.*, Market Maker rotational quotes from the Exchange and ABBO) and is similar to Cboe’s definition of “Composite Market,” as described in Cboe Rule 5.31(a), which includes Cboe Market Maker quotes and BBOs of other options exchanges.

¹¹⁶ See Rules 952NY(b)(A) and (c) (describing process for determining single opening price).

¹¹³ See also Cboe Rule 5.31(a) (defining the “Opening Trade Price” as the price at which Cboe executes opening trades in a series). The Exchange notes that the term “Auction Price” is distinguished from the proposed term of “Indicative Match Price,” as the latter term is the content included in the Auction Imbalance Information in advance of an Auction, and the Auction Price is the price of an Auction that results in a trade.

¹¹⁴ Rule 952NY(b) provides, in relevant part, that the related option series will be opened automatically “once the primary market for the underlying security disseminates a quote and a trade that is at or within the quote.”

the Indicative Match Price included in the Auction Imbalance Information would be calculated without Auction Collars. This would be a new feature applicable to options trading on the Exchange and an Indicative Match Price without Auction Collars would be accompanied with an Auction Indicator that the Auction cannot be conducted because there is no Legal Width Quote.¹¹⁷

Proposed Rule 952NYP(a)(9)(A) is identical to Arca Options Rule 6.64P–O(a)(9)(A) and would provide that if there is more than one price level at which the maximum number of contracts can be traded within the Auction Collars, the Indicative Match Price would be the price closest to the midpoint of the Legal Width Quote, rounded to the nearest MPV for the series, provided that the Indicative Match Price would not be lower (higher) than the highest (lowest) price of a Limit Order to buy (sell) ranked Priority 2—Display Orders that is eligible to participate in the Auction. This functionality is similar to the current process for establishing a single opening price, as described in Rule 952NY(c), which provides that when the same number of contracts can trade at multiple prices, the opening price is the price at which the greatest number of contracts can trade that is at or nearest to the midpoint of the NBBO disseminated by OPRA. The proposed rule text provides more granularity, such as describing that the Exchange would round to the nearest MPV in the series, which is consistent with current functionality.

Proposed Rule 952NYP(a)(9)(B) is identical to Arca Options Rule 6.64P–O(a)(9)(B) and would provide that an Indicative Match Price that is higher (lower) than the upper (lower) Auction Collar would be adjusted to the upper (lower) Auction Collar and orders eligible to participate in the Auction would trade at the collared Indicative Match Price. Proposed Rule 952NYP(a)(9)(B)(i) is identical to Arca Options Rule 6.64P–O(a)(9)(B)(i) and would provide that Limit Orders to buy (sell) with a limit price above (below) the upper (lower) Auction Collar would be included in the Auction Imbalance Information at the collared Indicative Match Price and would be eligible to trade at the Indicative Match Price. This proposed rule text provides granularity that, consistent with current functionality, orders willing to buy (sell)

at a higher (lower) price than the Auction Price would participate in an Auction trade, which, by definition, would be required to be at or between the Auction Collars. Proposed Rule 952NYP(a)(9)(B)(ii) is identical to Arca Options Rule 6.64P–O(a)(9)(B)(ii) and would provide that Limit Orders and quotes to buy (sell) with a limit price below (above) the lower (upper) Auction Collar would not be included in the Auction Imbalance Information and would not participate in an Auction. This proposed rule text provides granularity that is consistent with current functionality.

Proposed Rule 952NYP(a)(9)(C) is identical to Arca Options Rule 6.64P–O(a)(9)(C) and would provide that if the Matched Volume (defined below) for an Auction consists of only buy and sell Market Orders, the Indicative Match Price would be the midpoint of the Legal Width Quote, rounded to the MPV for the series, or, if, the Legal Width Quote is locked, then the locked price. This proposed rule text is designed to provide granularity of how the Indicative Match Price would be calculated if there are only Market Orders.

Proposed Rule 952NYP(a)(9)(D) is identical to Arca Options Rule 6.64P–O(a)(9)(D) and would provide that if there is no Matched Volume, including if there are Market Orders on only one side of the Market, the Indicative Match Price and Total Imbalance for the Auction Imbalance Information would be zero. This proposed rule text is designed to provide granularity regarding how the Indicative Match Price and Total Imbalance for the Auction Imbalance Information would be calculated if there is no Matched Volume.

- Proposed Rule 952NYP(a)(10) is identical to Arca Options Rule 6.64P–O(a)(10) and would define a “Legal Width Quote” as a Calculated NBBO that: (A) may be locked, but not crossed; (B) does not contain a zero offer; and (C) has a spread between the Calculated NBBO for each option contract that does not exceed a maximum differential that is determined by the Exchange on a class basis, which amount may be modified during the Auction Process, and such maximum differentials (and modifications thereto) would be announced by Trader Update (as discussed further below, provided that a Trading Official may establish differences other than the above for one or more series or classes of options).¹¹⁸

Requiring that the Legal Width Quote not be crossed is consistent with current Rule 952NY(b)(E) (and identical to Arca Options Rule 6.64P–O(a)(10)), both of which require an uncrossed NBBO disseminated by OPRA before a series can be opened (or reopened).¹¹⁹ The Exchange believes that the additional detail in proposed Rules 952NYP(a)(10)(A) and (B) regarding how to determine a Legal Width Quote provides clarity and granularity as to when a Calculated NBBO would be eligible to be considered a Legal Width Quote. In addition, requiring that the Calculated NBBO must not exceed a maximum differential before an Auction can proceed is based on the current Exchange System Opening Process, which requires the bid-ask differential for a series to be in an acceptable range.¹²⁰ However, rather than specify maximum bid-ask differentials in proposed Rule 952NYP, the Exchange believes it is appropriate to instead retain flexibility to set the maximum differentials so that the Exchange may consider the different market models and characteristics of different classes, as well as modify amounts in response to then-current market conditions.¹²¹ The proposed Rule would allow the Exchange to modify these bid-ask differentials at any time as it deems necessary and appropriate, which discretion the Exchange has today on the Exchange System.¹²² In addition,

a Trading Official may declare that unusual market conditions exist in a particular issue and allow Market Makers in that issue to make auction bids and offers with spread differentials of up to two times, or in exceptional circumstances, up to three times, the legal limits permitted under Rule 925NY”).

¹¹⁹ The proposed calculation of a Legal Width Quote is also similar to how Cboe determines whether to perform a “Forced Opening,” because Cboe requires a Composite Market that is not crossed with a non-zero offer. See Cboe Rule 5.31(e)(4).

¹²⁰ See Rule 952NY(b)(D) (providing that “[t]he System will not conduct an Auction Process if the bid-ask differential for that series is not within an acceptable range,” which “acceptable range shall mean within the bid-ask differential guidelines established pursuant to Rule 952NY(b)(4)”).

¹²¹ See also Cboe Rule 5.31(a) (regarding the definition of “Maximum Composite Width” (i.e., the amount that the “Composite Width” of a series may generally not be greater than for the series to open), which term is used similarly to how the Exchange proposes to use the term “Legal Width Quote,” which provides that Cboe may determine such amounts “on a class and Composite bid basis, which amount [Cboe] may modify during the opening auction process” and disseminate “to all subscribers of [Cboe’s] data feeds that deliver opening auction updates”). See *id.*

¹²² See *supra* note 118 (regarding authority conferred on Trading Officials, per Rule 925NY(c), to make auction bids and offers with spread differentials of up to two times, or in exceptional circumstances, up to three times, the legal limits,

Continued

¹¹⁷ Currently, if there is no legal width NBBO, the Exchange does not disseminate imbalance information and does not calculate an indicative match price.

¹¹⁸ See Rule 925NY(c) (Unusual Conditions—Opening Auction) (providing that “[i]f the interest of maintaining a fair and orderly market so requires,

allowing the Exchange to announce the maximum differentials by Trader Update (as opposed to by Rule) is identical to Options Rule 6.64P–O(a)(10), and consistent with the rules of several options exchanges that likewise may change the amounts of valid opening widths by notice or circular rather than by Rule change.¹²³

The Exchange believes that the proposed definition relating to “Legal Width Quote” would promote clarity and transparency in Exchange rules regarding which quotes—both Market Maker quotes on the Exchange and the ABBO, *i.e.*, the Calculated NBBO—that the Exchange would use to determine if there is a Legal Width Quote and provide direction that to be a Legal Width Quote, a Calculated NBBO may not exceed a maximum differential.

The Exchange also proposes to make a conforming change to Rule 925NY(c) to update the title from “Unusual Conditions—Opening Auction” to be “Unusual Conditions—Auctions,” which would align with the proposed definition of “Auctions” in proposed Rule 952NYP(a), which includes both opening and reopening auctions, which change mirrors Arca Options Rule 6.37–O(c). This proposed change also promotes clarity, consistent with current functionality that Rule 925NY(c) is also applicable to reopenings. In addition, the Exchange proposes to amend Rule 925NY(c), which authorizes a Trading Official to widen the bid-ask differentials in the event of unusual conditions, to add a cross-reference to extend such authority to proposed Rule 952NYP(a)(10) (regarding the Legal Width Quote spreads). This proposed amendment would ensure that the existing procedures for auctions in the event of unusual conditions, as specified in Rule 925NY(c), would continue to be available for option symbols that have transitioned to Pillar (and subject to new Rule 952NYP(a)(10)).

“[i]f the interest of maintaining a fair and orderly market so requires”).

¹²³ See, e.g., Cboe Rule 5.31(a) (definition of Maximum Composite Width); Cboe EDGX Options Exchange, Inc. (“EDGX”) Rule 21.7(a) (same); BZX Rule 21.7(a) (same); Cboe C2 Exchange Inc. (“C2”) Rule 6.11(a) (same); see also Nasdaq Options Market (“NOM”) Options 3, Section 8(a)(6) (defining “Valid Width NBBO” as “the combination of all away market quotes and any combination of NOM-registered Market Maker orders and quotes received over the QUO or SQF Protocols within a specified bid/ask differential as established and published by the Exchange” and allowing the Valid Width NBBO to be “configurable by underlying, and tables with valid width differentials will be posted by Nasdaq on its website”) and MIA Rule 503(f)(2) (which permits MIA to determine by circular an acceptable range in which openings are permissible if there is no valid width national best bid or offer (“NBBO”).

- Proposed Rule 952NYP(a)(11) is identical to Arca Options Rule 6.64P–O(a)(11) and would define the term “Matched Volume” to mean the number of buy and sell contracts that can be matched at the Indicative Match Price, excluding IO Orders. The Exchange believes this proposed definition promotes granularity in Exchange rules.

- Proposed Rule 952NYP(a)(12) is identical to Arca Options Rule 6.64P–O(a)(12) and would define the term “pre-open state” to mean the period before a series is opened or reopened for trading and would provide that during the pre-open state, the Exchange would accept Auction-Only Orders, quotes, and orders designated Day or GTC, including orders ranked under the proposed category of “Priority 3—Non-Display Orders” that are not eligible to participate in an Auction.¹²⁴ This proposed text is consistent with current Rule 952NY(b), which provides that the Exchange will accept market and limit orders for inclusion in the opening auction process and would add further granularity regarding which interest would be accepted by the Exchange (even if not eligible for an Auction) prior to the opening or reopening of each option series and during which time period.

- The proposed rule would further provide that the pre-open state for the Core Open Auction would begin at 6:00 a.m. Eastern Time and would end when the Auction Processing Period begins, which is similar to current functionality, which allows order and quote entry to begin at 5:30 a.m. Eastern Time (per proposed Rule 952NYP(a)(12)(A), which is identical to Arca Options Rule 6.64P–O(a)(12)(A)). The Exchange believes that moving the start time to 6:00 a.m. Eastern Time would not materially impact the ability of ATP Holders to enter orders or quotes during the pre-open state. As further proposed (and identical to Arca Options), at the beginning of the pre-open state before the Core Open Auction, orders designated GTC that remain from the prior trading day would be included in the Consolidated Book, which is consistent with current functionality.

- The proposed rule would also provide that the pre-open state for a Trading Halt Auction would begin at the

¹²⁴ The Exchange notes that Cboe refers to a similar period as the “Queueing Period.” See Cboe Rule 5.31(b). Similar to Cboe’s Queueing Period, the proposed term of “pre-open state” means the period when the Exchange accepts orders and quotes but has not yet opened/reopened a series for continuous trading. The proposed “Auction Process,” defined above, is part of the pre-open state, but does not begin until the Exchange receives an Auction Trigger, as defined above.

beginning of the trading halt and would end when the Auction Processing Period begins (per proposed Rule 952NYP(a)(12)(B), which is identical to Arca Options Rule 6.64P–O(a)(12)(B)).

This proposed definition of a pre-open state is identical to Arca Options Rule 6.64P–O(a)(12) and is designed to distinguish the pre-open state (for a Core Open Auction or a Trading Halt Auction) from both the Auction Processing Period and the period when a given series opens for trading, thus adding granularity to Exchange rules. As noted above, this proposed definition of pre-open state would also be used in proposed Rules 928NYP, 928.1NYP, and 900.3NYP, which use is identical to how this term is used in the analogous Arca Options Rules 6.40P–O, 6.41P–O, and 6.62P–O.

- Proposed Rule 952NYP(a)(13) is identical to Arca Options Rule 6.64P–O(a)(13) and would define the term “Rotational Quote” to mean the highest Market Maker bid and lowest Market Maker offer on the Exchange when the Auction Process begins and would provide that during the Auction Process, the Exchange would update the price and size of the Rotational Quote and that such Rotational Quote can be locked or crossed. The Exchange further proposes that, if there are no Market Maker quotes, the Rotational Quote would be published with a zero price and size. The Exchange notes that, although not specified in the current rule, it currently disseminates a “rotational quote” to OPRA when it is in the process of opening or reopening a series, *i.e.*, a quote that is comprised only of Market Maker quotes and does not include orders. The Exchange proposes a difference on Pillar because currently, if the Market Maker quotes are crossed, the Exchange flips the bid and offer prices. In Pillar, the Exchange would publish a Rotational Quote with the actual bid and offer prices, even if crossed, which would provide ATP Holders with a more accurate view of whether a Rotational Quote is crossed. This proposed definition adds granularity to Exchange rules by codifying existing (albeit slightly modified) functionality.

Auction Ranking and Allocation. Proposed Rule 952NYP(b) is identical to Arca Options Rule 6.64P–O(b) insofar as it would provide that orders and quotes on the side of the Imbalance are not guaranteed to participate in the Auction but would differ in that it would address allocation (discussed below) and would provide that orders and quotes would be ranked pursuant to Rule 964NYP(c)–(g). Further, with regard to ranking (and identical to Arca

Options Rule 6.64P–O(b)), proposed Rule 952NYP(b) would provide that: (1) Limit Orders, quotes, and LOO Orders would be ranked based on their limit price and not the price at which they would participate in the Auction; (2) MOO Orders would be ranked under the proposed category of “Priority 1—Market Orders”; (3) LOO Orders would be ranked under the proposed category of “Priority 2—Display Orders”; and (4) IO Orders would be ranked based on time among IO Orders, subject to eligibility to participate at the Indicative Match Price based on their limit price.¹²⁵

In addition, proposed Rules 952NYP(b)(5)(A)–(B), would specify how eligible orders and quotes would trade in the Auction, which would be based on whether such orders and quotes are priced better than, or equal to, the Auction Price.¹²⁶ As proposed, orders and quotes priced better than the Auction Price would trade based on their ranking¹²⁷ and orders and quotes priced at the Auction Price would trade in accordance with Rule 964NYP(j),¹²⁸ provided that the participation entitlement to a Directed Order Market Maker (“DOMM”) or Specialist per Rule 964NYP(j)(4) is not available during the Auction.¹²⁹ The distinction between how better-priced and at-priced interest trades is relevant to non-Customer

interest because “at-priced” non-Customer interest would trade on a size pro rata basis, whereas “better-priced” non-Customer interest would not be subject to a pro rata allocation. The Exchange proposes to make clear that participation entitlements that may be available to a DOMM or a Specialist when the execution price is the NBBO would not be available during the Auction (*i.e.*, before an option series is open for trading on the Exchange) even though the execution price could be at the NBBO because such NBBO would not include quotes from the Exchange.¹³⁰ The Exchange believes this proposed rule change would add clarity and transparency to Exchange rules and would not interfere with the purpose of participation entitlements—which is to encourage Market Makers to quote at the NBBO during continuous trading.

This proposed rule is based in part on current Rule 952NY(b)(B), which provides that “[o]rders and quotes in the system will be matched up with one another based on price-time priority, provided, however, that orders will have priority over Market Maker quotes at the same price.” The Exchange proposes a difference in Pillar (identical to Arca Options Rule 6.64P–O(b)), that orders in the same priority category as quotes would not have priority over Market Maker quotes at the same price, which distinction is an artifact of the Exchange’s existing system limitation. Instead, the Exchange proposes that orders and Market Maker quotes in the same priority category would be ranked pursuant to Rule 964NYP, which rule is described in the American Priority Filing). In addition to mirroring the equal ranking of orders and quotes by Arca Options, this handling is also consistent with how other options markets handle orders and quotes during the opening process.¹³¹

Auction Imbalance Information. Proposed Rule 952NYP(c) is identical to Arca Options Rule 6.64P–O(c) and would provide that, unless otherwise specified by Trader Update, Auction Imbalance Information would be updated at least every second until the Auction is conducted, unless there is no change to the information and would further provide that the Exchange would begin disseminating Auction Imbalance Information at the following times: (1) Core Open Auction Imbalance

Information would begin at 8:00 a.m. Eastern Time; and (2) Trading Halt Auction Imbalance Information would begin at the beginning of the trading halt.

Auction Process. Proposed Rule 952NYP(d) is identical to Arca Options Rule 6.64P–O(d) and would set forth the Exchange’s proposed Auction Process on Pillar. Similar to current Exchange System functionality, which requires that the bid-ask differential for a given series be within an acceptable range before conducting an auction, under Pillar, a series would not be opened or reopened on a trade if there is no Legal Width Quote, which concept, as described above, incorporates (almost identical) bid-ask differentials.¹³² As described further below, the Exchange proposes that for Pillar, a series should (ideally) also have Market Maker quotes and, as such, proposes to provide time for Market Makers assigned to a series to quote within the specified bid-ask differentials, and if Market Makers do not quote within those time frames, determine whether to open or reopen a series based on the ABBO. In addition to mirroring the opening process described in Arca Options Rule 6.64P–O(d), this process is also consistent with that used on other options exchanges.¹³³

Proposed Rule 952NYP(d)(1) is identical to Arca Options Rule 6.64P–O(d)(1) and describes the process for disseminating the Rotational Quote and would provide that when the Exchange receives the Auction Trigger for a series, the Exchange would send a Rotational Quote to both OPRA and proprietary data feeds indicating that the Exchange is in the process of transitioning from a pre-open state to continuous trading for that series. This proposed rule is consistent with current functionality and is designed to promote granularity.

Proposed Rule 952NYP(d)(2) is identical to Arca Options Rule 6.64P–O(d)(2) and would provide that once a Rotational Quote has been sent, the Exchange would conduct an Auction provided there is both a Legal Width

¹²⁵ See Rule 964NYP(e) (which provides that “[a]t each price, all orders and quotes are assigned a priority category, and, within each priority category, Customer orders are ranked ahead of non-Customer. If, at a price, there are no remaining orders or quotes in a priority category, then same-priced interest in the next priority category has priority.”).

¹²⁶ For an Auction that results in a trade, the Auction Price is the price at which such Auction is conducted. See proposed Rule 952NYP(a)(4).

¹²⁷ See proposed Rule 952NYP(b)(5)(A). See also Rule 964NYP(c) (providing that “orders and quotes are ranked and maintained in the Consolidated Book according to price-time priority,” with the best-priced interest ranked first). See also Rule 964NY(b)(1)(Price Priority) (providing that “[t]he highest bid has priority over all other bids; and the lowest offer has priority over all other offers.”).

¹²⁸ This proposed allocation of orders and quotes during the Auction Process is consistent with the recently approved allocation of Electronic Complex Orders (“ECOs”) during the ECO Opening (or Reopening) Auction Process on Pillar, which occurs after each leg of a complex strategy has opened for trading. Specifically, eligible ECOs are ranked per Rule 964NYP(c)–(g) and ECOs priced better than the ECO Auction Price trade based on ranking and ECOs priced at the ECO Auction Price trade per Rule 964NYP(j). See Rule 980NYP(d)(3)(B)(iii).

¹²⁹ See proposed Rule 952NYP(b)(5)(B). See also Rules 964NYP(j) (Order Execution) (providing how orders and quotes, at each price, will be allocated against contra-side interest for option series that are open for trading) and (j)(4) (providing for fourth priority “to interest ranked Priority 2—Display Limit Orders that is eligible for the DOMM Guarantee or the Specialist Pool Guarantee, as applicable, pursuant to paragraph (h) of this Rule, provided that the execution price is the NBBO.”).

¹³⁰ Rules 964NYP(h)(1) and (h)(2) describe participation entitlements available to a DOMM or a Specialist when the execution price is the NBBO.

¹³¹ See Cboe Rule 5.31(e)(3)(i) (providing that Cboe “prioritizes orders and quotes in the following order: market orders, limit orders and quotes with prices better than the Opening Trade Price, and orders and quotes at the Opening Trade Price”).

¹³² See *supra* note 120 (describing Rule 952NY(b)(D)), which provides that the Exchange will not conduct its current Auction Process if the bid-ask differential for a series is not “within an acceptable range”.

¹³³ See, e.g., Nasdaq PHLX (“PHLX”) Section 8(d), Options Opening Process (providing that the Opening Process begins when (a) a “valid width” (*i.e.*, a bid/ask differential that is compliant with PHLX Rule 1014(c)(i)(A)(1)(a)) specialist quote is submitted, (b) valid width quotes from at least two PHLX market participants have been submitted within 30 seconds of the opening trade or quote in the underlying security from the primary exchange, or (c) after 30 seconds of the opening trade or quote in the underlying security from the primary exchange, one PHLX market participant has submitted a valid width quote).

Quote and, if applicable, a Market Maker quote with a non-zero offer in the series (which would be subject to the proposed requirements relating to Market Maker quotes, including the proposed new Opening MMQ Timer(s), as discussed further below per proposed Rule 952NYP(d)(3)). The proposed rule would further provide that the Exchange would wait a minimum of two milliseconds after disseminating the Rotational Quote before an Auction could be conducted, which delay would be new and is designed to enhance market quality by promoting price-forming displayed liquidity to the benefit of all market participants. Because the Rotational Quote is intended to provide notice that the Exchange will begin transitioning from a pre-open state, the Exchange believes this short delay will provide market participants with an opportunity to participate in the Auction Process. This proposed rule text is designed to provide transparency and determinism in Exchange rules regarding the earliest potential time that a series could be opened (after the Exchange receives an Auction Trigger), and subject to the series meeting all other requirements for opening or reopening discussed herein.

Subject to the requirements specified in proposed Rule 952NYP(d)(2), proposed Rule 952NYP(d)(2)(A) (which is identical to Arca Options Rule 6.64P–O(d)(2)(A)) and would provide that if there is Matched Volume that can trade at or within the Auction Collars, the Auction would result in a trade at the Indicative Match Price, except as specified in proposed Rule 952NYP(d)(4) below. Proposed Rule 952NYP(d)(2)(B) is identical to Arca Options Rule 6.64P–O(d)(2)(B) and would provide that if there is no Matched Volume that can trade at or within the Auction Collars, the Auction would not result in a trade and the Exchange would transition to continuous trading as described in proposed Rule 952NYP(f) (below) and the Auction would result in a quote. This proposed rule is designed to provide transparency of when an Auction would result in a trade.

Proposed Rule 952NYP(d)(3) is identical to Arca Options Rule 6.64P–O(d)(3) and would specify the parameters of the Opening MMQ Timers, which are designed to encourage (but would not require) Market Makers to submit Legal-Width Quotes in connection with the automated opening or reopening of a series. On the Exchange System, the Exchange does not impose on Market Makers assigned to a series any special obligations in connection with the

opening process. On Pillar, the Exchange will likewise not impose on such Market Makers any additional obligations at the open.¹³⁴ The Exchange believes that, rather than layer additional requirements on the Market Making community, it would be more beneficial to all market participants to employ alternative methods to help ensure an orderly transition to continuous trading. As such, the Exchange believes that the proposed so-called “waterfall” approach to opening, which is identical to the process utilized on Arca Options, would offer a number of checks that are intended to provide adequate opportunity for a greater number of Market Makers to provide their liquidity interest and help ensure increased liquidity at a level commensurate with which the market is accustomed during continuous trading on the Exchange. In short, although the Exchange does not require a Market Maker assigned to a series to quote on the Exchange in order to open or reopen a series for trading, the Exchange believes that providing Market Makers assigned to a series the opportunity to do so would promote a fair and orderly Auction process and facilitate a fair and orderly transition to continuous trading.¹³⁵ Accordingly, the Exchange proposes to mirror the auction process set forth in Arca Options Rule 6.64P–O and provide time for Market Makers assigned to a series to quote within the specified bid-ask differentials before a series would be opened or reopened for trading.

Overall, the Exchange believes that the proposed waterfall approach of setting minimum time periods for a Market Maker assigned to a series to quote within the specified bid-ask differential before opening a series, even if there is a Legal Width Quote, would appropriately balance the benefits of increasing the opportunities for Market Makers assigned to a series to enter quotations within the specified bid-ask differential, with a timely series opening or reopening when there is a Legal Width Quote even when it does not include Market Makers assigned to the series.

¹³⁴ Although the Exchange does not require that Market Makers assigned to a series quote at the open, once a series is opened for trading, Market Makers are nonetheless required to continuously fulfill their obligations to engage in a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market.

¹³⁵ Currently, neither Market Makers nor Specialists are obligated to provide a quote before a series is opened or reopened, which is why the proposed Pillar options Auction rule is designed to provide Market Makers with time to submit their quotes so a series can be opened.

In addition, the Exchange proposes to expand opportunities for its designated liquidity providers—*i.e.*, Market Makers—to enter the market. As described in more detail below (and identical to Arca Options Rule 6.64P–O(d)(3)), the Exchange proposes different time lengths depending on the number of Market Makers assigned to a series. For example, if there are no Market Makers assigned to a series, there is no need to wait to open or reopen a series if there is a Legal Width Quote based upon the disseminated ABBO. If there is one Market Maker assigned to the series, the Exchange will delay opening (even if there is a Legal Width Quote based upon the ABBO) to give the Market Maker additional opportunity to provide liquidity. Furthermore, if there is more than one Market Maker assigned to a series, the Exchange designates longer periods to provide time for multiple Market Makers assigned to the series the chance to quote within the specified bid-ask differentials. The Exchange believes that providing additional opportunity for its liquidity providers to enter the market would result in deeper liquidity—which market participants have come to expect in options with multiple assigned Market Makers, and a more stable trading environment.

The Exchange does not believe that the proposed waterfall approach would result in an undue burden on competition. As is the case per Arca Options Rule 6.64P–O, Market Makers are encouraged but not required to quote in their assigned series at the open, thus they are not subject to additional obligations. The Exchange believes that encouraging, rather than requiring, participation of such Market Makers at the open, may increase the availability of Legal Width Quotes in more series, thereby allowing more series to open. Improving the validity of the opening price benefits all market participants and benefits the reputation of the Exchange as being a venue that provides accurate price discovery.

As part of the Auction Process, which is identical to the process used on Arca Options, the Exchange proposes to utilize “Opening MMQ Timers,” each of which would last for an Exchange-determined period, the duration of which would be announced by Trader Update. As proposed, once the Auction Process begins, the Exchange would begin one or more Opening MMQ Timers for the Market Maker(s) assigned to a series to (opt to) submit a quote with a non-zero offer.¹³⁶ The proposed

¹³⁶ A Market Maker may send quotations only in the issues included in its appointment, *i.e.*, in series

rules describing Opening MMQ Timers are identical to Arca Options Rule 6.64P–O(d)(3)(A)–(C) and are designed to provide transparency in Exchange rules of the circumstances of when the Exchange would wait to open or reopen a series for trading if the assigned Market Maker(s) has not submitted a quote within the specified time periods, as follows:

- Proposed Rule 952NYP(d)(3)(A) is identical to Arca Options Rule 6.64P–O(d)(3)(A) and would provide that if there are no Market Makers assigned to a series, the Exchange would conduct an Auction in that series based solely on a Legal Width Quote, without waiting for the Opening MMQ Timer to end. As set forth in proposed Rules 952NYP(d)(2)(A) and (B) (which are identical to Arca Options Rules 6.64P–O(d)(2)(A) and (B)), if there is Matched Volume, this Auction would result in a trade, otherwise, the series would transition to continuous trading as described in proposed Rule 952NYP(f) below.

- Proposed Rule 952NYP(d)(3)(B) is identical to Arca Options Rule 6.64P–O(d)(3)(B) and would provide that if there is only one Market Maker assigned to a series:

- The Exchange would conduct the Auction, without waiting for the Opening MMQ Timer to end, as soon as there is both a Legal Width Quote and the assigned Market Maker has submitted a quote with a non-zero offer (proposed Rule 952NYP(d)(3)(B)(i), which is identical to Arca Options Rule 6.64P–O(d)(3)(B)(i)). As set forth in proposed Rules 952NYP(d)(2)(A) and (B), if there is Matched Volume, this Auction would result in a trade, otherwise, the series would transition to continuous trading as described in proposed Rule 952NYP(f) below.

- If the Market Maker assigned to the series has not submitted a quote with a non-zero offer by the end of the Opening MMQ Timer and there is a Legal Width Quote, the Exchange would conduct the Auction (proposed Rule 952NYP(d)(3)(B)(ii), which is identical to Arca Options Rule 6.64P–O(d)(3)(B)(ii)). As set forth in proposed Rules 952NYP(d)(2)(A) and (B), if there is Matched Volume, this Auction would result in a trade, otherwise, the series would transition to continuous trading as described in proposed Rule 952NYP(f) below.

- Proposed Rule 952NYP(d)(3)(C) is identical to Arca Options Rule 6.64P–O(d)(3)(C) and would provide that if there are two or more Market Makers assigned to a series:

- The Exchange would conduct the Auction, without waiting for the Opening MMQ Timer to end, as soon as there is both a Legal Width Quote and at least two quotes with a non-zero offer have been submitted by assigned Market Maker(s) (proposed Rule 952NYP(d)(3)(C)(i), which is identical to Arca Options Rule 6.64P–O(d)(3)(C)(i)). As set forth in proposed Rules 952NYP(d)(2)(A) and (B), if there is Matched Volume, this Auction would result in a trade; otherwise, the series would transition to continuous trading as described in proposed Rule 952NYP(f) below.

- If the Exchange has not received at least two quotes with a non-zero offer from any Market Maker(s) assigned to a series by the end of the Opening MMQ Timer, the Exchange would begin a second Opening MMQ Timer (of the same length) and during the second Opening MMQ Timer, the Exchange would conduct the Auction, without waiting for the second Opening MMQ Timer to end, if there is both a Legal Width Quote and at least one Market Maker assigned to the series has submitted a quote with a non-zero offer (proposed Rule 952NYP(d)(3)(C)(ii), which is identical to Arca Options Rule 6.64P–O(d)(3)(C)(ii)). In such case, the Exchange would not wait for the second Opening MMQ Timer to end. Because the Exchange does not require a Market Maker assigned to a series to quote before conducting an Auction, to reduce the potential delay in opening or reopening a series, the Exchange believes that during the second Opening MMQ Timer, it is appropriate to wait for only one Market Maker to quote. As set forth in proposed Rules 952NYP(d)(2)(A) and (B), if there is Matched Volume, this Auction would result in a trade; otherwise, the series would transition to continuous trading as described in proposed Rule 952NYP(f) below.

- If no Market Maker assigned to a series has submitted a quote with a non-zero offer by the end of the second Opening MMQ Timer and there is a Legal Width Quote, the Exchange would conduct the Auction (proposed Rule 952NYP(d)(3)(C)(iii), which is identical to Arca Options Rule 6.64P–O(d)(3)(C)(iii)). As set forth in proposed Rules 952NYP(d)(2)(A) and (B), if there is Matched Volume, this Auction would result in a trade, otherwise, the series would transition to continuous trading

as described in proposed Rule 952NYP(f) below.

As noted above, the proposed Auction Process is designed to attract the highest quality quote for each series at the open to attract order flow to the Auction. As such, the Exchange believes it is reasonable to require more than one Opening MMQ Timer (with a maximum run time of one minute—30 seconds × 2) to run when there are at least two Market Makers because it allows the Exchange time to attract the best quote from these market participants, which in turn should attract order flow to the Exchange at the open (*i.e.*, the Exchange can leverage the highest bid and lowest offer from the various Market Makers that submit quotes). The Exchange believes that if a Legal Width Quote is not obtained in the first 30-second Opening MMQ Timer, it is to the benefit of all market participants to begin a second Opening MMQ Timer to allow the bid-ask differential to tighten before a series is opened. The Exchange also believes that the process described in proposed Rule 952NYP(d)(3) (which is identical to Arca Options Rule 6.64P–O(d)(3)) would continue to encourage Market Makers to participate at the open, which may increase the availability of Legal Width Quotes in more series, thereby allowing more series to open in a timely manner. The Exchange believes that expanding the opportunities for each Market Maker to enter the market—whether by each Market Maker submitting one quote or a single Market Maker submitting two quotes—could result in the depth of liquidity that market participants have come to expect in options with multiple assigned Market Makers, and a more stable trading environment. The Exchange also believes the proposed rule would provide more flexibility in terms of how market depth is achieved (*i.e.*, based on quotes from a single Market Maker as opposed to two) and may result in a more timely and efficient opening process.

Proposed Rule 952NYP(d)(4) is identical to Arca Options Rule 6.64P–O(d)(4) and would provide that, for any option series that has not opened by the end of the initial Auction Process time period because the Calculated NBBO is wider than the Legal Width Quote, if the Calculated NBBO is not crossed and does not contain a zero offer, the Exchange would transition to continuous trading as described in proposed Rule 952NYP(f) below, after it first cancels Market Orders, MOO Orders, and Limit Orders to buy (sell) priced equal to or higher (lower) than the Indicative Match Price. In such case, the Auction Process is not intended to

to which such Market Maker is assigned. See proposed Rule 925.1NYP(a). See also proposed Rules 925.1NYP(b) and (c) (setting forth continuous quoting obligations of Specialists and Market Makers, respectively, which obligations are identical to those set forth in Rule 925NY(b) and (c)).

end with a trade, but it may result in a trade even if there is no Legal Width Quote if orders or quotes arrive during the period when the Exchange is evaluating the status of orders and quotes.

The Exchange proposes functionality for Pillar that is identical to Arca Options Rule 6.64P–O(d)(4) to allow the Exchange to open a series without a trade, *i.e.*, transition to continuous trading as described in proposed Rule 952NYP(f), when there is a Calculated NBBO that is wider than the Legal Width Quote (a “wide Calculated NBBO”). Specifically, proposed Rule 952NYP(d)(4) would provide that if the Calculated NBBO is not crossed and does not contain a zero offer, the Exchange would transition to continuous trading as described below in paragraph (f) of this Rule (as described below, a trade could occur during the transition to continuous trading, but there would not be a trade resulting from Matched Volume in the Auction), after first cancelling Market Orders, MOO Orders, and Limit Orders to buy (sell) priced equal to or higher (lower) than the Indicative Match Price. The Exchange believes that the cancellation of Market Orders and MOO Orders before opening a series would continue to protect Market Orders and MOO Orders from being executed at unintended prices before transitioning to continuous trading, per proposed paragraph (f) of the Pillar Rule when there is a wide Calculated NBBO. The Exchange also believes that cancelling Limit Orders to buy (sell) priced equal to or higher (lower) than the Indicative Match Price when the Calculated NBBO is wider than the Legal Width Quote would allow the Exchange to help ensure that potentially executable Limit Orders would be cancelled rather than execute at potentially extreme prices before the Exchange transitions to continuous trading. As further proposed, in such case, the Auction would not be intended to end with a trade, but it may result in a trade (even if there is no Legal Width Quote) if orders or quotes arrive when the Exchange is evaluating the status of orders and quotes, but before the Auction Processing Period begins.¹³⁷

¹³⁷ The Exchange expects this to be a rare race condition that would result when the Exchange receives orders and quotes at virtually the same time that it is evaluating whether it can open a series on a quote based on a wide Calculated NBBO (and before the Auction Processing Period begins) and that, as a result of that race condition, those new orders or quotes are marketable against contra-side interest, *i.e.*, results in Matched Volume for the Auction, at the same time that the Exchange concludes, based on interest that had previously been received, that it can proceed with an Auction

The Exchange believes this proposed rule would facilitate the opening or reopening of a series so that it can begin continuous trading when there is a Calculated NBBO in a series that is wider than the Legal Width Quote and is not crossed and does not contain a zero offer.¹³⁸

Proposed Rule 952NYP(d)(5) is identical to Arca Options Rule 6.64P–O(d)(5) and would provide that the Exchange may deviate from the standard manner of the Auction Process, including adjusting the timing of the Auction Process in any option series or opening or reopening a series when there is no Legal Width Quote, when it believes it is necessary in the interests of a fair and orderly market. This proposed rule is based on Rule 952NY(b)(F) and, consistent with current functionality, is designed to provide the Exchange with flexibility to open a series even if there is no Legal Width Quote.¹³⁹ For example, a Floor Broker may have a two-sided open outcry order. If the series is not opened, that trade could not be consummated. Accordingly, this proposed rule would allow the Exchange to open a series for trading to facilitate open outcry trading.

Order Processing during an Auction Processing Period. Proposed Rule 952NYP(e) is identical to Arca Options Rule 6.64P–O(e) and would set forth how orders and quotes are processed during the Auction Processing Period. As described above, and identical to Arca Options, the Auction Processing Period is the abbreviated time period (*i.e.*, generally measured in less than a second) when the Exchange conducts the Auction and therefore transitions a series from a pre-open state to continuous trading. For example, if there is a Legal Width Quote, Market Maker quotes, and Matched Volume, the Auction Processing Period is when that Matched Volume will trade at the Indicative Match Price. As is the case per Arca Options Rule 6.64P–O(e), new orders and quotes received during the Auction Processing Period would not be eligible to participate in that Auction trade. The proposed rule promotes granularity and transparency of how orders and quotes that arrive during the

in the absence of a Legal Width Quote. In such case, the Auction could result in a trade.

¹³⁸ Such opening is also similar to Cboe’s “Forced Opening” process because it allows a series to open without a trade after a specified time period when the market is wider than the specified bid-ask differentials. See Cboe Rule 5.31(e)(4).

¹³⁹ See Rule 952NY(b)(F) (providing that “[t]he Exchange may deviate from the standard manner of the Auction Process, including adjusting the timing of the Auction Process in any option class, when it believes it is necessary in the interests of a fair and orderly market”).

Auction Processing Period would be processed.

As with Arca Options Rule 6.64P–O(e), for purposes of proposed Rules 952NYP(e) and (f), an “order instruction” would likewise refer to a request to cancel, cancel and replace, or modify an order or quote. As further proposed, during the Auction Processing Period, the Exchange will reject new quotes and, if the Exchange receives order instructions for existing quotes, the Exchange will cancel any same-side quotes sent from the same order/quote entry port of that Market Maker. The Exchange believes that this proposed treatment (which is identical to the treatment of same-side quotes on Arca Options) would allow for more deterministic handling of order instructions for quotes and, by cancelling any same-side quotes of a Market Maker, the Exchange would eliminate potentially unexpected exposure (or executions) for that Market Maker.

In addition, and identical with Arca Options, during the Auction Processing Period, new orders will be accepted but will not be processed until after the Auction Processing Period and order instructions for existing orders¹⁴⁰ would be processed as follows:

- An order instruction that arrives during the Auction Processing Period would not be processed until after the Auction Processing Period if it relates to an order that was received before the Auction Processing Period. Any subsequent order instructions relating to such order would be rejected when a prior order instruction is pending (proposed Rule 952NYP(e)(1), which is identical to Arca Options Rule 6.64P–O(e)(1)).
- An order instruction that arrives during the Auction Processing Period would be processed on arrival if it relates to an order that was received during the Auction Processing Period (proposed Rule 952NYP(e)(2), which is identical to Arca Options Rule 6.64P–O(e)(2)).

Transition to Continuous Trading. Proposed Rule 952NYP(f) is identical to Arca Options Rule 6.64P–O(f) and would describe the transition to continuous trading. After the Auction Processing Period concludes, *i.e.*, once the Auction concludes either with or without a trade, the Exchange transitions to continuous trading. During this transition, the way in which

¹⁴⁰ As noted in proposed Rule 952NYP(e), the Exchange will not accept order instructions related to quotes during the Auction Processing Period and therefore proposed paragraphs (e)(1) and (e)(2) to this proposed Rule only refers to orders and does not include reference to quotes.

orders, quotes, and order instructions are processed would differ depending on when such messages arrived at the Exchange. As with Arca Options, proposed Rule 952NYP(f) would describe how the Exchange would transition to continuous trading after the Auction Processing Period concludes. The Exchange believes that the proposed rule provides granularity regarding how orders and quotes would be processed in connection with the transition to continuous trading for options trading and is also consistent with the rules of other options exchanges.¹⁴¹ As proposed, the transition to continuous trading would proceed as follows.

Proposed Rule 952NYP(f)(1) is identical to Arca Options Rule 6.64P–O(f)(1) and would provide that orders that are no longer eligible to trade would be cancelled. For options trading, the only orders that would no longer be eligible to trade after the Auction Processing Period concludes would be Auction-Only Orders and such orders would cancel at the end of the Auction Processing Period.

Proposed Rule 952NYP(f)(2) is identical to Arca Options Rule 6.64P–O(f)(2) and would provide that, during the transition to continuous trading, the Exchange will reject new quotes and, if the Exchange receives order instructions for existing quotes, the Exchange will cancel any same-side quotes sent from the same order/quote entry port of that Market Maker (for the same reasons as described above in connection with proposed Rule 952NYP(e), and order instructions would be processed as follows:

- An order instruction that relates to an order that was received before the Auction Processing Period or that has already transitioned to continuous trading and that arrives during either the transition to continuous trading or the Auction Processing Period would be processed in time sequence with the processing of orders and quotes as specified in paragraphs (f)(3)(A) or (B) of this Rule. In addition, any subsequent order instructions relating to such order would be rejected when a prior order instruction is pending (proposed Rule 952NYP(f)(2)(A)), which is identical to Arca Options Rule 6.64P–O(f)(2)(A)). This proposed rule text provides transparency regarding how order instructions that arrived during the Auction Processing Period would be processed if they relate to orders that

were received before the Auction Processing Period.¹⁴²

- An order instruction that arrives during the transition to continuous trading would be processed on arrival if it relates to an order that was entered during either the Auction Processing Period or the transition to continuous trading and such order has not yet transitioned to continuous trading (proposed Rule 952NYP(f)(2)(B), which is identical to Arca Options Rule 6.64P–O(f)(2)(B)).

Proposed Rule 952NYP(f)(3) is identical to Arca Options Rule 6.64P–O(f)(3) and would set forth how orders and quotes would be processed during the transition to continuous trading following an Auction. The proposed process for transitioning to continuous trading is consistent with current functionality (with differences described below) relating to draining the queue of unexecuted orders and quotes following the current Auction Process. The proposed rule text provides more granularity regarding this process than is set forth in the current Rule. Specifically, the Exchange proposes that it would process Auction-eligible orders and quotes that were received before the Auction Processing Period and orders ranked under the proposed category of “Priority 3—Non-Display Orders” (which interest was not eligible to participate in an Auction) received before a trading halt as follows (proposed Rule 952NYP(f)(3)(A), which is identical to Arca Options Rule 6.64P–O(f)(3)(A)):

- Proposed Rule 952NYP(f)(3)(A)(i) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(i) and would provide that Limit Orders and quotes would be subject to the Limit Order Price Protection, Arbitrage Check, and Intrinsic Value Check, as applicable. This proposed rule differs from current functionality, whereby risk checks are applied before an Auction. This proposed rule text is consistent with the proposed rule changes, described above, regarding when the Limit Order Price Check, Arbitrage Check, and Intrinsic Value Check (per proposed Rules 900.3NYP(a)(3) and 928.1NYP, respectively) would be applied to orders and quotes that were received during a pre-open state and is based on Arca Options Rule 6.64P–O(f)(3)(A)(i). The Exchange proposes to apply these checks to orders and quotes before they become eligible for trading or routing during continuous trading.

- Proposed Rule 952NYP(f)(3)(A)(ii) is identical to Arca Options Rule 6.64P–

O(f)(3)(A)(ii) and would provide that Limit Orders and Market Orders would be assigned a Trading Collar. This proposed rule is based on Arca Options Rule 6.64P–O(f)(3)(A)(ii) and is consistent with the proposed changes to Trading Collars on Pillar, described above (per Rule 900.3NYP(a)(4)), that an order received during a pre-open state would be assigned a Trading Collar after an Auction concludes, or that an order would be reassigned a Trading Collar after a halt.

- Proposed Rule 952NYP(f)(3)(A)(iii) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(iii) and would provide that orders eligible to route that are marketable against Away Market Protected Quotations would route based on the ranking of such orders as set forth in Rule 964NY(c). This proposed rule is consistent with current functionality and uses Pillar terminology based on Arca Options Rule 6.64P–O(f)(3)(A)(iii).¹⁴³ As with current functionality, routable orders would be routed to Away Markets to avoid either trading through or locking or crossing an Away Market Protected Quotation.

- Proposed Rule 952NYP(f)(3)(A)(iv) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(iv) and would provide that after routing eligible orders, orders and quotes not eligible to route that are marketable against Away Market Protected Quotations would cancel. This functionality and proposed rule are based on Arca Options Rule 6.64P–O(f)(3)(A)(iv). By cancelling non-routable orders and quotes marketable against Away Market Protected Quotations, the Exchange would avoid locking or crossing such Away Market Protected Quotations.

- Proposed Rule 952NYP(f)(3)(A)(v) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(v) and would provide that once there are no more unexecuted orders marketable against Away Market Protected Quotations, orders and quotes that are marketable against other orders and quotes in the Consolidated Book would trade or be repriced. This proposed rule is based on Arca Options Rule 6.64P–O(f)(3)(A)(v). The Exchange further notes that the Exchange could transition to continuous trading without the Auction resulting in a trade, but that a trade(s) may occur during the transition to continuous trading, which trade(s) would be published to OPRA before the Exchange publishes a quote

¹⁴¹ See, e.g., Cboe Rule 5.31(f) (describing Cboe's process for orders and quotes not executed in its opening process).

¹⁴² See *id.* (unexecuted orders and quotes will be entered into the Cboe book in time sequence).

¹⁴³ See *supra* note 61 (citing definitions of “Protected Bid,” “Protected Offer,” and “Quotation” set forth in Rules 990NY(15) and (16) and of “Away Market” as set forth in Rule 900.2NY).

to OPRA.¹⁴⁴ The Exchange would not consider a trade that occurs during the transition to continuous trading to be an Auction that results in a trade.¹⁴⁵

- Proposed Rule 952NYP(f)(3)(A)(vi) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(i) and would provide that Market Orders received during a pre-open state would be subject to the validation specified in proposed Rule 900.3NYP(a)(1)(C). The Exchange notes that because such Market Orders would already have been received by the Exchange, if such orders fail one of those validations, they would be cancelled instead of rejected. This rule text would add transparency and granularity to Exchange rules.

- Proposed Rule 952NYP(f)(3)(A)(vii) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(vii) and would provide that the display quantity of Reserve Orders would be replenished. This proposed rule is based on current functionality and provides granularity in Exchange rules.

- Proposed Rule 952NYP(f)(3)(A)(viii) is identical to Arca Options Rule 6.64P–O(f)(3)(A)(viii) and would describe the last step in this process regarding Auction-eligible interest received before the Auction Processing Period. Specifically, the Exchange would send a quote to OPRA and proprietary data feeds representing the highest-priced bid and lowest-priced offer of any remaining, unexecuted Auction-eligible orders and quotes that were received before the Auction Processing Period. This proposed rule is consistent with current options functionality. The Exchange notes that this quote sent to OPRA would be different than the Rotational Quote sent at the beginning of the Auction Process because it could be comprised of both orders and quotes. At a high level, this represents current functionality because after a series opens, the Exchange disseminates its best bid and offer of its quotes and orders to OPRA.

Proposed Rule 952NYP(f)(3)(B) is identical to Arca Options Rule 6.64P–O(f)(3)(B) and would provide that next,

orders ranked under the proposed category of “Priority 3—Non-Display Orders” that were received during a pre-open state would be assigned a new working time, in time sequence relative to one another based on original entry time, and would be subject to the Limit Order Price Check, Arbitrage Check, and Intrinsic Value Check, as applicable, and if not cancelled, would be traded or repriced. Even though orders ranked Priority 3—Non-Display Orders would not be eligible to trade in an Auction (other than the reserve interest of Reserve Orders), the Exchange proposes to accept such orders during a pre-open state. These orders would transition to continuous trading after any unexecuted Auction-eligible interest transitions to continuous trading, as described above in proposed Rules 952NYP(f)(3)(A)(i)–(viii), which as stated above are identical to Arca Options Rules 6.64P–O(f)(3)(A)(i)–(viii). The Exchange believes that waiting to process non-displayed orders in this sequence would ensure that there is an NBBO against which such orders could be priced, as described in proposed Rule 900.3NYP(d) (regarding Orders with a Conditional or Undisplayed Price and/or Size) above.

Proposed Rule 952NYP(f)(3)(C) is identical to Arca Options Rule 6.64P–O(f)(3)(B) and would provide that next, orders and quotes that were received during the Auction Processing Period would be assigned a new working time in time sequence relative to one another, based on original entry time and would be subject to the Limit Order Price Protection, Pre-Trade Risk Controls, Arbitrage Check, Intrinsic Value Check, and validations specified in proposed Rule 900.3NYP(a)(1)(A), as applicable to certain Market Orders, and if not cancelled would be processed consistent with the terms of the order. This proposed rule text is designed to reflect that orders received during the Auction Processing Period would not be subjected to these price/risk validations until after the Exchange has transitioned to continuous trading, and that if such interest fails these validations, those orders would be cancelled instead of rejected.

Proposed Rule 952NYP(f)(3)(D) is identical to Arca Options Rule 6.64P–O(f)(3)(D) and would further provide that when transitioning to continuous trading:

- The display price and working price of orders and quotes would be adjusted based on the ABBO, as provided for in proposed Rule 900.3NYP (proposed Rule 952NYP(f)(3)(D)(i)), which is the same as Arca Options Rule 6.64P–

O(f)(3)(D)(i), except that it does not include reference to contra-side interest in the Consolidated Book in relation to adjustments to price because, unlike Arca Options, the Exchange does not offer ALO Orders, which non-routable order types are priced based solely on local interest in the Consolidated Book. The Exchange believes this difference is immaterial because the omitted text relates to functionality that applies to an order type (*i.e.*, ALO Orders) that the Exchange does not propose to offer on Pillar and therefore has no bearing on the proposed functionality.

- The display price and working price of a Day ISO would be adjusted in the same manner as a Non-Routable Limit Order until the Day ISO is either traded in full or displayed at its limit price, as provided in proposed Rule 952NYP(f)(3)(D)(ii), which is the same as Arca Options Rule 6.64P–O(f)(3)(D)(ii), except that it does not include reference to Day ISO ALO Orders because the Exchange does not propose to offer this order type on Pillar. The Exchange believes this difference is immaterial because the omitted text relates to an order type (*i.e.*, DAY ISO ALO Orders) that the Exchange does not propose to offer on Pillar and therefore has no bearing on the proposed functionality.

Proposed Rule 952NYP(g) is identical to Arca Options Rule 6.64P–O(g) and would describe order processing during a trading halt. The proposed rule is designed to provide granularity in Exchange rules about how new and existing orders, quotes, and order instructions would be processed during a trading halt. As proposed, the Exchange would process new and existing orders and quotes in a series during a trading halt as follows:

- Cancel any unexecuted quantity of orders for which the 500-millisecond Trading Collar timer has started and all resting Market Maker quotes (proposed Rule 952NYP(g)(1), which is identical to Arca Options Rule 6.64P–O(g)(1)). As is the case on Arca Options, the Exchange proposes to cancel resting Market Maker quotes when a trading halt is triggered, which represents current functionality, and as noted below, would accept new Market Maker quotes during a trading halt, which would be the basis for the Rotational Quote that would be published for a Trading Halt Auction. In addition, and identical to functionality on Arca Options, the Exchange also proposes to cancel any unexecuted quantity of orders for which the 500-millisecond Trading Collar has started because such timer would have ended during a trading halt, and therefore such

¹⁴⁴ For example, the Exchange may determine that, as described in proposed Rule 952NYP(d)(4)(A), if there is a Calculated NBBO that meets the requirements specified in that Rule, it can conduct an Auction without a trade and transition to continuous trading pursuant to proposed Rule 952NYP(f). In such case, there would not be an Auction that results in a trade, but a trade(s) could occur among orders and quotes that trade during the transition to continuous trading.

¹⁴⁵ OPRA does not distinguish between a trade that results from an opening auction and a trade that occurs during the transition to continuous trading. By contrast, the Exchange's proprietary data feed would distinguish a trade that resulted from an Auction from a trade that occurred during the transition to continuous trading.

orders were subject to cancellation already.

- Re-price all other resting orders on the Consolidated Book to their limit price (proposed Rule 952NYP(g)(2)), which is identical to Arca Options Rule 6.64P–O(g)(2), except that it does not include reference to ALO Orders or Day ISO ALO Orders, which (as described herein) will not be offered on Pillar. The Exchange believes this difference is immaterial because the omitted text refers to order types/modifiers that the Exchange does not propose to offer on Pillar and therefore has no bearing on the proposed functionality. This proposed repricing of certain resting orders would be new functionality for options trading on the Exchange; currently, during a halt, resting orders do not reprice to their limit price. The proposed repricing of a Non-Routable Limit Order to its limit price during a trading halt would not be counted toward the (limited) number of times such order may be repriced, and any subsequent repricing of such order during the transition to continuous trading would be permitted as the additional (uncounted) repricing event as provided for in proposed Rule 900.3NYP(e)(1)(B). As described above, and also identical to handling of resting orders on Arca Options, once resting, a Non-Routable Limit Order that was repriced on arrival is eligible to be repriced only one additional time. This proposed rule, which mirrors Arca Options, provides transparency that the repricing of such orders to their limit price during a trading halt would not count towards that “one” additional repricing, but that any subsequent repricing after the Auction concludes would count.

- Accept and process all cancellations (proposed Rule 952NYP(g)(3), which is identical to Arca Options Rule 6.64P–O(g)(3)). This proposed rule is consistent with current functionality.

- Reject incoming Limit Orders designated IOC or FOK (proposed Rule 952NYP(g)(4), which is identical to Arca Options Rule 6.64P–O(g)(4)). This proposed rule is consistent with current functionality.

- Accept all other incoming order and quote messages and instructions until the Auction Processing Period for the Trading Halt Auction ends, at which point, paragraph (e) of proposed Rule 952NYP would govern the entry of incoming orders, quotes, and order instructions (proposed Rule 952NYP(g)(5), which is identical to Arca Options Rule 6.64P–O(g)(5)).

- Disseminate a zero bid and zero offer quote to OPRA and proprietary

data feeds (proposed Rule 952NYP(g)(6), which is identical to Arca Options Rule 6.64P–O(g)(6)) and is designed to promote clarity and transparency in Exchange rules that when a trading halt begins, the Exchange will “zero” out the Exchange’s BBO.

Finally, proposed Rule 952NYP(h) is identical to Arca Options Rule 6.64P–O(h) and would provide that whenever, in the judgment of the Exchange, the interests of a fair and orderly market so require, the Exchange may adjust the timing of or suspend the Auctions set forth in this Rule with prior notice to ATP Holders.

In connection with proposed Rule 952NYP, the Exchange proposes to add the following preamble to Rule 952NY: “This Rule is not applicable to trading on Pillar.” This proposed preamble is designed to promote clarity and transparency in Exchange rules that Rule 952NY would not be applicable to trading on Pillar.

* * * * *

As discussed above, because of the technology changes associated with the migration to the Pillar trading platform, notwithstanding the timing of the effectiveness of this proposed rule change, the Exchange will announce by Trader Update when rules with a “P” modifier will become operative and for which symbols. The Exchange believes that keeping existing rules on the rulebook pending the full migration of Pillar will reduce confusion because it will ensure that the rules governing trading on the Exchange System will continue to be available pending the full migration to Pillar.

Implementation

As noted immediately above, the Exchange will not implement the “P” rules proposed herein until all other Pillar-related rule filings (*i.e.*, proposed rules with a “P” modifier) are approved or operative, as applicable, and the Exchange announces the migration of underlying symbols to Pillar by Trader Update.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the “Act”),¹⁴⁶ in general, and furthers the objectives of Section 6(b)(5),¹⁴⁷ in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating

transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest. The Exchange believes that the proposed rules to support Pillar would remove impediments to and perfect the mechanism of a free and open market and a national market system because the proposed rules would promote transparency in Exchange rules by using consistent terminology governing trading on both the Exchange’s cash equity and options trading platforms, thereby ensuring that members, regulators, and the public can more easily navigate the Exchange’s rulebook and better understand how options trading is conducted on the Exchange.

Generally, the Exchange believes that adding new rules with the modifier “P” to denote those rules that would be operative for the Pillar trading platform would remove impediments to and perfect the mechanism of a free and open market and a national market system by providing transparency of which rules would govern trading once a symbol has been migrated to the Pillar platform. The Exchange similarly believes that adding a preamble to those current rules that would not be applicable to trading on Pillar would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would promote transparency regarding which rules would govern trading on the Exchange during and after the transition to Pillar.

In addition, the Exchange believes that incorporating Pillar functionality currently available on Arca Options would remove impediments to and perfect the mechanism of a free and open market and a national market system because the Exchange would be able to offer consistent functionality with its affiliated options market. Accordingly, with the transition to Pillar, the Exchange will be able to offer additional features to its ATP Holders that are currently available on Arca Options. For similar reasons, the Exchange believes that using the same Pillar terminology for the proposed new rules as used on Arca Options would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would promote consistency in trading rules across the affiliated options exchanges. The Exchange believes this proposed harmonization of functionality and rules across the affiliated options exchanges would foster greater

¹⁴⁶ 15 U.S.C. 78f(b).

¹⁴⁷ 15 U.S.C. 78f(b)(5).

uniformity and less burdensome and more efficient regulatory compliance.

Given that the proposed rules for trading options on Pillar are identical to the Pillar trading rules on Arca Options, unless otherwise specified herein, the Exchange believes that the proposed rules changes are not novel and do not raise issues not previously considered by the Commission.

Orders and Modifiers

The Exchange believes that proposed new Rule 900.3NYP, which is identical to Arca Options Rule 6.62P-O unless otherwise specified herein, would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would use existing Pillar terminology based on Arca Options rules to describe the order types and modifiers that would be available on the Exchange's options Pillar trading system. As noted above, the Exchange proposes to offer order types and modifiers that are either based on existing order types available on the Exchange System as described in Rule 900.3NY, or orders and modifiers currently available for options trading on Pillar on Arca Options. The Exchange believes that structuring proposed Rule 900.3NYP to mirror the structure of Arca Options Rule 6.62P-O would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would promote transparency and consistency between the Exchange's rulebook and the rules of its affiliated options exchange.

In addition to the terminology changes to describe the order types and modifiers that are currently available on the Exchange, the Exchange further believes that the order types and modifiers proposed for options trading on Pillar that either differ from order types and modifiers available on the Exchange System or that would be new would remove impediments to and perfect the mechanism of a free and open market and national market system because:

- Market Orders on Pillar would function similarly to how Market Orders function under current rules, including being subject to Trading Collars. However, the proposed functionality is identical to Pillar functionality on Arca Options and would expand the circumstances under which Market Orders may be rejected (or cancelled), which expansion is designed to ensure that Market Orders do not execute either when there is no prevailing market in a series, which can occur if there is no NBO, no NBB and an NBO is higher than \$0.50, or an absence of contra-side

Market Maker quotations or the contra-side ABBO. In addition, the proposed functionality would provide that if the displayed prices are too wide to assure a fair and orderly execution of a Market Order, such Market Order would be rejected. The proposed "wide-spread" check for Market Orders is identical to the check offered per Arca Options Rule 6.62P-O, is similar to price protections offered on other options exchanges, and is designed to prevent Market Orders from trading at a price that could be considered a Catastrophic Error.¹⁴⁸ The Exchange believes that the proposed rule describing Market Orders would promote transparency by providing notice of when a Market Order would be subject to such validations.

- The Exchange is not proposing any new or different behavior for Limit Orders than is currently available on the Exchange, other than the application of Limit Order Price Protection and Trading Collars, which features would differ on Pillar but would be identical to Pillar functionality on Arca Options. The Exchange believes using Pillar terminology to describe Limit Orders would promote consistency and clarity in Exchange rules and align them with the rules of its affiliated options exchange.

- The proposed Limit Order Price Protection functionality, which is identical to functionality on Arca Options Rule 6.62P-O, is based in part on the existing "Limit Order Filter" for orders and price protection filters for quotes because an order or quote would be rejected if it is priced a specified percentage away from the contra-side NBB or NBO. The Exchange believes that using the same mechanism for both orders and quotes would simplify the operation of the Exchange and achieve similar results as the current rules, which is to reject an order or quote that is priced too far away from the prevailing market. The Exchange believes that re-applying Limit Order Price Protection after an Auction concludes would ensure that Limit Orders and quotes continue to be priced consistent with the prevailing market, and that using an Auction Price (if available, and if not available, Auction Collars, and if not available, the NBBO) to assess Limit Orders and quotes after an Auction concludes would ensure that the Exchange would be applying the most recent price in a series in assessing whether such orders or quotes should be cancelled. The Exchange further

believes that the proposed Specified Thresholds for determining whether to reject a Limit Order or quote would remove impediments to and perfect the mechanism of a free and open market and a national market system because they are designed to be tailored to the applicable Reference Price, and thus more granular than the current thresholds.

The proposed Trading Collar functionality, which is identical to Arca Options Rule 6.62P-O, is based in part on how trading collars currently function on the Exchange because the proposed functionality would create a ceiling or floor price at which an order could be traded or routed. The Exchange believes that the proposed differences for Trading Collars on Pillar (which are based on Trading Collar functionality on Arca Options), including applying the same Trading Collar logic to both Limit Orders and Market Orders, applying them once per trading day (unless there is a trading halt), tailoring the specified thresholds to be within the current parameters for determining whether a trade would be an Obvious Error or Catastrophic Error, and canceling orders that have been displayed at their Trading Collar for 500 milliseconds, would remove impediments to and perfect the mechanism of a free and open market and a national market system because they are designed to provide a deterministic price protection mechanism for orders. In addition, the proposed Pillar Trading Collar functionality is designed to simplify the process by applying a static ceiling price (for buy orders) or floor price (for sell orders) at which such order could be traded or routed that would be applicable to the order until it is traded or cancelled. The Exchange believes that the proposal to explicitly add reference to Cross Orders being excluded from Trading Collars would add granularity to the proposed rule functionality. The Exchange believes that the proposed functionality would provide greater determinism to an ATP Holder of the Trading Collar that would be applicable to its orders and when such orders may be cancelled if it reaches its Trading Collar.

- The Exchange is not proposing any new or different Time-in-Force modifiers than are currently available for options trading on the Exchange. The Exchange believes using Pillar terminology identical to terms used on Arca Options Rule 6.62P-O(b) to describe the time-in-force modifiers would promote consistency and clarity in Exchange rules.

- Auction-Only Orders, and specifically, the proposed MOO and

¹⁴⁸ See *supra* note 21 (citing Cboe's Market Order NBBO Width Protection, which similarly looks to the midpoint of the NBBO in applying this protection).

LOO Orders, would operate no differently than how “Opening-Only Orders” currently function on the Exchange System. However, rather than refer to Opening-Only Orders, the Exchange proposes to use Pillar terminology that mirrors terms used on Arca Options Rule 6.62P–O(c) terminology. The Exchange further believes that offering its IO Order type for Auctions on the options trading platform—both for Core Open Auctions and Trading Halt Auctions—would provide ATP Holders with new, optional functionality to offset an Imbalance in an Auction. The proposed availability of the IO Order would be consistent with the IO Order as offered on Arca Options for Pillar options trading. The Exchange believes this proposed functionality would afford ATP Holders with greater flexibility for all Auctions on Pillar.

- The Exchange would continue to offer AON Orders, Stop Orders, and Stop Limit Orders, which are currently available on the Exchange System. In addition, on Pillar, the Exchange would offer Reserve Orders that would function identical to how this order type functions on Arca Options. The proposal that the reserve interest of a Reserve Order could never have a working price that is more aggressive than the working price of the display quantity of the Reserve Order would remove impediments to and perfect the mechanism of a free and open market and a national market system because it is designed to ensure that the reserve interest of a Reserve Order to buy (sell) would never trade at a price higher (lower) than the working price of the display quantity of the Reserve Order. The proposed changes to AON Orders would provide greater execution opportunities for such orders by allowing them to be integrated in the Consolidated Book and once resting, trade with incoming orders and quotes. The changes are also based on how orders with an MTS Modifier, which are also conditional orders, function on Arca Options. The Exchange believes it is appropriate to opt not to support Market Orders designated as AON on Pillar because such functionality was not used often on the Exchange System, indicating a lack of market participant interest in this functionality. The proposed differences for Stop Orders and Stop Limit Orders are designed to promote transparency by providing clarity of circumstances when either order may be rejected on arrival (in the case of Stop Limit Orders) or elected and make clear that, once elected, such orders are subject to the price protection

and risk checks applicable to Market Orders and Limit Orders, respectively.

- The Exchange believes that the proposed orders (and quotes) with instructions not to route (*i.e.*, Non-Routable Limit Orders and ISOs) would streamline the offerings available for options trading on the Exchange by making the functionality the same for both orders and quotes and consolidating the description of non-routable orders and quotes in proposed Rule 900.3NYP(e), thereby adding clarity and transparency. The Exchange believes that using Pillar terminology, including order type names (for orders and quotes), and identical functionality as is used on Arca Options would promote clarity and consistency across the Exchange’s options trading platform and its affiliated options trading platform.

The Exchange believes that the proposed Non-Routable Limit Order is not novel because, in addition to being identical to Non-Routable Limit Orders currently available on Arca Options, the order type is based on how the PNP, RPNP, and MMRP orders and quotes currently function on the Exchange System, including the continued availability of the option to designate a non-routable order either to cancel or reprice if it is marketable against an ABBO.¹⁴⁹ As such, the Exchange believes that the proposed non-routable order/quote types would continue to provide ATP Holders with the core functionality associated with existing non-routable order/quote types, including that the proposed rules would provide for the ability to either reprice or cancel such orders/quotes. The Exchange believes that providing additional options to cancel a resting Non-Routable Limit Order rather than reprice an additional time would provide an additional choice to market participants. The Exchange also believes that not offering this second cancellation designation to Market Makers would assist Market Makers in maintaining quotes in their assigned series by reducing the potential to interfere with a Market Maker’s ability to maintain their continuous quoting obligations. Finally, the proposed IOC ISO Order is not novel for options trading on the Exchange because both the proposed Pillar terminology and functionality would be identical to terms and IOC ISO functionality currently available on Arca Options

¹⁴⁹ As discussed *supra*, the proposed Non-Routable Limit Order functionality is also consistent with the treatment of Market Maker quotes not designated as MMRP (*i.e.*, such quotes cancel if locking or crosses the NBBO). See *supra* note 51.

rules, which would promote transparency. The proposed Day ISO functionality would be identical to how such order type functions on Arca Options. In addition, the proposed Day ISO functionality is consistent with existing Rule 992NY(b)(3), which currently provides an exception to locking or crossing an Away Market Protected Quotation if the ATP Holder simultaneously routed an ISO to execute against the full displayed size of any locked or crossed Protected Bid or Protected Offer. The Exchange notes that this exception is not necessary for IOC ISOs because such orders would never be displayed at a price that would lock or cross a Protected Quotation; they cancel if they cannot trade. Accordingly, this existing exception in the Exchange’s rules contemplates an ISO that would be displayed, which would mean it would need a time-in-force modifier of “Day.” In addition, Day ISOs are available for options trading on other options exchanges, and therefore are not novel.¹⁵⁰

- The Exchange believes that the proposed additional detail defining Complex Orders to define the “legs” and “components” of such orders would promote transparency in Exchange rules and is also identical to how that order type is described on Arca Options.

- On Pillar, the only electronically-entered crossing orders would be QCC Orders, which is consistent with current functionality and identical to functionality on Arca Options. The Exchange believes that the proposed differences to how QCC Orders would function, including using Pillar terminology and consolidating rule text relating to QCC Orders in proposed Rule 900.3NYP, would promote transparency and clarity in Exchange rules. The proposed description of Complex QCC Orders is designed to distinguish such orders from single-leg QCC Orders and to promote clarity and transparency in Exchange rules regarding the price requirements for a Complex QCC Order. Further, Complex QCC Orders are available for trading on Arca Options, per Arca Options Rule 6.62P–O, and on other options exchanges, and therefore are not novel.¹⁵¹

- The Exchange believes that moving the descriptions of orders available only in open outcry from Rule 900.3NY to proposed Rule 900.3NYP(h) (which mirrors the placement of analogous text on Arca Options) would ensure that

¹⁵⁰ See *supra* note 64 (citing to availability of Day ISO orders on Nasdaq and Cboe).

¹⁵¹ See *supra* note 67 (citing Complex QCC Order type, as offered on MIAAX and Cboe).

these order types remain in the rulebook after the transition to Pillar is complete. On Pillar, a CTB Order would trade at its limit price provided there is contra-side displayed Customer interest at that price. The CTB Order would also trade with displayed non-Customer interest that is priced better than the CTB Order's limit price. In addition to being similar to Arca Options Rule 6.62P–O(h)(1), the Exchange believes that codifying CTB Order functionality, and thus automating priority would make it easier for Floor Brokers to comply with their obligation to satisfy better-priced interest on the Consolidated Book. In addition, the Exchange believes that this proposed change would increase execution opportunities and achieve the goal of a CTB Order, which is to clear priority on the Consolidated Book at the time of the TO Approval. The Exchange also believes that codifying this order type and the associated regulatory obligations would add clarity and transparency in Exchange rules.

- The proposed Proactive if Locked/ Crossed Modifier, STP Modifier, and MTS Modifier are not novel and are identical to modifiers of the same name available on Arca Options. The Exchange believes that offering these existing modifiers for options trading on Pillar would provide ATP Holders with additional, optional functionality that is not novel and is based on existing Arca Options rules. Further, such proposed optional functionality would afford ATP Holders with greater flexibility in specifying how their trading interest should be handled. For example, the proposed MTS Modifier works similarly to the existing (and proposed) AON functionality but provides the ATP Holder with the alternative to designate a portion smaller than the full quantity as the minimum trade size. The Exchange further believes that extending the availability of STP Modifiers to all orders and quotes, and not just those of Market Makers, would provide additional protections for ATP Holders and facilitate their compliance and risk management by assisting them in avoiding unintentional wash-sale trading.

Market Maker Quotations

The Exchange believes that proposed Rule 925.1NYP, which is identical to Arca Options Rule 6.37AP–O unless otherwise specified herein, would remove impediments to and perfect the mechanism of a free and open market and a national market system because it is based on current Rule 925.1NY, with such changes as necessary to clarify functionality and to use Pillar terminology consistent with Arca

Options. The Exchange believes that the proposed detail (consistent with current functionality) to make clear that same-side quotations sent by a Market Maker over the same order/quote entry port would be replaced would clarify the Exchange's handling of multiple Market Maker quotations should a Market Maker's quotations queue during a period of excessive message traffic, thereby adding clarity and transparency to Exchange rules.¹⁵² No system, including Pillar, has unlimited capacity. The Exchange therefore believes that displaying only the most recent Market Maker quote when it is in receipt of multiple same-side quotations in the same series from such Market Maker, would protect investors and the public interest by ensuring accurate representation of that Market Maker's quoting interest. The Exchange believes that consolidating into one rule functionality for orders and quotes, such that Non-Routable Limit Orders may be designated as quotes per proposed Rule 925.1NYP, would obviate the need to separately describe the same functionality in two rules and therefore streamline the Exchange's rules and promote transparency and consistency. As noted above, the Exchange believes that the quoting functionality available in the proposed Non-Routable Limit Order would continue to provide Market Makers with the core functionality associated with existing quote types, including that the proposed rules would provide for the ability to either reprice or cancel such quotes.

Pre-Trade and Activity-Based Risk Controls

The Exchange believes that the proposed Rule 928NYP, which is identical to Arca Options Rule 6.40P–O unless otherwise specified herein, setting forth pre-trade and activity-based risk controls, would remove impediments to and perfect the mechanism of a free and open market and a national market system and promote just and equitable principles of trade because the proposed functionality would incorporate existing activity-based risk controls, without any substantive differences, and augment them with additional pre-trade risk controls and related functionality that are based on the pre-trade risk controls currently available on Arca Options. The Exchange believes that the proposed differences from current functionality are designed to provide

greater flexibility to ATP Holders in how to set risk controls for both orders and quotes. The Exchange does not believe it is unfairly discriminatory to have all orders on the Exchange pass through the risk checks, even for ATP Holders that opt not to use the Exchange's pre-trade risk controls. As described above, the proposed pre-trade risk checks are a functional enhancement that the Exchange proposes to apply uniformly to all orders and quotes on the Exchange; by applying them uniformly, the Exchange would avoid producing incentives for all firms to opt not to use the risk controls for fear of suffering a competitive disadvantage. Additionally, any latency imposed by the proposed pre-trade risk controls is *de minimis* and would not have a material impact on the order flow of ATP Holders that choose to employ non-exchange providers to provide them with risk control solutions. The Exchange expects that the potential latency added by the proposed pre-trade risk controls would be significantly less than one microsecond.

The Exchange believes that using Pillar terminology based on Arca Options rules, including using the term "Entering Firm" to mean ATP Holders, including Market Makers, would promote transparency in Exchange rules. In addition, the proposed Single-Order Risk Controls would provide Entering Firms with additional risk protection mechanisms on an individual order or quote basis. Moreover, the Exchange believes that aggregating a Market Maker's quotes and orders for purposes of calculating activity-based risk controls (which is identical to handling on Arca Options) would better reflect the aggregate risk that a Market Maker has with respect to its quotes and orders. The Exchange further believes that the proposed Automated Breach Actions would provide Entering Firms with additional flexibility in how they could set their risk mechanisms and the automated responses if a risk mechanism is breached. The proposed Kill Switch Action functionality would also provide ATP Holders with greater flexibility to provide bulk instructions to the Exchange with respect to cancelling existing orders and quotes and blocking new orders and quotes. Further, as noted herein, providing "Kill Switch Action" functionality in Exchange rules is consistent with the rules of other options exchanges.¹⁵³

¹⁵² See *supra* note 83 (citing NYSE American Options Fee Schedule, Port Fees, and the ability for Market Makers to pay for upwards of forty order/quote entry ports per month).

¹⁵³ See *supra* note 99 (citing optional "Kill Switch" functionality available on Cboe).

Price Reasonability Checks—Orders and Quotes

The Exchange believes that the proposed Rule 928.1NYP, which is identical to Arca Options Rule 6.41P–O unless otherwise specified herein, setting forth Price Reasonability Checks would remove impediments to and perfect the mechanism of a free and open market and a national market system because they are based on existing functionality, with differences designed to use Pillar terminology based on Arca Options rules and to promote consistency and transparency in Exchange rules. Specifically, on Pillar, the Exchange proposes to apply the same types of Price Reasonability Checks to both orders and quotes, and therefore proposes to describe those checks in a single rule—proposed Rule 928.1NYP. Like on Arca Options, the proposed rule would add an Intrinsic Value Check for quotes under Pillar (in addition to orders) and this check would enhance existing price protection features for quotes and provide Market Makers greater control and flexibility over setting risk tolerance and exposure for their quotes. The proposed rule would also provide specificity regarding when the Price Reasonability Checks would be applied to an order or quote, which would promote transparency and clarity in Exchange rules. The Exchange further believes that applying the Checks based on a broader range of underlying transactions—both round lots and odd lots—would enhance the efficacy of the Checks as this proposed functionality would provide a better representation of the trade prices in occurring in the underlying market.

Auction Process

With the proposed Auction Process, the Exchange endeavors to attract the highest quality quote for each series at the open to attract order flow for the auction. While the Exchange does not require Market Makers assigned to a series to quote before a series can be opened (or reopened)—which is consistent with the current rule—the Exchange believes that providing time for such Market Makers to do so would promote a fair and orderly market by providing both better and more consistent prices on executions to ATP Holders in an Auction and facilitate a fair and orderly transition to continuous trading.

The Exchange believes that proposed Rule 952NYP, which mirrors Arca Options Rule 6.64P–O unless otherwise specified herein, would remove impediments to and perfect the mechanism of a free and open market

and a national market system because the proposed rule maintains the fundamentals of an auction process that is tailored for options trading and enhances the process by incorporating Pillar auction functionality that is currently available on Arca Options. For example, the Exchange proposes to augment the imbalance information that would be disseminated in advance of an Auction to include the same fields available on Arca Options. The Exchange believes that the proposed additional Auction Imbalance Information would promote transparency to market participants in advance of an Auction. The Exchange also proposes to transition to continuous trading following an Auction in the same manner as Arca Options, including how the Exchange would process orders and quotes that are received during an Auction Processing Period and how unexecuted quotes and orders would be transitioned to continuous trading, which the Exchange believes would promote consistency across affiliated options trading platforms. The proposed rule describing how orders and quotes that are received during the Auction Processing Period would be handled would add granularity and transparency to Exchange rules.

The Exchange further believes that the proposed Auction Process would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would maintain the core functionality of the Exchange's current auction process. With regard to Auction Ranking and Allocation, the Exchange proposes to treat Limit Orders, quotes, LOO Orders, MOO Orders, and IO Orders in the same manner as per Arca Options Rule 6.64P–O(b), which would promote consistency across the Exchange's options trading platforms. However, the proposed Rule would differ to address how eligible orders and quotes would trade per the Pillar priority and allocation model established in Rule 964NYP. As proposed, orders and quotes priced better than the Auction Price (*i.e.*, the price at which an Auction will be conducted) would trade based on ranking and orders and quotes priced at (or equal to) the Auction Price would trade per Rule 964NYP(j), except that the Exchange would not apply any participation guarantee during the Auction Process. This proposed Rule would remove impediments to and perfect the mechanism of a free and open market and a national market system because it would align with the ranking and allocation set forth in Rule

964NYP, which would add clarity, transparency, and internal consistency to Exchange rules. As noted here, the proposed auction ranking and allocation is consistent with how the Exchange ranks and allocates interest in the opening auction for Complex Orders and is also consistent with the handling of opening interest on other exchanges.¹⁵⁴

As relates to the exclusion of the participation entitlements (per Rule 964NYP(j)(4)) from the auction allocation, the Exchange believes this proposed change would promote equitable principles of trade and would remove impediments to and perfect the mechanism of a free and open market and a national market system because this exclusion (which is consistent with current functionality) would add clarity and transparency to Exchange rules.

The Exchange also proposes to maintain the core functionality of the Auction Process as relates to the requirement that the Exchange would not conduct an Auction if the bid-ask differential is not within an acceptable range. As proposed, the Auction Process on Pillar would begin with the proposed Rotational Quote, which would provide notice not only of when the process would begin, but also whether Market Makers on the Exchange have quoted in a series. Similar to the current rule, the Exchange would require a "Calculated NBBO," which is calculated using information consistent with the information the Exchange receives from OPRA before the Exchange opens a series, to meet specified requirements, including that it not be crossed, not have a zero offer, and that it not exceed a maximum differential that is determined by the Exchange on a class by class basis and announced by Trader Update, *i.e.*, be a "Legal Width Quote" before a series can be opened with a trade.¹⁵⁵ Allowing the Exchange the flexibility to determine the maximum differential for the Calculated NBBO for a Legal Width Quote is consistent with functionality and accompanying discretion available on Arca Options and other options exchanges and allows the Exchange to consider the different market models and characteristics of different classes, as well as modify amounts in response to then-current

¹⁵⁴ See *supra* notes 128 (regarding Rule 980NYP) and 131 (regarding Choe's opening process).

¹⁵⁵ As noted herein, the concept of a Calculated NBBO is also consistent with similar concepts utilized on other options exchanges. See, *e.g.*, Choe Rule 5.31(a) (regarding use of "Composite Market" concept).

market conditions.¹⁵⁶ In addition, the proposed discretion to modify acceptable bid-ask differential is also consistent with discretion Exchange has today on the Exchange System.¹⁵⁷ In addition, the Exchange believes that the proposed Auction Trigger, which would begin the Auction Process, is consistent with the current trigger for starting an auction. The Exchange believes that the proposed difference to allow the trade on the Primary Market to be odd-lot sized (in addition to having a quote from the Primary Market, which means that the underlying security would be open on the Primary Market), would allow for options series overlying low-volume securities to open automatically and reduce the need to manually trigger an Auction in a series.

As with the current rule, on Pillar, Market Makers are not obligated to quote in their assigned series for an Auction. However, the Exchange believes that providing Market Maker(s) assigned to a series the opportunity to quote within the bid-ask differential before opening a series for trading would promote fair and orderly Auctions and facilitate a fair and orderly transition to continuous trading. In particular, rather than layer additional quoting requirements on the Market Making community, the Exchange believes it would be more beneficial to all market participants to employ alternative methods to help ensure an orderly transition to continuous trading. As such, the Exchange believes that the proposed so-called “waterfall” approach to opening, which mirrors Arca Options Rule 6.64P–O, would offer a number of checks that are intended to provide adequate opportunity for a greater number of Market Makers to provide their liquidity interest and help ensure increased liquidity at a level commensurate with which the market is accustomed during continuous trading on the Exchange. In short, although the Exchange does not require a Market Maker assigned to a series to quote on the Exchange in order to open or reopen a series for trading, the Exchange believes that providing Market Makers assigned to a series the opportunity to do so would promote a fair and orderly Auction process and facilitate a fair and orderly transition to continuous trading.¹⁵⁸

¹⁵⁶ See *supra* note 121 (regarding the concept of a “Maximum Composite Width,” per Cboe Rule 5.31(a)).

¹⁵⁷ See *supra* note 118 (regarding discretion afforded to the Exchange per Rule 9.25NY(c)).

¹⁵⁸ As noted, *infra*, although the Exchange does not require that Market Makers assigned to a series quote at the open, once a series is opened for trading, Market Makers are nonetheless required to

Accordingly, the Exchange proposes a difference on Pillar, consistent with functionality on Arca Options, to provide time for Market Maker(s) assigned to a series to enter quotes within the specified bid-ask differentials before a series could be opened or reopened for trading. The proposed Opening MMQ Timer(s) would be announced by Trader Update. The proposed rule provides transparency of how many Market Makers assigned to a series would be required to quote in a series and when the Exchange would conduct an Auction in a series based on a Legal Width Quote. As noted above, the proposed Auction Process is designed to attract the highest quality quote for each series at the open to attract order flow to the Auction. As such, the Exchange believes it is reasonable to require more than one Opening MMQ Timer to run when there are at least two Market Makers because it allows the Exchange time to attract the best quote from these market participants, which in turn should attract order flow to the Exchange at the open (*i.e.*, the Exchange can leverage the highest bid and lowest offer from the various Market Makers that submit quotes). The Exchange believes that if a Legal Width Quote is not obtained in the first Opening MMQ Timer, it is to the benefit of all market participants to begin a second Opening MMQ Timer to allow the bid-ask differential to tighten before a series is opened. However, if there is a Legal Width Quote based on the ABBO and the required number of quotes with non-zero offers have been submitted by Market Makers, the Exchange would open or reopen that series for trading. The Exchange believes that the proposed waterfall approach (*i.e.*, setting minimum time periods for a Market Maker assigned to a series to quote within the specified bid-ask differential before opening a series, unless there is a Legal Width Quote) would appropriately balance the benefits of increasing the opportunities for Market Makers assigned to a series to enter quotations within the specified bid-ask differential, with a timely series opening or reopening when there is a Legal Width Quote.

The Exchange believes its proposed process for opening option series that have two or more assigned Market Makers would promote just and equitable principles of trade and remove impediments to and perfect the mechanism of a free and open market

continuously fulfill their obligations to engage in a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market.

and a national market system and protect investors because it would continue to provide Market Makers assigned to such series the opportunity to submit a quote while potentially promoting a more timely opening once at least two quotes (even if from a single Market Maker) have been submitted and would add clarity and transparency to Exchange rules. The Exchange believes the proposed rule would provide more flexibility in terms of how market depth in the affected series is achieved (*i.e.*, based on quotes from a single Market Maker as opposed to two) and may result in a more timely and efficient opening process. Further, the proposed change may increase the availability of Legal Width Quotes in more series. Improving the validity of the opening price benefits all market participants and benefits the reputation of the Exchange as being a venue that provides accurate price discovery. To the extent that this proposed rule results in an option series opening sooner, which, in turn would increase the times during which investors may conduct trading in these options, this proposed rule would benefit investors and the investing public. In addition, the Exchange believes that expanding the opportunities for Market Makers to enter the market would result in deeper liquidity—which market participants have come to expect in options with multiple assigned Market Makers, and a more stable trading environment.

The proposed rule would also provide transparency of when the Exchange would open or reopen a series for trading when the Calculated NBBO is wider than the Legal Width Quote for the series. The Exchange believes that the proposed process is designed to provide additional opportunities for a series to open or reopen not currently available on the Exchange System, while at the same time preserving the existing requirement that a series would not open on a trade if there is no Legal Width Quote. The proposed functionality to provide additional opportunities to open or reopen a series when the market is wider than the specified bid-ask differentials is consistent with functionality on Arca Options, and the Exchange believes that this proposed rule would allow for more automated Auctions on the Exchange for series that may already be opened on another exchange.¹⁵⁹ The Exchange also believes that the proposed rule to permit the Exchange to conduct an Auction on a wide Calculated NBBO once it has cancelled certain trading interest would promote just and equitable principles of

¹⁵⁹ See, *e.g.*, Cboe Rule 5.31.

trade and remove impediments to and perfect the mechanism of a free and open market and a national market system and protect investors. In particular, the Exchange believes that the proposed change would improve the speed and efficiency of the Exchange's opening process without impairing price discovery, which should result in better and more consistent prices on Auction executions. The proposed cancellation of Market Orders, MOO Orders, and Limit Orders to buy (sell) priced equal to or higher (lower) than the Indicative Match Price, would allow the Exchange to proceed with a timely opening of each series while preventing extreme executions for series opened based on a wide Calculated NBBO. The proposal to cancel Limit Orders to buy (sell) priced equal to or higher (lower) than the Indicative Match Price when the Calculated NBBO is wider than the Legal Width Quote would similarly allow the Exchange to help ensure that potentially executable Limit Orders would be cancelled rather than execute at potentially extreme prices before the Exchange transitions to continuous trading (in a wide market). As such, the Exchange believes that providing for the cancellation of potentially executable interest (Market Orders, MOOs and Limit Orders alike) would protect investors as it would continue to limit the risk of execution of orders at extreme prices.

Finally, the proposed rule describing how existing and new orders would be processed during a trading halt is designed to provide additional granularity in Exchange rules. Certain of the proposed functionality is based on current processes. The Exchange believes that the proposed differences in order/quote handling would remove impediments to and perfect the mechanism of a free and open market because they align with the proposed differences in behavior for specified orders and quotes on Pillar. For example, the Exchange believes that repricing resting non-routable orders and quotes during a trading halt to their limit price would be consistent with how such orders would be processed in an Auction if they arrived during a pre-open state. In addition, the Exchange believes that canceling orders that are subject to the Trading Collar 500 millisecond timer would be consistent with the intent of such functionality, which is to cancel such collared orders after a specified time period.

Conforming Changes to Rules 925NY, 953.1NY, and 994NY

The Exchange believes that the proposed conforming non-substantive

changes to Rules 925NY (Obligations of Market Makers), 953.1NY (Limit-Up and Limit-Down During Extraordinary Market Volatility), and 994NY (Broadcast Order Liquidity Delivery Mechanism) to add cross-references to certain of the new Pillar rules, including Rule 964NYP and those proposed in this filing would remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, protect investors and the public interest because the proposed conforming changes would add clarity, transparency and consistency to the Exchange's rules. The Exchange believes that market participants would benefit from the increased clarity, thereby reducing potential confusion.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange operates in a competitive market and regularly competes with other options exchanges for order flow. The Exchange believes that the transition to Pillar would promote competition among options exchanges by offering a low-latency, deterministic trading platform. The proposed rule changes would support that inter-market competition by allowing the Exchange to offer additional functionality to its ATP Holders that is currently available on Arca Options, thereby potentially attracting additional order flow to the Exchange. Otherwise, the proposed changes are not designed to address any competitive issues, but rather to amend the Exchange's rules to support the transition to Pillar. As discussed in detail above, unless otherwise specified herein, the Exchange is not proposing to change its core functionality relating to order types and modifiers, risk controls, Market Maker quotations, or auctions. Rather, the Exchange believes that the proposed rule changes would promote consistent functionality, rules, and use of terminology for options trading on Pillar across the Exchange and its affiliated options trading platform, Arca Options. The Exchange believes this uniformity would make the Exchange's rules easier to navigate in connection with the transition to Pillar.

The Exchange does not believe that the proposed rule changes would raise any intra-market competition as the proposed rule changes would be applicable to all ATP Holders. In particular, the proposed waterfall

approach utilized during the Auction Process, which mirrors Arca Options, would not result in an undue burden on intra-market competition because it would apply equally to all similarly-situated Market Makers regarding their assigned series. Market Makers are encouraged but not required to quote in their assigned series at the open, thus they are not subject to additional obligations. The Exchange believes that encouraging, rather than requiring, participation of such Market Makers at the open, may increase the availability of Legal Width Quotes in more series, thereby allowing more series to open. Improving the validity of the opening price benefits all market participants and benefits the reputation of the Exchange as being a venue that provides accurate price discovery. With respect to inter-market competition, the Exchange notes that most options markets do not require Market Makers to quote during the opening.¹⁶⁰

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹⁶¹ and Rule 19b-4(f)(6) thereunder.¹⁶² Because the 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 prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6)(iii) thereunder.

At any time within 60 days of the filing of such 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

¹⁶⁰ See, e.g., Choe and its affiliated exchanges.

¹⁶¹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁶² 17 CFR 240.19b-4(f)(6).

Commission shall institute proceedings under Section 19(b)(2)(B) ¹⁶³ of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2023-34 on the subject line.

Paper Comments

- Send paper comments in triplicate to: Secretary, Securities and Exchange

Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to file number SR-NYSEAMER-2023-34. 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-NYSEAMER-2023-34 and should be submitted on or before August 7, 2023.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁶⁴

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2023-14912 Filed 7-14-23; 8:45 am]

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¹⁶³ 15 U.S.C. 78s(b)(2)(B).

¹⁶⁴ 17 CFR 200.30-3(a)(12).



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Part IV

Department of Commerce

National Oceanic and Atmospheric Administration

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Hydaburg Seaplane Base Refurbishment Project in Hydaburg, Alaska; Notice

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[RTID 0648–XD052]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Hydaburg Seaplane Base Refurbishment Project in Hydaburg, Alaska

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

ACTION: Notice; proposed incidental harassment authorization; request for comments on proposed authorization and possible renewal.

SUMMARY: NMFS has received a request from the Alaska Department of Transportation and Public Facilities (DOT&PF) for authorization to take marine mammals incidental to the Hydaburg Seaplane Base Refurbishment Project in Hydaburg, Alaska. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals during the specified activities. NMFS is also requesting comments on a possible one-time, 1-year renewal that could be issued under certain circumstances and if all requirements are met, as described in Request for Public Comments at the end of this notice. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorization and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than August 16, 2023.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service, and should be submitted via email to ITP.tyson.moore@noaa.gov. Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>. In case of problems accessing these documents, please call the contact listed below.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or

received after the end of the comment period. Comments, including all attachments, must not exceed a 25-megabyte file size. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Reny Tyson Moore, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:**Background**

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are proposed or, if the taking is limited to harassment, a notice of a proposed IHA is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other “means of effecting the least practicable adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stocks for taking for certain subsistence uses (referred to in shorthand as “mitigation”); and requirements pertaining to the mitigation, monitoring and reporting of the takings are set forth. The definitions of all applicable MMPA statutory terms cited above are included in the relevant sections below.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and

NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has preliminarily determined that the issuance of the proposed IHA qualifies to be categorically excluded from further NEPA review.

We will review all comments submitted in response to this notice prior to concluding our NEPA process or making a final decision on the IHA request.

Summary of Request

On June 28, 2022, NMFS received a request from DOT&PF for an IHA to take marine mammals incidental to the Hydaburg Seaplane Base Refurbishment Project in Hydaburg, Alaska. Following NMFS’ review of the application, and multiple discussions between DOT&PF and NMFS, DOT&PF submitted responses to NMFS questions on December 15, 2022 and a revised application on February 22, 2023. The application was deemed adequate and complete on March 13, 2023. DOT&PF’s request is for take of nine species of marine mammals by Level B harassment and, for a subset of these species (*i.e.*, harbor seal (*Phoca vitulina*), northern elephant seal (*Mirounga angustirostris*), harbor porpoise (*Phocoena phocoena*), Dall’s porpoise (*Phocoenoides dalli*), humpback whale (*Megaptera novaeangliae*), and minke whale (*Balaenoptera acutorostrata*)), Level A harassment. Neither DOT&PF nor NMFS expect serious injury or mortality to result from this activity and, therefore, an IHA is appropriate.

Description of Proposed Activity**Overview**

DOT&PF, in cooperation with the Federal Aviation Administration, is proposing maintenance improvements to the existing Hydaburg Seaplane Base as part of the Hydaburg Seaplane Base Refurbishment Project. The existing facility has experienced deterioration in recent years, and DOT&PF has conducted several repair projects. The facility is near the end of its useful life,

and replacement of the existing float structures is required to continue safe operation in the future. The in-water portion of the project would include the removal of five existing steel piles and installation of eight permanent steel piles to support replacement of the floating dock structure. Up to 10 temporary steel piles would be installed to support permanent pile installation and would be removed following completion of permanent pile installation. Proposed activities included as part of the project with potential to affect marine mammals include vibratory removal, down-the-hole (DTH) installation, and vibratory and impact installation of steel pipe piles.

Dates and Duration

The proposed IHA would be effective from September 15, 2023, through September 14, 2024. Construction of the proposed project is anticipated to occur over approximately 2 months beginning in early fall 2023. Pile installation and removal will be intermittent during this

period, depending on weather, construction and mechanical delays, protected species shutdowns, and other potential delays and logistical constraints. Pile installation will occur intermittently during the work period for durations of minutes to hours at a time. Pile installation and removal will occur over 26 nonconsecutive days within the 2-month construction window. DOT&PF plans to conduct all work during daylight hours.

Specific Geographic Region

The project site is located in the City of Hydaburg, on Prince of Wales Island, approximately 76 kilometers (km) west of Ketchikan, in southeast Alaska. The Hydaburg Seaplane Base is located at the south end of Hydaburg, attached to the Hydaburg city dock on the north shore of the Sukkwan Strait (Figure 1).

Hydaburg is located along the Sukkwan Strait on the southwest side of Prince of Wales Island. A series of passes and straits lead to the open Pacific Ocean; however, Hydaburg is tucked in a relatively calm and secluded

area. Sukkwan Strait is generally characterized by semidiurnal tides with mean tidal ranges of around 5 meters (m). Freshwater inputs to Sukkwan Strait include multiple anadromous streams: Hydaburg River, Saltery Creek, and two streams originating from unnamed lakes. The bathymetry of the bay is variable depending on location and proximity to shore, islands, or rocks. Depths approach 76 m within Sukkwan Strait and up to 37 m in South Pass.

Ongoing vessel activities near Hydaburg, as well as land-based industrial and commercial activities, result in elevated in-air and underwater acoustic conditions in the project area that likely increase with proximity to the project site. Background sound levels likely vary seasonally, with elevated levels during summer when the commercial and fishing industries are at their peaks. Hydaburg has no cruise ship or ferry facilities, so only commercial and fishing vessels visit Hydaburg regularly (Miller *et al.*, 2019).

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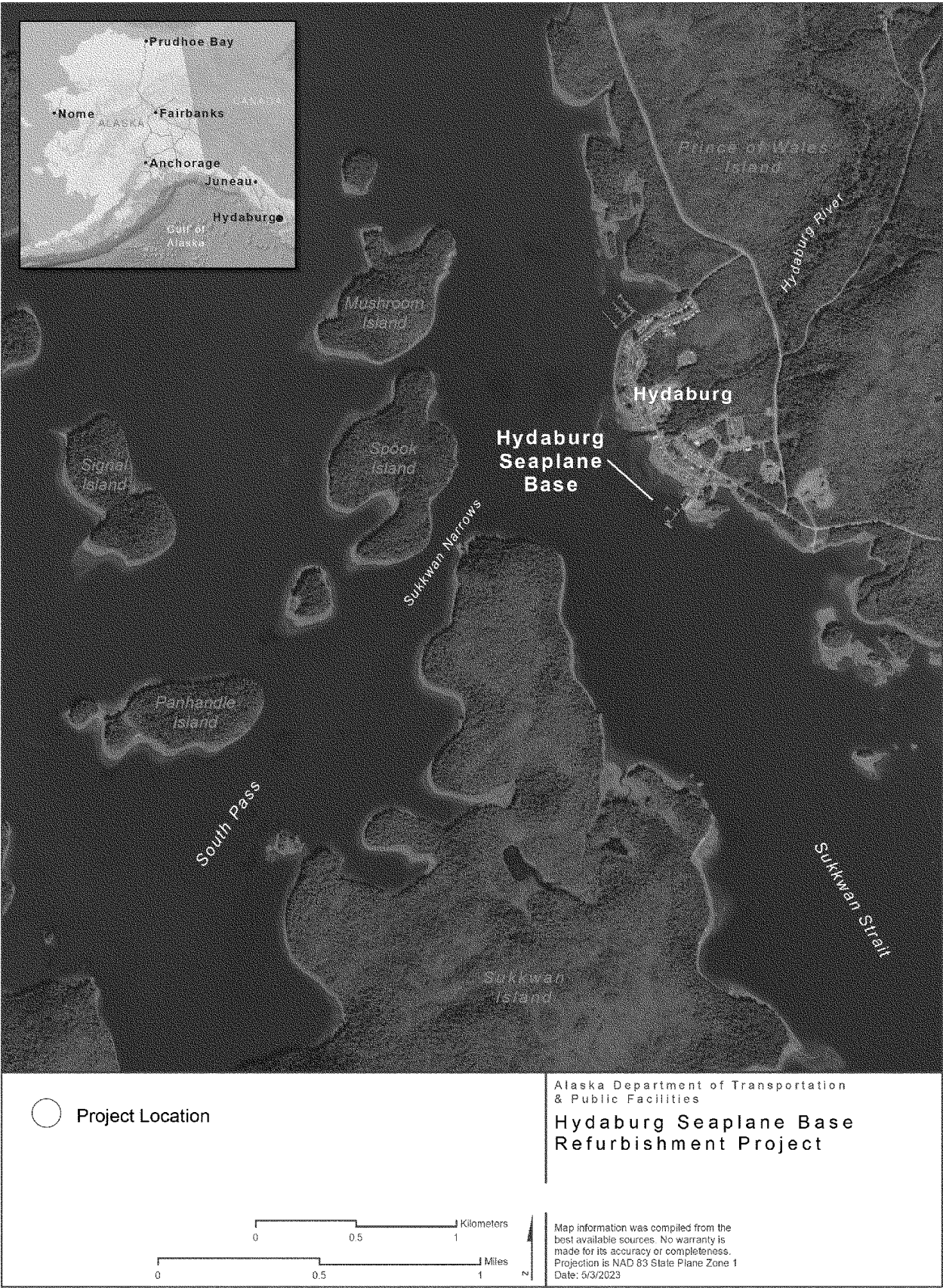


Figure 1—Location of Seaplane Base in Hydaburg, Alaska

Detailed Description of the Specified Activity

The DOT&PF proposed project would involve the removal of five existing cantilever steel pipe piles (16-inch (40.64-centimeter (cm)) diameter) that support the existing multiple-float structure. The multiple-float timber structure, which covers 372 square m (m²), would also be removed. A new

446-m² single-float timber structure would be installed in the same general location. Four 24-inch (60.96-cm) and four 20-inch (50.80-cm) permanent steel pipe piles would be installed vertically to act as restraints for the new seaplane float. Up to 10 temporary 24-inch (60.96 cm) steel pipe piles would be installed to support pile installation and would be removed following completion of

construction. Rock sockets and tension anchors would be required on all 24-inch (60.96 cm) piles and two 20-inch (50.80 cm) piles. Rock sockets would also be potentially required on five of the temporary piles. See Table 1 for a summary of the numbers and types of piles to be installed and removed, as well as the estimated durations of each activity.

TABLE 1—SUMMARY OF PILES TO BE INSTALLED AND REMOVED

Pile diameter and type	Number of piles	Number of rock sockets	Number of tension anchors	Impact strikes per pile	Vibratory duration per pile (minutes)	Rock socket DTH pile installation, duration per pile, minutes (range)	Tension anchor DTH pile installation, duration per pile, minutes (range)	Total duration of activity per pile, hours	Typical production rate in piles per day (range)	Days of installation or removal
Pile Installation										
24" Steel Plumb Piles (Permanent)	4	4	4	50	15	240 (60–480)	120 (60–240)	6.75	0.5 (0–1)	8
20" Steel Plumb Piles (Permanent)	4	2	2	50	15	240 (60–480)	120 (60–240)	1 ^{0.75} /6.75	0.5 (0–1)	8
24" Steel Piles (Temporary)	10	5	N/A	N/A	15	240 (60–480)	N/A	4.25	2.5 (1–10)	4
Pile Removal										
16" Steel Cantilevered Piles	5	N/A	N/A	N/A	30	N/A	N/A	0.5	2.5 (2–4)	2
24" Steel Piles (Temporary)	10	N/A	N/A	N/A	30	N/A	N/A	0.5	2.5 (2–4)	2
Totals	23	11	6	N/A	N/A	N/A	N/A	N/A	N/A	26

¹ Two of the 20-inch plumb piles will include vibratory and impact installation in addition to rock sockets and tension anchors, estimated at 6.75 hours duration total, and two will only use vibratory and impact, estimated at 0.75 hours duration total.

DTH pile installation would involve drilling rock sockets into the bedrock to support installation of piles. A rock socket is a pile inserted into a drilled hole in the underlying bedrock after the pile has been driven through the overlying softer sediments to refusal by vibratory or impact methods. The pile is advanced farther into the drilled hole to properly secure the bottom portion of the pile into the rock. The depth of the rock socket varies, but up to 6 m may be required for this project. The diameter of the rock socket is slightly larger than the pile being driven. Rock sockets are constructed using a DTH device that consists of a drill bit that drills through the bedrock using both rotary and percussion mechanisms. This breaks up the rock to allow removal of the fragments and insertion of the pile. The pile is advanced at the same time that drilling occurs. Drill cuttings are expelled from the top of the pile using compressed air. It is estimated that drilling rock sockets into the bedrock may take on average 4 hours per pile.

Tension anchors would be installed in six of the permanent piles (four 24-inch (60.96-cm) and two 20-inch (50.80-cm) piles). Tension anchors are installed within piles that are drilled into the

bedrock below the elevation of the pile tip after the pile has been driven through the sediment layer to refusal. A 6- or 8-inch (15.24- or 20.32-cm) diameter steel pipe casing would be inserted inside the larger diameter production pile. A rock drill would be inserted into the casing, and a 6- to 8-inch (15.24- to 20.32-cm) diameter hole would be drilled into bedrock with rotary and percussion drilling methods. The drilling work is contained within the steel pile casing and the steel pipe pile. The typical depth of the drilled tension anchor hole varies, but 6–9 m is common. Rock fragments would be removed through the top of the casing with compressed air. A steel rod would then be grouted into the drilled hole and affixed to the top of the pile. The purpose of a tension anchor is to secure the pile to the bedrock to withstand uplift forces. It is estimated that tension anchor installation will take about 1–4 hours per pile. Hereafter, DTH pile installation refers to both rock socket drilling and tension anchor installation unless specified. See Figure 1–3 in the DOT&PF's application for a schematic of DTH pile installation and tension anchor techniques.

Pile removal would be conducted using a vibratory hammer. Pile installation would be conducted using both a vibratory and an impact hammer and DTH pile installation methods. Piles would be advanced to refusal using a vibratory hammer. After DTH pile installation, the final approximately 3 m of driving would be conducted using an impact hammer so that the structural capacity of the pile embedment could be verified. The pile installation methods used would depend on sediment depth and conditions at each pile location. Pile installation and removal would occur in waters approximately 6–7 m in depth.

Actual numbers and sizes of piles, installation times, numbers of impact strikes, and other design and construction details and methods may vary slightly from the estimates outlined in this document. The DOT&PF does not anticipate that the project will change such that potential impacts on marine mammals will change or vary from those described here.

Proposed mitigation, monitoring, and reporting measures are described in detail later in this document (please see Proposed Mitigation and Proposed Monitoring and Reporting).

Description of Marine Mammals in the Area of Specified Activities

Sections 3 and 4 of the DOT&PF's application summarize available information regarding status and trends, distribution and habitat preferences, and behavior and life history of the potentially affected species. NMFS fully considered all of this information, and we refer the reader to these descriptions, referenced here, instead of reprinting the information. Additional information regarding population trends and threats may be found in NMFS' Stock Assessment Reports (SARs; www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments) and more general information about these species (e.g., physical and behavioral descriptions) may be found on NMFS' website (<https://www.fisheries.noaa.gov/find-species>).

Table 2 lists all species or stocks for which take is expected and proposed to be authorized for this activity, and summarizes information related to the population or stock, including regulatory status under the MMPA and Endangered Species Act (ESA) and potential biological removal (PBR), where known. PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS' SARs). While no serious injury or mortality is expected to occur, PBR and annual serious injury and mortality from anthropogenic sources are included here as gross indicators of the status of the species or stocks and other threats.

Marine mammal abundance estimates presented in this document represent

the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS' stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. All stocks managed under the MMPA in this region are assessed in NMFS' U.S. Alaska and Pacific SARs (e.g., Carretta, *et al.*, 2022; Muto *et al.*, 2022). All values presented in Table 2 are the most recent available at the time of publication (including from the draft 2022 SARs, Young *et al.*, 2022) and are available online at: www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments.

TABLE 2—SPECIES ⁴ LIKELY IMPACTED BY THE SPECIFIED ACTIVITIES

Common name	Scientific name	Stock	ESA/MMPA status; strategic (Y/N) ¹	Stock abundance (CV, N _{min} , most recent abundance survey) ²	PBR	Annual M/SI ³
Order Artiodactyla—Cetacea—Mysticeti (baleen whales)						
Family Eschrichtiidae: Gray Whale	<i>Eschrichtius robustus</i>	Eastern N Pacific	-, -, N	26,960 (0.05, 25,849, 2016)	801	131
Family Balaenopteridae (rorquals): Humpback Whale	<i>Megaptera novaeangliae</i>	Central N Pacific	-, -, Y	10,103 (0.3, 7,891, 2006)	3.4	4.46
Minke Whale	<i>Balaenoptera acutorostrata</i>	Alaska	-, -, N	N/A (N/A, N/A, N/A)	UND	0
Odontoceti (toothed whales, dolphins, and porpoises)						
Family Physeteridae: Sperm Whale	<i>Physeter macrocephalus</i>	N Pacific	E, D, Y	UND (UND, UND, 2015)	UND	3.5
Family Delphinidae: Killer Whale	<i>Orcinus orca</i>	Eastern North Pacific Alaska Resident.	-, -, N	1,920 (N/A, 1,920, 2019)	19	1.3
Killer Whale	<i>Orcinus orca</i>	Eastern Northern Pacific Northern Resident.	-, -, N	302 (N/A, 302, 2018)	2.2	0.2
Killer Whale	<i>Orcinus orca</i>	West Coast Transient	-, -, N	349 (N/A, 349, 2018)	3.5	0.4
Pacific White-Sided Dolphin.	<i>Lagenorhynchus obliquidens</i>	N Pacific	-, -, N	26,880 (N/A, N/A, 1990)	UND	0
Family Phocoenidae (porpoises): Dall's Porpoise	<i>Phocoenoides dalli</i>	Alaska	-, -, N	UND (UND, UND, 2015)	UND	37
Harbor Porpoise	<i>Phocoena</i>	Southeast Alaska	-, -, Y	UND (UND, UND, 2019)	UND	34
Order Carnivora—Pinnipedia						
Family Otariidae (eared seals and sea lions): Steller Sea Lion	<i>Eumetopias jubatus</i>	Eastern	-, -, N	43,201 (N/A, 43,201, 2017)	2,592	112
Family Phocidae (earless seals): Harbor Seal	<i>Phoca vitulina</i>	Dixon/Cape Decision	-, -, N	23,478 (N/A, 21,453, 2015)	644	69
Northern Elephant Seal	<i>Mirounga angustirostris</i>	CA Breeding	-, -, N	187,386 (N/A, 85,369, 2013)	5,122	13.7

¹ ESA status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

² NMFS marine mammal stock assessment reports online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region/>. CV is coefficient of variation; N_{min} is the minimum estimate of stock abundance. In some cases, CV is not applicable (N/A).

³ These values, found in NMFS's SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (e.g., commercial fisheries, ship strike). Annual human caused mortality and serious injury (M/SI) often cannot be determined precisely and is in some cases presented as a minimum value or range.

⁴ Information on the classification of marine mammal species can be found on the web page for The Society for Marine Mammalogy's Committee on Taxonomy (<https://marinemammalscience.org/science-and-publications/list-marine-mammal-species-subspecies/>; Committee on Taxonomy (2022)).

On January 24, 2023, NMFS published the draft 2022 SARs (<https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessment-reports-region>). The Alaska and Pacific SARs include a proposed update to the humpback whale stock structure and the Alaska SAR includes a proposed update to the Southeast Alaska harbor porpoise stock structure. These new structures, if finalized, would modify the MMPA-designated humpback stocks to align more closely with the ESA-designated distinct population segments (DPSs), and for harbor porpoise to align with genetics, trends in abundance, and discontinuous distribution NMFS has proposed as supporting the delineation of two demographically independent populations. Please refer to the draft 2022 Alaska and Pacific SARs for additional information.

NMFS Office of Protected Resources, Permits and Conservation Division has generally considered peer-reviewed data in draft SARs (relative to data provided in the most recent final SARs), when available, as the best available science, and has done so here for all species and stocks, with the exception of the new proposal to revise humpback whale and harbor porpoise stock structure. Given that the proposed changes to the stock structures involve application of NMFS' Guidance for Assessing Marine Mammals Stocks and could be revised following consideration of public comments, it is more appropriate to conduct our analysis in this proposed authorization based on the status quo stock structure identified in the most recent final SARs for those species (Carretta *et al.*, 2022; Muto *et al.*, 2022).

All species that could potentially occur in the proposed survey areas are included in Table 2 of the IHA application. While gray whale and sperm whale have occurred in northern Southeast Alaska in recent years, they are highly unlikely to occur in the proposed project area. The temporal and/or spatial occurrence of these species is such that take is not expected to occur, and they are not discussed further. The remaining 9 species (with 11 managed stocks) in Table 2 temporally and spatially co-occur with the activity to the degree that take is reasonably likely to occur, and we have proposed authorizing it.

Steller Sea Lion

Steller sea lions are found throughout the northern Pacific Ocean, including coastal and inland waters from Russia (Kuril Islands and the Sea of Okhotsk), east to Alaska, and south to central California (Año Nuevo Island). Steller

sea lions were listed as threatened range-wide under the ESA on November 26, 1990 (55 FR 49204); they were subsequently partitioned into the western and eastern DPSs (and MMPA stocks) in 1997 (62 FR 24345, May 5, 1997). The eastern DPS remained classified as threatened (62 FR 24345) until it was delisted in November 2013, while the western DPS (those individuals west of 144° W longitude or Cape Suckling, Alaska) was upgraded to endangered status following separation of the DPSs, and it remains endangered today. There is regular movement of both DPSs across this 144° W longitude boundary (Jemison *et al.*, 2013), however, due to the distance from this DPS boundary, it is likely that only eastern DPS Steller sea lions are present in the project area. Therefore, animals potentially affected by the project are assumed to be part of the eastern DPS.

Steller sea lions are opportunistic predators, feeding primarily on a wide variety of fishes and cephalopods, including Pacific herring (*Clupea pallasii*), walleye pollock (*Gadus chalcogramma*), capelin (*Mallotus villosus*), Pacific sand lance (*Ammodytes hexapterus*), Pacific cod (*Gadus macrocephalus*), salmon (*Oncorhynchus spp.*), and squid (*Teuthida spp.*; Jefferson *et al.*, 2008; Wynne *et al.*, 2011). Steller sea lions do not generally eat every day, but tend to forage every 1–2 days and return to haulouts to rest between foraging trips (Merrick and Loughlin, 1997; Rehberg *et al.*, 2009).

Steller sea lions are not common in the project area and systematic counts or surveys have not been completed in the area directly surrounding Hydaburg. The nearest documented haulout is Point Islet (Point Rock), about 13 km southeast of Hydaburg (see Figure 4–1 in the DOT&PF's application). No Steller sea lions were present during aerial surveys over Point Islet that occurred during 2013, 2015, or 2017 (Fritz *et al.*, 2016b; Sweeney *et al.*, 2017), and it was not surveyed in 2019 (Sweeney *et al.*, 2019). Anecdotal evidence provided by local residents indicates that Steller sea lions are rare and do not occur regularly near the project area. However, Steller sea lion presence could be higher during the late summer and early fall salmon runs.

Harbor Seal

Harbor seals range from Baja California north along the west coasts of California, Oregon, Washington, British Columbia, and Southeast Alaska; west through the Gulf of Alaska, Prince William Sound, and the Aleutian Islands; and north in the Bering Sea to

Cape Newenham and the Pribilof Islands. In 2010, harbor seals in Alaska were partitioned into 12 separate stocks based largely on genetic structure (Allen and Angliss, 2010). Harbor seals present near Hydaburg are recognized as part of the Dixon/Cape Decision stock.

Harbor seals haul out on rocks, reefs, beaches, and drifting glacial ice, and feed in marine, estuarine, and occasionally fresh waters (Muto *et al.*, 2022). Harbor seals generally are non-migratory, with local movements associated with such factors as tides, weather, season, food availability, and reproduction (Scheffer and Slipp, 1944; Fisher 1952; Bigg, 1969, 1981; Hastings *et al.*, 2004). The results of past and recent satellite tagging studies in Southeast Alaska, Prince William Sound, Kodiak Island, and Cook Inlet are also consistent with the conclusion that harbor seals are non-migratory (Swain *et al.*, 1996; Lowry *et al.*, 2001; Small *et al.*, 2003; Boveng *et al.*, 2012). However, some long-distance movements of tagged animals in Alaska have been recorded (Pitcher and McAllister, 1981; Lowry *et al.*, 2001; Small *et al.*, 2003; Womble, 2012; Womble and Gende, 2013).

Harbor seals usually give birth to a single pup between May and mid-July. Birthing locations are often dispersed over several haulout sites and not confined to major rookeries (Klinkhart *et al.*, 2008). Strong fidelity of individuals for haul-out sites during the breeding season though have been documented in several populations (Härkönen and Harding, 2001), including some regions in Alaska such as Kodiak Island, Prince William Sound, Glacier Bay/Icy Strait, and Cook Inlet (Pitcher and McAllister, 1981; Small *et al.*, 2005; Boveng *et al.*, 2012; Womble, 2012; Womble and Gende, 2013).

Harbor seals forage on fish and invertebrates (Orr *et al.*, 2004) including capelin, eulachon (*Thaleichthys pacificus*), cod, pollock, flatfish, shrimp, octopus, and squid (Wynne, 2012). They are opportunistic feeders that forage in marine, estuarine, and occasionally freshwater habitat, adjusting their foraging behavior to take advantage of prey that are locally and seasonally abundant (Payne and Selzer, 1989). Depending on prey availability, research has demonstrated that harbor seals conduct both shallow and deep dives while foraging (Tollit *et al.*, 1997).

Harbor seals are commonly sighted in the waters of the inside passages throughout Southeast Alaska. Surveys have been rarely carried out on Dixon/Cape Decision, with the last surveys taking place between 2007 to 2011 and 2015. The NMFS Alaska Fisheries

Science Center identifies two “key” haulouts, or haulouts that have had 50 or more harbor seals documented during surveys, in Sukkwan Strait and four additional “not key” haulouts, those with fewer than 50 harbor seals documented during surveys, near the proposed project area (see Figure 4–2 in the DOT&PF’s application) (NOAA, 2021). NMFS aerial survey data indicate that as few as 0 to as many as 157 harbor seals were sighted near the project area during surveys between 2003 and 2011 (Areas BD28 and BD30; NOAA, 2022). However, local residents report that only a few (two to four) harbor seals are regularly observed near Hydaburg. These individuals are generally observed near the small boat harbor outside of the proposed project area and during peak salmon runs in late summer and early fall. Harbor seals are known to be curious and may approach novel activity, so it is possible that some may enter the proposed project area during pile installation and removal.

Northern Elephant Seal

Northern elephant seals are wide-ranging throughout the North Pacific, spending as much as 80 percent of their time at sea (Hindell and Perrin, 2009). Populations of northern elephant seals in the U.S. and Mexico have recovered after being nearly hunted to extinction (Stewart *et al.*, 1994). Northern elephant seals underwent a severe population bottleneck and loss of genetic diversity when the population was reduced to an estimated 10–30 individuals (Hoelzel *et al.*, 2002). Since 1998, northern elephant seals have been undergoing a large population increase, estimated at 3.1 percent annually (Lowry *et al.*, 2020). There are two demographically isolated breeding populations: the California breeding population and the Baja California population. No international agreements exist for the joint management of this species by the U.S. and Mexico. The California breeding population is considered to be a separate stock. Any northern elephant seals observed near Hydaburg would be considered part of the California breeding stock.

Spatial segregation in foraging areas between males and females is evident from satellite tag data (Le Boeuf *et al.*, 2000). Males migrate to the Gulf of Alaska and western Aleutian Islands along the continental shelf to feed on benthic prey, while females migrate to pelagic areas in the Gulf of Alaska and the central North Pacific to feed on pelagic prey (Le Boeuf *et al.*, 2000). Elephant seals spend a majority of their time at sea (average of 74.7 days during post breeding migration and an average

of 218.5 days during the post-molting migration; Robinson *et al.*, 2012). Although northern elephant seals are known to visit the Gulf of Alaska to feed on benthic prey, they rarely occur on the beaches of Alaska.

Northern elephant seals breed and give birth in California and Baja Mexico, primarily on offshore islands (Stewart *et al.*, 1994, from December to March (Stewart and Huber, 1993)) before dispersing widely across the North Pacific (Le Boeuf *et al.*, 2000). Although movement and genetic exchange continues between rookeries, most elephant seals return to natal rookeries when they start breeding (Huber *et al.*, 1991). Gestation in elephant seals lasts 11 months, with births taking place onshore when seals are at the breeding colony (Stewart *et al.*, 1994).

There is a low probability that northern elephant seals would occur in the proposed project area. Northern elephant seals generally feed along the continental shelf break (Le Boeuf *et al.*, 2000) and are not expected to spend time in shallow areas like the Sukkwan Strait. No sightings of elephant seals have been documented near Hydaburg; however, protected species observers (PSOs) at a DOT&PF project site in Ketchikan (located approximately 76 km east of Hydaburg) reported sightings of a northern elephant seal on multiple days (C. Gentemann, personal communication, April 8, 2022). Additional sightings of northern elephant seals around the state concurrent to the Ketchikan sighting were reported in Seward, King Cove, and Kodiak (L. Davis, personal communication, April 14, 2022). Given the recent increase in sightings, including sightings in Southeast Alaska, it is assumed that a few northern elephant seals could be present in Hydaburg during construction of the proposed project.

Harbor Porpoise

In the eastern North Pacific Ocean, the harbor porpoise ranges from Point Barrow, along the Alaska coast, and down the west coast of North America to Point Conception, California. In Alaska, harbor porpoises are currently divided into three stocks, based primarily on geography: the Bering Sea stock, the Southeast Alaska stock, and the Gulf of Alaska stock. Harbor porpoises near Hydaburg are currently recognized as members of the Southeast Alaska stock. The Southeast Alaska stock ranges from Cape Suckling to the Canada boundary (Muto *et al.*, 2022).

Harbor porpoises primarily frequent coastal waters in southeast Alaska (Dahlheim *et al.*, 2009) and occur most

frequently in waters less than 100 m deep (Hobbs and Waite, 2010). Harbor porpoises forage in waters less than 200 m deep on small pelagic schooling fishes such as herring, cod, pollock, octopus, smelt, and bottom-dwelling fish, occasionally feeding on squid and crustaceans (Bjørge and Tolley, 2009; Wynne *et al.*, 2011).

Calving occurs from May to August; however, this can vary by region. Harbor porpoises are often found traveling alone, or in small groups less than 10 individuals (Schmale, 2008). According to aerial surveys of harbor porpoise abundance in southeast Alaska conducted in 1991–1993, mean group size was calculated to be 1.2 animals (Dahlheim *et al.*, 2000).

Studies of harbor porpoises reported no evidence of seasonal changes in distribution for the inland waters of southeast Alaska (Dahlheim *et al.*, 2009). Their small overall size, lack of a visible blow, low dorsal fins and overall low profile, and short surfacing time make them difficult to observe (Dahlheim *et al.*, 2015), likely reducing identification and reporting of this species, and these estimates therefore may be low.

Although there have been no systematic studies or observations of harbor porpoises specific to Hydaburg or Sukkwan Strait, there is potential for them to occur in the proposed project area. Abundance data for harbor porpoises in southeast Alaska were collected during 18 seasonal surveys spanning 22 years, from 1991 to 2012 (Dahlheim *et al.*, 2015). During that study, a total of 81 harbor porpoises were observed in the southern inland waters of southeast Alaska; however, the survey terminated 80 km southeast of Hydaburg and did not include Sukkwan Strait as part of the survey. There does not appear to be any seasonal variation in harbor porpoise density in the inland waters of southeast Alaska (Dahlheim *et al.*, 2015). Harbor porpoises have not been reported by local residents.

Dall’s Porpoise

Dall’s porpoises are found throughout the North Pacific, from southern Japan to southern California and north to the Bering Sea. All Dall’s porpoises in Alaska are members of the Alaska stock, and those off California, Oregon, and Washington are part of a separate stock. Dall’s porpoises can be found in offshore, inshore, and nearshore habitat, but they are most commonly found in waters deeper than 183 m (Dahlheim *et al.*, 2009; Jefferson, 2009).

Common prey of Dall’s porpoise include a variety of small, schooling fishes (such as herrings and mackerels)

and cephalopods. Dall's porpoises may migrate between inshore and offshore areas and make latitudinal movements or short seasonal migrations, but these movements are generally not consistent (Jefferson, 2009).

Dall's porpoises generally occur in groups of 2 to 20 individuals but have also been recorded in groups numbering in the hundreds. The mean group size in southeast Alaska is estimated at approximately three individuals (Dahlheim *et al.*, 2009; Jefferson, 2019). However, Dall's porpoises are reported to typically occur in groups of 10–15 animals near Ketchikan Alaska, which is located approximately 76 km east of Hydaburg, with an estimated maximum group size of 20 animals (Freitag 2017, 83 FR 37473, August 1, 2018).

No systematic studies of Dall's porpoise abundance or distribution have occurred in Sukkwan Strait; however, Dall's porpoises have been observed in Cordova Bay 30 km south of Hydaburg during a summer 2011 survey (Jefferson *et al.*, 2019). Despite generalized water depth preferences, Dall's porpoises may occur in shallow waters. Moran *et al.* (2018) recently mapped Dall's porpoise distributions in bays, shallow water, and nearshore areas of Prince William Sound, habitats not typically utilized by this species. If Dall's porpoises occur in the proposed project area, they will likely be present in March or April, given the strong seasonal patterns observed in nearby areas of southeast Alaska (Dahlheim *et al.*, 2009). No local residents have described seeing Dall's porpoises within Sukkwan Strait.

Pacific White-Sided Dolphin

Pacific white-sided dolphins are a pelagic species inhabiting temperate waters of the North Pacific Ocean and along the coasts of California, Oregon, Washington, and Alaska (Muto *et al.*, 2022). Despite their distribution mostly in deep, offshore waters, they may also be found over the continental shelf and in nearshore waters, including inland waters of southeast Alaska (Ferrero and Walker, 1996). Pacific white-sided dolphins are managed as two distinct stocks: the California/Oregon/Washington stock and the North Pacific stock (north of 45° N, including Alaska). Pacific white-sided dolphins present near the project area are recognized as being members of the North Pacific stock, which ranges from Canada into Alaska (Muto *et al.*, 2022).

Pacific white-sided dolphins prey on squid and small schooling fish such as capelin, sardines, and herring (Morton, 2006). They are known to work in groups to herd schools of fish and can dive underwater for up to 6 minutes to

feed (Morton, 2006). Group sizes have been reported to range from 40 to over 1,000 animals, but groups of between 10 and 100 individuals (Stacey and Baird, 1991) occur most commonly. Seasonal movements of Pacific white-sided dolphins are not well understood, but there is evidence of both north-south seasonal movement (Leatherwood *et al.*, 1984) and inshore-offshore seasonal movement (Stacey and Baird, 1991).

Pacific white-sided dolphins do not generally occur in the shallow, inland waterways of southeast Alaska. Scientific studies and data are lacking relative to the presence or abundance of Pacific white-sided dolphins in or near Sukkwan Strait. When Pacific white-sided dolphins have been observed, sighting rates were highest in spring and decreased throughout summer and fall (Dahlheim *et al.*, 2009).

Most observations of Pacific white-sided dolphins occur off the outer coast or in inland waterways near entrances to the open ocean. According to Muto *et al.* (2022), aerial surveys in 1997 sighted one group of 164 Pacific white-sided dolphins in Dixon Entrance to the southeast of Hydaburg. These observational data, combined with anecdotal information, indicate that there is a small potential for Pacific white-sided dolphins to occur in the proposed project area. NMFS previously estimated that a group of up to 92 individuals (median between 20 and 164 individuals) could be present at Metlakatla, Alaska (86 FR 43190, August 6, 2021), which is located approximately 80 km east of Hydaburg.

Killer Whale

Killer whales have been observed in all the world's oceans, but the highest densities occur in colder and more productive waters found at high latitudes (NMFS, 2016a). Killer whales occur along the entire Alaska coast, in British Columbia and Washington inland waterways, and along the outer coasts of Washington, Oregon, and California (NMFS, 2016a).

Based on data regarding association patterns, acoustics, movements, and genetic differences, eight killer whale stocks are now recognized within the Pacific U.S. exclusive economic zone. Only individuals from the Eastern North Pacific Alaska Resident stock (Alaska Resident stock), Eastern North Pacific Northern Resident stock (Northern Resident stock), and West Coast Transient stock may occur in the proposed project area (Muto *et al.*, 2022).

There are three distinct ecotypes, or forms, of killer whales recognized: resident, transient, and offshore. The

three ecotypes differ morphologically, ecologically, behaviorally, and genetically. Surveys between 1991 and 2007 encountered resident killer whales during all seasons throughout southeast Alaska. Both residents and transients were common in a variety of habitats and all major waterways, including protected bays and inlets. There does not appear to be strong seasonal variation in abundance or distribution of killer whales, but there was substantial variability between years during this study (Dahlheim *et al.*, 2009). Spatial distribution has been shown to vary among the different ecotypes, with resident and, to a lesser extent, transient killer whales more commonly observed along the continental shelf, and offshore killer whales more commonly observed in pelagic waters (Rice *et al.*, 2021).

Transient killer whales hunt and feed primarily on marine mammals, while residents forage primarily on fish. Transient killer whales feed primarily on harbor seals, Dall's porpoises, harbor porpoises, and sea lions. Resident killer whale populations in the eastern North Pacific feed mainly on salmonids, showing a strong preference for Chinook salmon (NMFS, 2016a).

Transient killer whales are often found in long-term stable social units (pods) of 1 to 16 whales. Average pod sizes in southeast Alaska were six in spring, five in summer, and four in fall (Dahlheim *et al.*, 2009). Pod sizes of transient whales are generally smaller than those of resident social groups. Resident killer whales occur in pods ranging from 7 to 70 whales that are seen in association with one another more than 50 percent of the time (Dahlheim *et al.*, 2009; NMFS 2016b). In southeast Alaska, resident killer whale mean pod size was approximately 21.5 in spring, 32.3 in summer, and 19.3 in fall (Dahlheim *et al.*, 2009).

No systematic studies of killer whales have been conducted in or around Sukkwan Strait. Dahlheim *et al.* (2009) observed transient killer whales within Lynn Canal, Icy Strait, Stephens Passage, Frederick Sound, and upper Chatham Strait. Anecdotal local information suggests that killer whales are rarely seen near the Hydaburg area, but a pod may be seen occasionally every few months.

Humpback Whale

Humpback whales are found throughout southeast Alaska in a variety of marine environments, including open ocean, nearshore waters, and areas with strong tidal currents (Dahlheim *et al.*, 2009). Most humpback whales are migratory and spend winters in the

breeding grounds off either Hawaii or Mexico. Humpback whales generally arrive in southeast Alaska in March and return to their wintering grounds in November. Some humpback whales depart late or arrive early to feeding grounds, and therefore the species occurs in southeast Alaska year-round (Straley, 1990; Straley *et al.*, 2018). Current threats to humpback whales include vessel strikes, spills, climate change, and commercial fishing operations (Muto *et al.*, 2022).

Humpback whales worldwide were designated as “endangered” under the Endangered Species Conservation Act in 1970 and had been listed as a species under the ESA since its inception in 1973. On September 8, 2016, NMFS published a final decision that changed the status of humpback whales under the ESA (81 FR 62259), effective on October 11, 2016. The decision recognized the existence of 14 DPSs based on distinct breeding areas in tropical and temperate waters. Five of the 14 DPSs were classified under the ESA (4 endangered and 1 threatened), while the other 9 DPSs were delisted. Humpback whales found in the project area are predominantly members of the Hawaii DPS, which is not listed under the ESA. However, based on a comprehensive photo-identification study, members of the Mexico DPS, which is listed as threatened, are known to occur in southeast Alaska. Members of different DPSs are known to intermix on feeding grounds; therefore, all waters off the coast of Alaska should be considered to potentially have ESA-listed humpback whales. Approximately 2 percent of all humpback whales encountered in southeast Alaska and northern British Columbia are expected to be members of the Mexico DPS, while all others are expected to be members of the Hawaii DPS (Wade *et al.*, 2021).

The DPSs of humpback whales that were identified through the ESA listing process do not necessarily equate to the existing MMPA stocks. The stock delineations of humpback whales under the MMPA are currently under review. Until this review is complete, NMFS considers humpback whales in southeast Alaska to be part of the Central North Pacific stock, with a status of endangered under the ESA and designations of strategic and depleted under the MMPA (Muto *et al.*, 2022).

Southeast Alaska is considered a biologically important area (BIA) for feeding humpback whales between May and September (Wild *et al.*, 2023), though not currently designated as critical habitat (86 FR 21082, April 21, 2021). Most humpback whales migrate to other regions during winter to breed,

but over-wintering (non-breeding) humpback whales have been noted and may be increasingly common and attributable to staggered migration (Straley, 1990; Straley *et al.*, 2018). It is thought that those humpbacks that remain in southeast Alaska do so in response to the availability of winter schools of fish prey, which primarily includes overwintering herring (Straley *et al.*, 2018). In Alaska, humpback whales filter feed on tiny crustaceans, plankton, and small fish such as walleye pollock, Pacific sand lance, herring (*Clupea pallasii*), eulachon (*Thaleichthys pacificus*), and capelin (Witteveen *et al.*, 2012). It is common to observe groups of humpback whales cooperatively bubble feeding. Group sizes in southeast Alaska generally range from one to four individuals (Dahlheim *et al.*, 2009).

No systematic studies have documented humpback whale abundance near Hydaburg. Anecdotal information from local residents suggests that humpback whales’ utilization of the area is intermittent year-round. Their abundance, distribution, and occurrence are dependent on and fluctuate with fish prey. Local residents estimate that one to two humpback whales may be present in the Sukkwan Strait on a weekly basis. Elsewhere in southeast Alaska, marine mammal monitoring for projects in Tongass Narrows, Ketchikan, Alaska, indicate that humpback whales are present in that area most regularly from May through October (DOT&PF, 2021; 2022) and may occur in lower numbers in winter, which we would expect to be the case for Hydaburg.

Minke Whale

Minke whales are found throughout the northern hemisphere in polar, temperate, and tropical waters (Jefferson *et al.*, 2008). The population status of minke whales is considered stable throughout most of their range. Historically, commercial whaling reduced the population size of this species, but given their small size, they were never a primary target of whaling and did not experience severe population declines as did larger cetaceans.

The International Whaling Commission has identified three minke whale stocks in the North Pacific: one near the Sea of Japan, a second in the rest of the western Pacific, and a third, less concentrated, stock throughout the eastern Pacific. NMFS further splits this third stock between Alaska whales and resident whales of California, Oregon, and Washington (Muto *et al.*, 2022). Minke whales in southeast Alaska are

part of the Alaska stock (Muto *et al.*, 2022). Minke whales are found in all Alaskan waters. There are no population estimates for minke whales in southeast Alaska. Surveys in southeast Alaska have consistently identified individuals throughout inland waters in low numbers (Dahlheim *et al.*, 2009).

In Alaska, the minke whale diet consists primarily of euphausiids and walleye pollock. Minke whales are generally found in shallow, coastal waters within 200 m of shore (Zerbini *et al.*, 2006) and are almost always solitary or in small groups of two to three. Rarely, loose aggregations of up to 400 animals have been associated with feeding areas in Arctic latitudes. In Alaska, seasonal movements are associated with feeding areas that are generally located at the edge of the pack ice (NMFS, 2014).

There are no known occurrences of minke whales within the project area. Dedicated surveys for cetaceans in southeast Alaska found that minke whales were scattered throughout inland waters from Glacier Bay and Icy Strait to Clarence Strait, with small concentrations near the entrance of Glacier Bay (Dahlheim *et al.*, 2009). All sightings were of single minke whales, except for a single sighting of multiple minke whales. Surveys took place in spring, summer, and fall, and minke whales were present in low numbers in all seasons and years. NMFS is not aware of information on the winter occurrence of minke whales in southeast Alaska.

Anecdotal observations suggest that minke whales are not seen near Hydaburg and so are expected to occur rarely in the project area. However, NMFS has previously estimated that a group of up to three individuals could be present at nearby Metlakatla, Alaska over 4 months (86 FR 43190, August 6, 2021). Since their ranges extend into the project area and they have been observed in southeast Alaska, including in Clarence Strait (Dahlheim *et al.*, 2009), it is possible the species could occur near the project area.

Marine Mammal Hearing

Hearing is the most important sensory modality for marine mammals underwater, and exposure to anthropogenic sound can have deleterious effects. To appropriately assess the potential effects of exposure to sound, it is necessary to understand the frequency ranges marine mammals are able to hear. Not all marine mammal species have equal hearing capabilities or hear over the same frequency range (e.g., Richardson *et al.*, 1995; Wartzok and Ketten, 1999; Au and Hastings,

2008). To reflect this, Southall *et al.* (2007, 2019) recommended that marine mammals be divided into hearing groups based on directly measured (behavioral or auditory evoked potential techniques) or estimated hearing ranges (behavioral response data, anatomical modeling, *etc.*). Note that no direct measurements of hearing ability have

been successfully completed for mysticetes (*i.e.*, low-frequency cetaceans). Subsequently, NMFS (2018) described generalized hearing ranges for these marine mammal hearing groups. Generalized hearing ranges were chosen based on the approximately 65 decibel (dB) threshold from the normalized composite audiograms, with the

exception for lower limits for low-frequency cetaceans where the lower bound was deemed to be biologically implausible and the lower bound from Southall *et al.* (2007) retained. Marine mammal hearing groups and their associated hearing ranges are provided in Table 3.

TABLE 3—MARINE MAMMAL HEARING GROUPS
[NMFS, 2018]

Hearing group	Generalized hearing range *
Low-frequency (LF) cetaceans (baleen whales)	7 Hz to 35 kHz.
Mid-frequency (MF) cetaceans (dolphins, toothed whales, beaked whales, bottlenose whales)	150 Hz to 160 kHz.
High-frequency (HF) cetaceans (true porpoises, <i>Kogia</i> , river dolphins, Cephalorhynchid, <i>Lagenorhynchus cruciger</i> & <i>L. australis</i>).	275 Hz to 160 kHz.
Phocid pinnipeds (PW) (underwater) (true seals)	50 Hz to 86 kHz.
Otariid pinnipeds (OW) (underwater) (sea lions and fur seals)	60 Hz to 39 kHz.

* Represents the generalized hearing range for the entire group as a composite (*i.e.*, all species within the group), where individual species' hearing ranges are typically not as broad. Generalized hearing range chosen based on ~65 dB threshold from normalized composite audiogram, with the exception for lower limits for LF cetaceans (Southall *et al.*, 2007) and PW pinniped (approximation).

The pinniped hearing group was modified from Southall *et al.* (2007) on the basis of data indicating that phocid species have consistently demonstrated an extended frequency range of hearing compared to otariids, especially in the higher frequency range (Hemilä *et al.*, 2006; Kastelein *et al.*, 2009; Reichmuth *et al.*, 2013).

For more detail concerning these groups and associated generalized hearing ranges, please see NMFS (2018) for a review of available information.

Potential Effects of Specified Activities on Marine Mammals and Their Habitat

This section provides a discussion of the ways in which components of the specified activity may impact marine mammals and their habitat. The Estimated Take section later in this document includes a quantitative analysis of the number of individuals that are expected to be taken by this activity. The Negligible Impact Analysis and Determination section considers the content of this section, the Estimated Take section, and the Proposed Mitigation section, to draw conclusions regarding the likely impacts of these activities on the reproductive success or survivorship of individuals and whether those impacts are reasonably expected to, or reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.

Acoustic effects on marine mammals during the specified activity are expected to potentially occur from impact pile installation, vibratory pile installation, and DTH systems. The effects of underwater noise from the

DOT&PF's proposed activities have the potential to result in Level B harassment of marine mammals in the action area, and, for some species as a result of certain activities, Level A harassment

Background on Sound

This section contains a brief technical background on sound, on the characteristics of certain sound types, and on metrics used in this proposal in as much as the information is relevant to the specified activity and to a discussion of the potential effects of the specified activity on marine mammals found later in this document. For general information on sound and its interaction with the marine environment, please see, *e.g.*, Erbe and Thomas (2022); Au and Hastings (2008); Richardson *et al.* (1995); Urick (1983) as well as the Discovery of Sound in the Sea (DOSITS) website at <https://dosits.org/>.

Sound is a vibration that travels as an acoustic wave through a medium such as a gas, liquid, or solid. Sound waves alternately compress and decompress the medium as the wave travels. In water, sound waves radiate in a manner similar to ripples on the surface of a pond and may be either directed in a beam (narrow beam or directional sources) or sound may radiate in all directions (omnidirectional sources), as is the case for sound produced by the construction activities considered here. The compressions and decompressions associated with sound waves are detected as changes in pressure by marine mammals and human-made sound receptors such as hydrophones.

Sound travels more efficiently in water than almost any other form of energy, making the use of sound as a primary sensory modality ideal for inhabitants of the aquatic environment. In seawater, sound travels at roughly 1,500 meters per second (m/s). In air, sound waves travel much more slowly at about 340 m/s. However, the speed of sound in water can vary by a small amount based on characteristics such as temperature and salinity.

The basic characteristics of a sound wave are frequency, wavelength, velocity, and amplitude. Frequency is the number of pressure waves that pass by a reference point per unit of time and is measured in hertz (Hz) or cycles per second. Wavelength is the distance between two peaks or corresponding points of a sound wave (length of one cycle). Higher frequency sounds have shorter wavelengths than lower frequency sounds, and typically attenuate (decrease) more rapidly with distance, except in certain cases in shallower water. The amplitude of a sound pressure wave is related to the subjective "loudness" of a sound and is typically expressed in dB, which are a relative unit of measurement that is used to express the ratio of one value of a power or pressure to another. A sound pressure level (SPL) in dB is described as the ratio between a measured pressure and a reference pressure, and is a logarithmic unit that accounts for large variations in amplitude; therefore, a relatively small change in dB corresponds to large changes in sound pressure. For example, a 10-dB increase is a 10-fold increase in acoustic power. A 20-dB increase is then a 100-fold

increase in power and a 30-dB increase is a 1,000-fold increase in power. However, a 10-fold increase in acoustic power does not mean that the sound is perceived as being 10 times louder. The dB is a relative unit comparing two pressures; therefore, a reference pressure must always be indicated. For underwater sound, this is 1 micropascal (μPa). For in-air sound, the reference pressure is 20 micropascal (μPa). The amplitude of a sound can be presented in various ways; however, NMFS typically considers three metrics: sound exposure level (SEL), root-mean-square (RMS) SPL, and peak SPL (defined below). The source level represents the SPL referenced from a standard distance from the source (typically 1 m) (Richardson *et al.*, 1995; American National Standards Institute (ANSI), 2013), while the received level is the SPL at the receiver's position. For pile driving activities, the SPL is typically referenced at 10 m.

SEL (represented as dB referenced to 1 micropascal squared per second (re 1 $\mu\text{Pa}^2\text{-s}$)) represents the total energy in a stated frequency band over a stated time interval or event, and considers both intensity and duration of exposure. The per-pulse SEL (*e.g.*, single strike or single shot SEL) is calculated over the time window containing the entire pulse (*i.e.*, 100 percent of the acoustic energy). SEL can also be a cumulative metric; it can be accumulated over a single pulse (for pile driving this is the same as single-strike SEL, above; SELss), or calculated over periods containing multiple pulses (SELcum). Cumulative SEL (SELcum) represents the total energy accumulated by a receiver over a defined time window or during an event. The SEL metric is useful because it allows sound exposures of different durations to be related to one another in terms of total acoustic energy. The duration of a sound event and the number of pulses, however, should be specified as there is no accepted standard duration over which the summation of energy is measured.

RMS SPL is 10 times the logarithm (base 10) of the ratio of the mean-square sound pressure to the specified reference value, in dB (ISO, 2017). RMS is calculated by squaring all of the sound amplitudes, averaging the squares, and then taking the square root of the average (Urlick, 1983). RMS accounts for both positive and negative values; squaring the pressures makes all values positive so that they may be accounted for in the summation of pressure levels (Hastings and Popper, 2005). This measurement is often used in the context of discussing behavioral effects, in part because behavioral

effects, which often result from auditory cues, may be better expressed through averaged units than by peak SPL. For impulsive sounds, RMS is calculated by the portion of the waveform containing 90 percent of the sound energy from the impulsive event (Madsen, 2005).

Peak SPL (also referred to as zero-to-peak sound pressure or 0-pk) is the maximum instantaneous sound pressure measurable in the water, which can arise from a positive or negative sound pressure, during a specified time, for a specific frequency range (International Organization for Standardization (ISO), 2017) at a specified distance from the source, and is represented in the same units as the RMS sound pressure. Along with SEL, this metric is used in evaluating the potential for PTS (permanent threshold shift) and TTS (temporary threshold shift) associated with impulsive sound sources.

Sounds are also characterized by their temporal component. Continuous sounds are those whose sound pressure level remains above that of the ambient or background sound with negligibly small fluctuations in level (ANSI, 2005), while intermittent sounds are defined as sounds with interrupted levels of low or no sound (National Institute for Occupational Safety and Health (NIOSH), 1998). A key distinction between continuous and intermittent sound sources is that intermittent sounds have a more regular (predictable) pattern of bursts of sounds and silent periods (*i.e.*, duty cycle), which continuous sounds do not.

Sounds can be either impulsive or non-impulsive (defined below). The distinction between these two sound types is important because they have differing potential to cause physical effects, particularly with regard to noise-induced hearing loss (*e.g.*, Ward, 1997 in Southall *et al.*, 2007). Please see NMFS *et al.* (2018) and Southall *et al.* (2007, 2019) for an in-depth discussion of these concepts.

Impulsive sound sources (*e.g.*, explosions, gunshots, sonic booms, seismic airgun shots, impact pile driving) produce signals that are brief (typically considered to be less than one second), broadband, atonal transients (ANSI, 1986; NIOSH, 1998; ANSI 2005) and occur either as isolated events or repeated in some succession. Impulsive sounds are all characterized by a relatively rapid rise from ambient pressure to a maximal pressure value followed by a rapid decay period that may include a period of diminishing, oscillating maximal and minimal pressures, and generally have an increased capacity to induce physical injury as compared with sounds that

lack these features. Impulsive sounds are intermittent in nature. The duration of such sounds, as received at a distance, can be greatly extended in a highly reverberant environment.

Non-impulsive sounds can be tonal, narrowband, or broadband, brief or prolonged, and may be either continuous or non-continuous (ANSI, 1995; NIOSH, 1998). Some of these non-impulsive sounds can be transient signals of short duration but without the essential properties of impulses (*e.g.*, rapid rise time). Examples of non-impulsive sounds include those produced by vessels, aircraft, machinery operations such as drilling or dredging, vibratory pile driving, and active sonar systems.

Even in the absence of sound from the specified activity, the underwater environment is typically loud due to both natural and anthropogenic sound sources. Ambient sound is defined as a composite of naturally-occurring (*i.e.*, non-anthropogenic) sound from many sources both near and far (ANSI, 1995). Background sound is similar, but includes all sounds, including anthropogenic sounds, minus the sounds produced by the proposed activity (NMFS, 2012; NOAA, 2016b). The sound level of a region is defined by the total acoustical energy being generated by known and unknown sources. These sources may include physical (*e.g.*, wind and waves, earthquakes, ice, atmospheric sound), biological (*e.g.*, sounds produced by marine mammals, fish, and invertebrates), and anthropogenic (*e.g.*, vessels, dredging, construction) sound. A number of sources contribute to background and ambient sound, including wind and waves, which are a main source of naturally occurring ambient sound for frequencies between 200 Hz and 50 kilohertz (kHz) (Mitson, 1995). In general, background and ambient sound levels tend to increase with increasing wind speed and wave height. Precipitation can become an important component of total sound at frequencies above 500 Hz, and possibly down to 100 Hz during quiet times. Marine mammals can contribute significantly to background and ambient sound levels, as can some fish and snapping shrimp. The frequency band for biological contributions is from approximately 12 Hz to over 100 kHz. Sources of background sound related to human activity include transportation (surface vessels), dredging and construction, oil and gas drilling and production, geophysical surveys, sonar, and explosions. Vessel noise typically dominates the total background sound for frequencies between 20 and 300 Hz.

In general, the frequencies of many anthropogenic sounds, particularly those produced by construction activities, are below 1 kHz (Richardson et al. 1995). When sounds at frequencies greater than 1 kHz are produced, they generally attenuate relatively rapidly, particularly above 20 kHz due to propagation losses and absorption (Urlick, 1983).

Transmission loss (TL) defines the degree to which underwater sound has spread in space and lost energy after having moved through the environment, and reached a receiver. It is defined by the ISO as the reduction in a specified level between two specified points that are within an underwater acoustic field (ISO 2017). Careful consideration of transmission loss and appropriate propagation modeling is a crucial step in determining the impacts of underwater sound, as it helps to define the ranges (isopleths) to which impacts are expected and depends significantly on local environmental parameters such as seabed type, water depth (bathymetry), and the local speed of sound. Geometric spreading laws are powerful tools which provide a simple means of estimating TL, based on the shape of the sound wave front in the water column. For a sound source that is equally loud in all directions and in deep water, the sound field takes the form of a sphere, as the sound extends in every direction uniformly. In this case, the intensity of the sound is spread across the surface of the sphere, and thus we can relate intensity loss to the square of the range (as $\text{area} = 4 \cdot \pi \cdot r^2$). When expressing logarithmically in dB as TL, we find that $\text{TL} = 20 \cdot \text{Log}_{10}(\text{range})$, for the case of spherical spreading. In shallow water, the sea surface and seafloor will bound the shape of the sound, leading to a more cylindrical shape, as the top and bottom of the sphere is truncated by the largely reflective boundaries. This situation is termed cylindrical spreading, and is given by $\text{TL} = 10 \cdot \text{Log}_{10}(\text{range})$ (Urlick, 1983). An intermediate scenario may be defined by the equation $\text{TL} = 15 \cdot \text{Log}_{10}(\text{range})$, and is referred to as practical spreading. Though these two geometric spreading laws defined above do not capture many often important details (scattering, absorption, etc.), they offer a reasonable and simple approximation of how sound decreases in intensity as it is transmitted. In the absence of measured data indicating the level of transmission loss at a given site for a specific activity, NMFS recommends practical spreading (i.e., $15 \cdot \text{Log}_{10}(\text{range})$) to model acoustic

propagation for construction activities in most nearshore environments.

The sum of the various natural and anthropogenic sound sources at any given location and time depends not only on the source levels but also on the propagation of sound through the environment. Sound propagation is dependent on the spatially and temporally varying properties of the water column and sea floor, and is frequency-dependent. As a result of the dependence on a large number of varying factors, background and ambient sound levels can be expected to vary widely over both coarse and fine spatial and temporal scales. Sound levels at a given frequency and location can vary by 10–20 dB from day to day (Richardson et al., 1995). The result is that, depending on the source type and its intensity, sound from the specified activity may be a negligible addition to the local environment or could form a distinctive signal that may affect marine mammals.

Ongoing marine vessel traffic, seaplane traffic and associated activities throughout the Sukkwan Strait area, as well as land-based industrial and commercial activities, result in elevated in-air and underwater sound conditions in the project area that increase with proximity to the project site. Sound levels likely vary seasonally, with elevated levels during summer, when the commercial and fishing industries are at their peaks.

Description of Sound Sources for the Specified Activities

In-water construction activities associated with the project would include impact pile installation, vibratory pile installation and removal, and DTH installation. Impact hammers operate by repeatedly dropping and/or pushing a heavy piston onto a pile to drive the pile into the substrate. Sound generated by impact hammers is characterized by rapid rise times and high peak levels, a potentially injurious combination (Hastings and Popper, 2005). Vibratory hammers install piles by vibrating them and allowing the weight of the hammer to push them into the sediment. Vibratory hammers typically produce less sound (i.e., lower levels) than impact hammers. Peak SPLs may be 180 dB or greater, but are generally 10 to 20 dB lower than SPLs generated during impact pile driving of the same-sized pile (Oestman et al., 2009). The rise time is slower, reducing the probability and severity of injury, and the sound energy is distributed over a greater amount of time (Nedwell and Edwards, 2002; Carlson et al., 2005).

DTH systems would also be used during the proposed construction to install rock sockets and tension anchors. A DTH hammer is essentially a drill bit that drills through the bedrock using a rotating function like a normal drill, in concert with a hammering mechanism operated by a pneumatic (or sometimes hydraulic) component integrated into the DTH hammer to increase speed of progress through the substrate (i.e., it is similar to a “hammer drill” hand tool). The sounds produced by the DTH methods contain both a continuous non-impulsive component from the drilling action and an impulsive component from the hammering effect. Therefore, NMFS treats DTH systems as both impulsive and continuous, non-impulsive sound source types simultaneously.

The likely or possible impacts of the DOT&PF's proposed activities on marine mammals could involve both non-acoustic and acoustic stressors. Potential non-acoustic stressors could result from the physical presence of the equipment and personnel; however, given there are no known pinniped haul-out sites in the vicinity of the proposed project site, visual and other non-acoustic stressors would be limited, and any impacts to marine mammals are expected to primarily be acoustic in nature.

Acoustic Impacts

The introduction of anthropogenic noise into the aquatic environment from pile driving or drilling is the primary means by which marine mammals may be harassed from the DOT&PF's specified activity. In general, animals exposed to natural or anthropogenic sound may experience physical and psychological effects, ranging in magnitude from none to severe (Southall et al., 2007, 2019). In general, exposure to pile driving or drilling noise has the potential to result in auditory threshold shifts and behavioral reactions (e.g., avoidance, temporary cessation of foraging and vocalizing, changes in dive behavior). Exposure to anthropogenic noise can also lead to non-observable physiological responses, such as an increase in stress hormones. Additional noise in a marine mammal's habitat can mask acoustic cues used by marine mammals to carry out daily functions, such as communication and predator and prey detection. The effects of pile driving or drilling noise on marine mammals are dependent on several factors, including, but not limited to, sound type (e.g., impulsive vs. non-impulsive), the species, age and sex class (e.g., adult male vs. mom with calf), duration of exposure, the distance

between the pile and the animal, received levels, behavior at time of exposure, and previous history with exposure (Wartzok *et al.*, 2004; Southall *et al.*, 2007). Here we discuss physical auditory effects (threshold shifts) followed by behavioral effects and potential impacts on habitat.

NMFS defines a noise-induced threshold shift (TS) as a change, usually an increase, in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2018). The amount of threshold shift is customarily expressed in dB. A TS can be permanent or temporary. As described in NMFS (2018a), there are numerous factors to consider when examining the consequence of TS, including, but not limited to, the signal temporal pattern (*e.g.*, impulsive or non-impulsive), likelihood an individual would be exposed for a long enough duration or to a high enough level to induce a TS, the magnitude of the TS, time to recovery (seconds to minutes or hours to days), the frequency range of the exposure (*i.e.*, spectral content), the hearing and vocalization frequency range of the exposed species relative to the signal's frequency spectrum (*i.e.*, how animal uses sound within the frequency band of the signal; *e.g.*, Kastelein *et al.*, 2014), and the overlap between the animal and the source (*e.g.*, spatial, temporal, and spectral). When considering auditory effects for the DOT&PF's proposed activities, vibratory pile driving is considered a non-impulsive source, while impact pile driving is treated as an impulsive source. DTH systems are considered to have both non-impulsive and impulsive components.

Permanent Threshold Shift (PTS)—NMFS defines PTS as a permanent, irreversible increase in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2018). PTS does not generally affect more than a limited frequency range, and an animal that has incurred PTS has incurred some level of hearing loss at the relevant frequencies; typically animals with PTS are not functionally deaf (Richardson *et al.*, 1995; Au and Hastings, 2008). Available data from humans and other terrestrial mammals indicate that a 40 dB threshold shift approximates PTS onset (see Ward *et al.*, 1958, 1959; Ward, 1960; Kryter *et al.*, 1966; Miller, 1974; Ahroon *et al.*, 1996; Henderson *et al.*, 2008). PTS criteria for marine mammals are estimates, as with the exception of a single study unintentionally inducing

PTS in a harbor seal (Kastak *et al.*, 2008), there are no empirical data measuring PTS in marine mammals largely due to the fact that, for various ethical reasons, experiments involving anthropogenic noise exposure at levels inducing PTS are not typically pursued or authorized (NMFS, 2018).

Temporary Threshold Shift (TTS)—A temporary, reversible increase in the threshold of audibility at a specified frequency or portion of an individual's hearing range above a previously established reference level (NMFS, 2018). Based on data from cetacean TTS measurements (see Southall *et al.*, 2007; 2019), a TTS of 6 dB is considered the minimum threshold shift clearly larger than any day-to-day or session-to-session variation in a subject's normal hearing ability (Schlundt *et al.*, 2000; Finneran *et al.*, 2000, 2002). As described in Finneran (2015), marine mammal studies have shown the amount of TTS increases with SELcum in an accelerating fashion: at low exposures with lower SELcum, the amount of TTS is typically small and the growth curves have shallow slopes. At exposures with higher SELcum, the growth curves become steeper and approach linear relationships with the noise SEL.

Depending on the degree (elevation of threshold in dB), duration (*i.e.*, recovery time), and frequency range of TTS, and the context in which it is experienced, TTS can have effects on marine mammals ranging from discountable to serious (similar to those discussed in auditory masking, below). For example, a marine mammal may be able to readily compensate for a brief, relatively small amount of TTS in a non-critical frequency range that takes place during a time when the animal is traveling through the open ocean, where ambient noise is lower and there are not as many competing sounds present. Alternatively, a larger amount and longer duration of TTS sustained during time when communication is critical for successful mother/calf interactions could have more serious impacts. We note that reduced hearing sensitivity as a simple function of aging has been observed in marine mammals, as well as humans and other taxa (Southall *et al.*, 2007), so we can infer that strategies exist for coping with this condition to some degree, though likely not without cost.

Many studies have examined noise-induced hearing loss in marine mammals (see Finneran (2015) and Southall *et al.* (2019) for summaries). TTS is the mildest form of hearing impairment that can occur during exposure to sound (Kryter, 2013). While

experiencing TTS, the hearing threshold rises, and a sound must be at a higher level in order to be heard. In terrestrial and marine mammals, TTS can last from minutes or hours to days (in cases of strong TTS). In many cases, hearing sensitivity recovers rapidly after exposure to the sound ends. For cetaceans, published data on the onset of TTS are limited to captive bottlenose dolphin (*Tursiops truncatus*), beluga whale (*Delphinapterus leucas*), harbor porpoise, and Yangtze finless porpoise (*Neophocoena asiaorientalis*) (Southall *et al.*, 2019). For pinnipeds in water, measurements of TTS are limited to harbor seals, elephant seals, bearded seals (*Erignathus barbatus*), and California sea lions (*Zalophus californianus*) (Kastak *et al.*, 1999; 2007; Kastelein *et al.*, 2019b; 2019c; Reichmuth *et al.*, 2019; Sills *et al.*, 2020; Kastelein *et al.*, 2021; 2022a; 2022b). These studies examine hearing thresholds measured in marine mammals before and after exposure to intense or long-duration sound exposures. The difference between the pre-exposure and post-exposure thresholds can be used to determine the amount of threshold shift at various post-exposure times.

The amount and onset of TTS depends on the exposure frequency. Sounds at low frequencies, well below the region of best sensitivity for a species or hearing group, are less hazardous than those at higher frequencies, near the region of best sensitivity (Finneran and Schlundt, 2013). At low frequencies, onset-TTS exposure levels are higher compared to those in the region of best sensitivity (*i.e.*, a low frequency noise would need to be louder to cause TTS onset when TTS exposure level is higher), as shown for harbor porpoises and harbor seals (Kastelein *et al.*, 2019a; Kastelein *et al.*, 2019c). Note that in general, harbor seals and harbor porpoises have a lower TTS onset than other measured pinniped or cetacean species (Finneran, 2015). In addition, TTS can accumulate across multiple exposures, but the resulting TTS will be less than the TTS from a single, continuous exposure with the same SEL (Mooney *et al.*, 2009; Finneran *et al.*, 2010; Kastelein *et al.*, 2014; 2015). This means that TTS predictions based on the total, cumulative SEL will overestimate the amount of TTS from intermittent exposures, such as sonars and impulsive sources. Nachtigall *et al.* (2018) describe measurements of hearing sensitivity of multiple odontocete species (bottlenose dolphin, harbor porpoise, beluga, and false killer whale (*Pseudorca*

crassidens)) when a relatively loud sound was preceded by a warning sound. These captive animals were shown to reduce hearing sensitivity when warned of an impending intense sound. Based on these experimental observations of captive animals, the authors suggest that wild animals may dampen their hearing during prolonged exposures or if conditioned to anticipate intense sounds. Another study showed that echolocating animals (including odontocetes) might have anatomical specializations that might allow for conditioned hearing reduction and filtering of low-frequency ambient noise, including increased stiffness and control of middle ear structures and placement of inner ear structures (Ketten *et al.*, 2021). Data available on noise-induced hearing loss for mysticetes are currently lacking (NMFS, 2018). Additionally, the existing marine mammal TTS data come from a limited number of individuals within these species.

Relationships between TTS and PTS thresholds have not been studied in marine mammals, and there is no PTS data for cetaceans, but such relationships are assumed to be similar to those in humans and other terrestrial mammals. PTS typically occurs at exposure levels at least several decibels above (a 40-dB threshold shift approximates PTS onset; *e.g.*, Kryter *et al.*, 1966; Miller, 1974) that inducing mild TTS (a 6-dB threshold shift approximates TTS onset; *e.g.*, Southall *et al.*, 2007). Based on data from terrestrial mammals, a precautionary assumption is that the PTS thresholds for impulsive sounds (such as impact pile driving pulses as received close to the source) are at least 6 dB higher than the TTS threshold on a peak-pressure basis and PTS cumulative sound exposure level thresholds are 15 to 20 dB higher than TTS cumulative sound exposure level thresholds (Southall *et al.*, 2007). Given the higher level of sound or longer exposure duration necessary to cause PTS as compared with TTS, it is considerably less likely that PTS could occur.

Behavioral Harassment—Exposure to noise from pile driving and drilling also has the potential to behaviorally disturb marine mammals to a level that rises to the definition of harassment under the MMPA. Generally speaking, NMFS considers a behavioral disturbance that rises to the level of harassment under the MMPA a non-minor response—in other words, not every response qualifies as behavioral disturbance, and for responses that do, those of a higher level, or accrued across a longer duration, have the potential to affect

foraging, reproduction, or survival. Behavioral disturbance may include a variety of effects, including subtle changes in behavior (*e.g.*, minor or brief avoidance of an area or changes in vocalizations), more conspicuous changes in similar behavioral activities, and more sustained and/or potentially severe reactions, such as displacement from or abandonment of high-quality habitat. Disturbance may result in changing durations of surfacing and dives, changing direction and/or speed; reducing/increasing vocal activities; changing/cessation of certain behavioral activities (such as socializing or feeding); eliciting a visible startle response or aggressive behavior (such as tail/fin slapping or jaw clapping); avoidance of areas where sound sources are located. Pinnipeds may increase their haul out time, possibly to avoid in-water disturbance (Thorson and Reyff, 2006). Behavioral responses to sound are highly variable and context-specific and any reactions depend on numerous intrinsic and extrinsic factors (*e.g.*, species, state of maturity, experience, current activity, reproductive state, auditory sensitivity, time of day), as well as the interplay between factors (*e.g.*, Richardson *et al.*, 1995; Wartzok *et al.*, 2004; Southall *et al.*, 2007; Weilgart, 2007; Archer *et al.*, 2010; Southall *et al.*, 2021). Behavioral reactions can vary not only among individuals but also within an individual, depending on previous experience with a sound source, context, and numerous other factors (Ellison *et al.*, 2012), and can vary depending on characteristics associated with the sound source (*e.g.*, whether it is moving or stationary, number of sources, distance from the source). In general, pinnipeds seem more tolerant of, or at least habituate more quickly to, potentially disturbing underwater sound than do cetaceans, and generally seem to be less responsive to exposure to industrial sound than most cetaceans. Please see Appendices B and C of Southall *et al.* (2007) and Gomez *et al.* (2016) for reviews of studies involving marine mammal behavioral responses to sound.

Habituation can occur when an animal's response to a stimulus wanes with repeated exposure, usually in the absence of unpleasant associated events (Wartzok *et al.*, 2004). Animals are most likely to habituate to sounds that are predictable and unvarying. It is important to note that habituation is appropriately considered as a “progressive reduction in response to stimuli that are perceived as neither aversive nor beneficial,” rather than as, more generally, moderation in response

to human disturbance (Bejder *et al.*, 2009). The opposite process is sensitization, when an unpleasant experience leads to subsequent responses, often in the form of avoidance, at a lower level of exposure.

As noted above, behavioral state may affect the type of response. For example, animals that are resting may show greater behavioral change in response to disturbing sound levels than animals that are highly motivated to remain in an area for feeding (Richardson *et al.*, 1995; National Research Council (NRC), 2003; Wartzok *et al.*, 2004). Controlled experiments with captive marine mammals have showed pronounced behavioral reactions, including avoidance of loud sound sources (Ridgway *et al.*, 1997; Finneran *et al.*, 2003). Observed responses of wild marine mammals to loud pulsed sound sources (typically seismic airguns or acoustic harassment devices) have been varied but often consist of avoidance behavior or other behavioral changes suggesting discomfort (Morton and Symonds, 2002; see also Richardson *et al.*, 1995; Nowacek *et al.*, 2007).

Available studies show wide variation in response to underwater sound; therefore, it is difficult to predict specifically how any given sound in a particular instance might affect marine mammals perceiving the signal. If a marine mammal does react briefly to an underwater sound by changing its behavior or moving a small distance, the impacts of the change are unlikely to be significant to the individual, let alone the stock or population. However, if a sound source displaces marine mammals from an important feeding or breeding area for a prolonged period, impacts on individuals and populations could be significant (*e.g.*, Lusseau and Bejder, 2007; Weilgart, 2007; NRC, 2005). However, there are broad categories of potential response, which we describe in greater detail here, that include alteration of dive behavior, alteration of foraging behavior, effects to breathing, interference with or alteration of vocalization, avoidance, and flight.

Changes in dive behavior can vary widely and may consist of increased or decreased dive times and surface intervals as well as changes in the rates of ascent and descent during a dive (*e.g.*, Frankel and Clark, 2000; Costa *et al.*, 2003; Ng and Leung, 2003; Nowacek *et al.*, 2004; Goldbogen *et al.*, 2013a,b). Variations in dive behavior may reflect interruptions in biologically significant activities (*e.g.*, foraging) or they may be of little biological significance. The impact of an alteration to dive behavior resulting from an acoustic exposure depends on what the animal is doing at

the time of the exposure and the type and magnitude of the response.

Disruption of feeding behavior can be difficult to correlate with anthropogenic sound exposure, so it is usually inferred by observed displacement from known foraging areas, the appearance of secondary indicators (e.g., bubble nets or sediment plumes), or changes in dive behavior. As for other types of behavioral response, the frequency, duration, and temporal pattern of signal presentation, as well as differences in species sensitivity, are likely contributing factors to differences in response in any given circumstance (e.g., Croll *et al.*, 2001; Nowacek *et al.*, 2004; Madsen *et al.*, 2006; Yazvenko *et al.*, 2007). A determination of whether foraging disruptions incur fitness consequences would require information on or estimates of the energetic requirements of the affected individuals and the relationship between prey availability, foraging effort and success, and the life history stage of the animal.

Variations in respiration naturally vary with different behaviors and alterations to breathing rate as a function of acoustic exposure can be expected to co-occur with other behavioral reactions, such as a flight response or an alteration in diving. However, respiration rates in and of themselves may be representative of annoyance or an acute stress response. Various studies have shown that respiration rates may either be unaffected or could increase, depending on the species and signal characteristics, again highlighting the importance in understanding species differences in the tolerance of underwater noise when determining the potential for impacts resulting from anthropogenic sound exposure (e.g., Kastelein *et al.*, 2001, 2005, 2006; Gailey *et al.*, 2007).

Marine mammals vocalize for different purposes and across multiple modes, such as whistling, echolocation click production, calling, and singing. Changes in vocalization behavior in response to anthropogenic noise can occur for any of these modes and may result from a need to compete with an increase in background noise or may reflect increased vigilance or a startle response. For example, in the presence of potentially masking signals, humpback whales and killer whales have been observed to increase the length of their songs or vocalizations, respectively (Miller *et al.*, 2000; Fristrup *et al.*, 2003; Foote *et al.*, 2004), while right whales (*Eubalaena glacialis*) have been observed to shift the frequency content of their calls upward while reducing the rate of calling in areas of

increased anthropogenic noise (Parks *et al.*, 2007). In some cases, animals may cease sound production during production of aversive signals (Bowles *et al.*, 1994).

Avoidance is the displacement of an individual from an area or migration path as a result of the presence of a sound or other stressors, and is one of the most obvious manifestations of disturbance in marine mammals (Richardson *et al.*, 1995). For example, gray whales are known to change direction—deflecting from customary migratory paths—in order to avoid noise from seismic surveys (Malme *et al.*, 1984). Avoidance may be short-term, with animals returning to the area once the noise has ceased (e.g., Bowles *et al.*, 1994; Goold and Symonds, 2002; Gailey *et al.*, 2007). Longer-term displacement is possible, however, which may lead to changes in abundance or distribution patterns of the affected species in the affected region if habituation to the presence of the sound does not occur (e.g., Blackwell *et al.*, 2004; Bejder *et al.*, 2006; Teilmann *et al.*, 2006).

A flight response is a dramatic change in normal movement to a directed and rapid movement away from the perceived location of a sound source. The flight response differs from other avoidance responses in the intensity of the response (e.g., directed movement, rate of travel). Relatively little information on flight responses of marine mammals to anthropogenic signals exist, although observations of flight responses to the presence of predators have occurred (Connor and Heithaus, 1996; Bowers *et al.*, 2018). The result of a flight response could range from brief, temporary exertion and displacement from the area where the signal provokes flight to, in extreme cases, marine mammal strandings (England, 2001). However, it should be noted that response to a perceived predator does not necessarily invoke flight (Ford and Reeves, 2008), and whether individuals are solitary or in groups may influence the response.

Behavioral disturbance can also impact marine mammals in more subtle ways. Increased vigilance may result in costs related to diversion of focus and attention (*i.e.*, when a response consists of increased vigilance, it may come at the cost of decreased attention to other critical behaviors such as foraging or resting). These effects have generally not been demonstrated for marine mammals, but studies involving fishes and terrestrial animals have shown that increased vigilance may substantially reduce feeding rates (e.g., Beauchamp and Livoreil, 1997; Fritz *et al.*, 2002;

Purser and Radford, 2011). In addition, chronic disturbance can cause population declines through reduction of fitness (e.g., decline in body condition) and subsequent reduction in reproductive success, survival, or both (e.g., Harrington and Veitch, 1992; Daan *et al.*, 1996; Bradshaw *et al.*, 1998). However, Ridgway *et al.* (2006) reported that increased vigilance in bottlenose dolphins exposed to sound over a 5-day period did not cause any sleep deprivation or stress effects.

Many animals perform vital functions, such as feeding, resting, traveling, and socializing, on a diel cycle (24-hour cycle). Disruption of such functions resulting from reactions to stressors such as sound exposure are more likely to be significant if they last more than one diel cycle or recur on subsequent days (Southall *et al.*, 2007). Consequently, a behavioral response lasting less than 1 day and not recurring on subsequent days is not considered particularly severe unless it could directly affect reproduction or survival (Southall *et al.*, 2007). Note that there is a difference between multi-day substantive behavioral reactions and multi-day anthropogenic activities. For example, just because an activity lasts for multiple days does not necessarily mean that individual animals are either exposed to activity-related stressors for multiple days or, further, exposed in a manner resulting in sustained multi-day substantive behavioral responses.

Stress Responses—An animal's perception of a threat may be sufficient to trigger stress responses consisting of some combination of behavioral responses, autonomic nervous system responses, neuroendocrine responses, or immune responses (e.g., Selye, 1950; Moberg, 2000). In many cases, an animal's first and sometimes most economical (in terms of energetic costs) response is behavioral avoidance of the potential stressor. Autonomic nervous system responses to stress typically involve changes in heart rate, blood pressure, and gastrointestinal activity. These responses have a relatively short duration and may or may not have a significant long-term effect on an animal's fitness.

Neuroendocrine stress responses often involve the hypothalamus-pituitary-adrenal system. Virtually all neuroendocrine functions that are affected by stress—including immune competence, reproduction, metabolism, and behavior—are regulated by pituitary hormones. Stress-induced changes in the secretion of pituitary hormones have been implicated in failed reproduction, altered metabolism, reduced immune competence, and behavioral disturbance

(e.g., Moberg, 1987; Blecha, 2000). Increases in the circulation of glucocorticoids are also equated with stress (Romano *et al.*, 2004).

The primary distinction between “stress” (which is adaptive and does not normally place an animal at risk) and “distress” is the cost of the response. During a stress response, an animal uses glycogen stores that can be quickly replenished once the stress is alleviated. In such circumstances, the cost of the stress response would not pose serious fitness consequences. However, when an animal does not have sufficient energy reserves to satisfy the energetic costs of a stress response, energy resources must be diverted from other functions. This state of distress will last until the animal replenishes its energetic reserves sufficient to restore normal function.

Relationships between these physiological mechanisms, animal behavior, and the costs of stress responses are well-studied through controlled experiments and for both laboratory and free-ranging animals (e.g., Holberton *et al.*, 1996; Hood *et al.*, 1998; Jessop *et al.*, 2003; Krausman *et al.*, 2004; Lankford *et al.*, 2005). Stress responses due to exposure to anthropogenic sounds or other stressors and their effects on marine mammals have also been reviewed (Fair and Becker, 2000; Romano *et al.*, 2002b) and, more rarely, studied in wild populations (e.g., Romano *et al.*, 2002a). For example, Rolland *et al.* (2012) found that noise reduction from reduced ship traffic in the Bay of Fundy was associated with decreased stress in North Atlantic right whales. These and other studies lead to a reasonable expectation that some marine mammals will experience physiological stress responses upon exposure to acoustic stressors and that it is possible that some of these would be classified as “distress.” In addition, any animal experiencing TTS would likely also experience stress responses (NRC, 2003), however distress is an unlikely result of this project based on observations of marine mammals during previous, similar construction projects.

Auditory Masking—Since many marine mammals rely on sound to find prey, moderate social interactions, and facilitate mating (Tyack, 2008), noise from anthropogenic sound sources can interfere with these functions, but only if the noise spectrum overlaps with the hearing sensitivity or vocal ranges of the marine mammal (Southall *et al.*, 2007; Clark *et al.*, 2009; Hatch *et al.*, 2012). Chronic exposure to excessive, though not high-intensity, noise could cause masking at particular frequencies for

marine mammals that utilize sound for vital biological functions (Clark *et al.*, 2009). Acoustic masking is when other noises such as from human sources interfere with an animal’s ability to detect, recognize, or discriminate between acoustic signals of interest (e.g., those used for intraspecific communication and social interactions, prey detection, predator avoidance, navigation) (Richardson *et al.*, 1995; Erbe *et al.*, 2016). Therefore, under certain circumstances, marine mammals whose acoustical sensors or environment are being severely masked could also be impaired from maximizing their performance fitness in survival and reproduction. The ability of a noise source to mask biologically important sounds depends on the characteristics of both the noise source and the signal of interest (e.g., signal-to-noise ratio, temporal variability, direction), in relation to each other and to an animal’s hearing abilities (e.g., sensitivity, frequency range, critical ratios, frequency discrimination, directional discrimination, age, or TTS hearing loss), and existing ambient noise and propagation conditions.

Under certain circumstances, marine mammals experiencing significant masking could also be impaired from maximizing their performance fitness in survival and reproduction. Therefore, when the coincident (masking) sound is human-made, it may be considered harassment when disrupting or altering critical behaviors. It is important to distinguish TTS and PTS, which persist after the sound exposure, from masking, which occurs during the sound exposure. Because masking (without resulting in TS) is not associated with abnormal physiological function, it is not considered a physiological effect, but rather a potential behavioral effect.

The frequency range of the potentially masking sound is important in determining any potential behavioral impacts. For example, low-frequency signals may have less effect on high-frequency echolocation sounds produced by odontocetes but are more likely to affect detection of mysticete communication calls and other potentially important natural sounds such as those produced by surf and some prey species. The masking of communication signals by anthropogenic noise may be considered as a reduction in the communication space of animals (e.g., Clark *et al.*, 2009) and may result in energetic or other costs as animals change their vocalization behavior (e.g., Miller *et al.*, 2000; Foote *et al.*, 2004; Parks *et al.*, 2007; Di Iorio and Clark, 2010; Holt *et al.*, 2009). Masking can be reduced in

situations where the signal and noise come from different directions (Richardson *et al.*, 1995), through amplitude modulation of the signal, or through other compensatory behaviors (Houser, 2014). Masking can be tested directly in captive species (e.g., Erbe, 2008), but in wild populations it must be either modeled or inferred from evidence of masking compensation. There are few studies addressing real-world masking sounds likely to be experienced by marine mammals in the wild (e.g., Branstetter *et al.*, 2013).

Marine mammals near the proposed project site are exposed to anthropogenic noise which may lead to some habituation, but is also a source of masking. Vocalization changes may result from a need to compete with an increase in background noise and include increasing the source level, modifying the frequency, increasing the call repetition rate of vocalizations, or ceasing to vocalize in the presence of increased noise (Hotchkiss and Parks, 2013).

Masking is more likely to occur in the presence of broadband, relatively continuous noise sources. Energy distribution of pile driving covers a broad frequency spectrum, and sound from pile driving would be within the audible range of pinnipeds and cetaceans present in the proposed action area. While some construction during the DOT&PF’s activities may mask some acoustic signals that are relevant to the daily behavior of marine mammals, the short-term duration and limited areas affected make it very unlikely that survival would be affected.

Airborne Acoustic Effects—Pinnipeds that occur near the project site could be exposed to airborne sounds associated with construction activities that have the potential to cause behavioral harassment, depending on their distance from these activities. Airborne noise would primarily be an issue for pinnipeds that are swimming or hauled out near the project site within the range of noise levels elevated above airborne acoustic criteria. Although pinnipeds are known to haul-out regularly on man-made objects, incidents of take resulting solely from airborne sound are unlikely due to the sheltered proximity between the proposed project area and the known haulout sites (the closest known pinniped haulout is for harbor seals, which is located 4.5 km (2.8 mi) southeast of the proposed project site, but blocked by a land shadow). Cetaceans are not expected to be exposed to airborne sounds that would result in harassment as defined under the MMPA.

We recognize that pinnipeds in the water could be exposed to airborne sound that may result in behavioral harassment when looking with their heads above water. Most likely, airborne sound would cause behavioral responses similar to those discussed above in relation to underwater sound. For instance, anthropogenic sound could cause hauled-out pinnipeds to exhibit changes in their normal behavior, such as reduction in vocalizations, or cause them to temporarily abandon the area and move further from the source. However, these animals would previously have been “taken” because of exposure to underwater sound above the behavioral harassment thresholds, which are in all cases larger than those associated with airborne sound. Thus, the behavioral harassment of these animals is already accounted for in these estimates of potential take. Therefore, we do not believe that authorization of incidental take resulting from airborne sound for pinnipeds is warranted, and airborne sound is not discussed further here.

Potential Effects on Marine Mammal Habitat

The proposed project will occur within the same footprint as existing marine infrastructure. The nearshore and intertidal habitat where the proposed project will occur is an area of relatively high marine vessel traffic. Most marine mammals do not generally use the area within the footprint of the project area. Temporary, intermittent, and short-term habitat alteration may result from increased noise levels within the Level A and Level B harassment zones. Effects on marine mammals will be limited to temporary displacement from pile installation and removal noise, and effects on prey species will be similarly limited in time and space.

Water Quality—Temporary and localized reduction in water quality will occur as a result of in-water construction activities. Most of this effect will occur during the installation and removal of piles and bedrock removal when bottom sediments are disturbed. The installation and removal of piles and bedrock removal will disturb bottom sediments and may cause a temporary increase in suspended sediment in the project area. During pile extraction, sediment attached to the pile moves vertically through the water column until gravitational forces cause it to slough off under its own weight. The small resulting sediment plume is expected to settle out of the water column within a few hours. Studies of the effects of

turbid water on fish (marine mammal prey) suggest that concentrations of suspended sediment can reach thousands of milligrams per liter before an acute toxic reaction is expected (Burton, 1993).

Impacts to water quality from DTH hammers are expected to be similar to those described for pile driving. Impacts to water quality would be localized and temporary and would have negligible impacts on marine mammal habitat. Effects to turbidity and sedimentation are expected to be short-term, minor, and localized. Since the currents are strong in the area, following the completion of sediment-disturbing activities, suspended sediments in the water column should dissipate and quickly return to background levels in all construction scenarios. Turbidity within the water column has the potential to reduce the level of oxygen in the water and irritate the gills of prey fish species in the proposed project area. However, turbidity plumes associated with the project would be temporary and localized, and fish in the proposed project area would be able to move away from and avoid the areas where plumes may occur. Therefore, it is expected that the impacts on prey fish species from turbidity, and therefore on marine mammals, would be minimal and temporary. In general, the area likely impacted by the proposed construction activities is relatively small compared to the available marine mammal habitat in southeast Alaska.

Potential Effects on Prey—Sound may affect marine mammals through impacts on the abundance, behavior, or distribution of prey species (e.g., crustaceans, cephalopods, fish, zooplankton). Marine mammal prey varies by species, season, and location and, for some, is not well documented. Studies regarding the effects of noise on known marine mammal prey are described here.

Fish utilize the soundscape and components of sound in their environment to perform important functions such as foraging, predator avoidance, mating, and spawning (e.g., Zelick and Mann, 1999; Fay, 2009). Depending on their hearing anatomy and peripheral sensory structures, which vary among species, fishes hear sounds using pressure and particle motion sensitivity capabilities and detect the motion of surrounding water (Fay *et al.*, 2008). The potential effects of noise on fishes depends on the overlapping frequency range, distance from the sound source, water depth of exposure, and species-specific hearing sensitivity, anatomy, and physiology. Key impacts to fishes may include

behavioral responses, hearing damage, barotrauma (pressure-related injuries), and mortality.

Fish react to sounds that are especially strong and/or intermittent low-frequency sounds. Short duration, sharp sounds can cause overt or subtle changes in fish behavior and local distribution. The reaction of fish to noise depends on the physiological state of the fish, past exposures, motivation (e.g., feeding, spawning, migration), and other environmental factors. Hastings and Popper (2005) identified several studies that suggest fish may relocate to avoid certain areas of sound energy. Additional studies have documented effects of pile driving on fishes; several are based on studies in support of large, multiyear bridge construction projects (e.g., Scholik and Yan, 2001, 2002; Popper and Hastings, 2009). Several studies have demonstrated that impulse sounds might affect the distribution and behavior of some fishes, potentially impacting foraging opportunities or increasing energetic costs (e.g., Fewtrell and McCauley, 2012; Pearson *et al.*, 1992; Skalski *et al.*, 1992; Santulli *et al.*, 1999; Paxton *et al.*, 2017). However, some studies have shown no or slight reaction to impulse sounds (e.g., Peña *et al.*, 2013; Wardle *et al.*, 2001; Jorgenson and Gyselman, 2009; Cott *et al.*, 2012). More commonly, though, the impacts of noise on fishes are temporary.

SPLs of sufficient strength have been known to cause injury to fishes and fish mortality (summarized in Popper *et al.*, 2014). However, in most fish species, hair cells in the ear continuously regenerate and loss of auditory function likely is restored when damaged cells are replaced with new cells. Halvorsen *et al.* (2012a) showed that a TTS of 4–6 dB was recoverable within 24 hours for one species. Impacts would be most severe when the individual fish is close to the source and when the duration of exposure is long. Injury caused by barotrauma can range from slight to severe and can cause death, and is most likely for fish with swim bladders. Barotrauma injuries have been documented during controlled exposure to impact pile driving (Halvorsen *et al.*, 2012b; Casper *et al.*, 2013).

Essential fish habitat (EFH) has been designated in the proposed project area for all five species of salmon (*i.e.*, chum salmon, pink salmon, coho salmon, sockeye salmon, and Chinook salmon; NMFS 2017), which are common prey of marine mammals. Many creeks flowing into Sukkwan Strait and nearby areas are known to contain salmonids, including three primary creeks: Hydaburg River, Natzuhini River, and SALTERY Creek (Giefer and Blossom

2020); however, adverse effects on EFH in this area are not expected.

Fish populations in the proposed project area that serve as marine mammal prey could be temporarily affected by noise from pile installation and removal. The frequency range in which fish generally perceive underwater sounds is 50 to 2,000 Hz, with peak sensitivities below 800 Hz (Popper and Hastings, 2009). Fish behavior or distribution may change, especially with strong and/or intermittent sounds that could harm fish. High underwater SPLs have been documented to alter behavior, cause hearing loss, and injure or kill individual fish by causing serious internal injury (Hastings and Popper, 2005).

The greatest potential impact to fishes during construction would occur during impact pile driving and DTH excavation. In-water construction activities would only occur during daylight hours allowing fish to forage and transit the project area in the evening. Vibratory pile driving would possibly elicit behavioral reactions from fishes such as temporary avoidance of the area but is unlikely to cause injuries to fishes or have persistent effects on local fish populations. In general, impacts on marine mammal prey species are expected to be minor, localized, and temporary.

In-Water Construction Effects on Potential Foraging Habitat

The proposed activities would not result in permanent impacts to habitats used directly by marine mammals. The total seafloor area affected by pile installation and removal is a very small area compared to the vast foraging area available to marine mammals outside this project area. Construction would have minimal permanent and temporary impacts on benthic invertebrate species, a marine mammal prey source. In addition, although southeast Alaska in its entirety is listed as a BIA for humpback whales (Wild *et al.*, 2023), the proposed project area does not contain particularly high-value habitat and is not unusually important for this species or any of the other species potentially impacted by the DOT&PF's proposed activities. Therefore, impacts of the project are not likely to have adverse effects on marine mammal foraging habitat in the proposed project area.

The area impacted by the proposed project is relatively small compared to the available habitat just outside the project area, and there are no areas of particular importance that would be impacted by this project. Any

behavioral avoidance by fish of the disturbed area would still leave significantly large areas of fish and marine mammal foraging habitat in the nearby vicinity. As described in the preceding, the potential for the DOT&PF's construction to affect the availability of prey to marine mammals or to meaningfully impact the quality of physical or acoustic habitat is considered to be insignificant.

Estimated Take

This section provides an estimate of the number of incidental takes proposed for authorization through this IHA, which will inform both NMFS' consideration of "small numbers," and the negligible impact determinations.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as any act of pursuit, torment, or annoyance, which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes would primarily be by Level B harassment, as use of the acoustic source (*i.e.*, vibratory pile driving, impact pile driving, and DTH systems) has the potential to result in disruption of behavioral patterns for individual marine mammals. There is also some potential for auditory (Level A harassment) to result, primarily for mysticetes and high frequency species and phocids because predicted auditory injury zones are larger than for mid-frequency species and otariids. Auditory injury is unlikely to occur for mid-frequency species or otariids. The proposed mitigation and monitoring measures are expected to minimize the severity of the taking to the extent practicable. As described previously, no serious injury or mortality is anticipated or proposed to be authorized for this activity. Below we describe how the proposed take numbers are estimated.

For acoustic impacts, generally speaking, we estimate take by considering: (1) acoustic thresholds above which NMFS believes the best available science indicates marine mammals will be behaviorally harassed or incur some degree of permanent hearing impairment; (2) the area or volume of water that will be ensonified above these levels in a day; (3) the density or occurrence of marine

mammals within these ensonified areas; and, (4) the number of days of activities. We note that while these factors can contribute to a basic calculation to provide an initial prediction of potential takes, additional information that can qualitatively inform take estimates is also sometimes available (*e.g.*, previous monitoring results or average group size). Below, we describe the factors considered here in more detail and present the proposed take estimates.

Acoustic Thresholds

NMFS recommends the use of acoustic thresholds that identify the received level of underwater sound above which exposed marine mammals would be reasonably expected to be behaviorally harassed (equated to Level B harassment) or to incur PTS of some degree (equated to Level A harassment).

Level B Harassment—Though significantly driven by received level, the onset of behavioral disturbance from anthropogenic noise exposure is also informed to varying degrees by other factors related to the source or exposure context (*e.g.*, frequency, predictability, duty cycle, duration of the exposure, signal-to-noise ratio, distance to the source), the environment (*e.g.*, bathymetry, other noises in the area, predators in the area), and the receiving animals (hearing, motivation, experience, demography, life stage, depth) and can be difficult to predict (*e.g.*, Southall *et al.*, 2007, 2021, Ellison *et al.*, 2012). Based on what the available science indicates and the practical need to use a threshold based on a metric that is both predictable and measurable for most activities, NMFS typically uses a generalized acoustic threshold based on received level to estimate the onset of behavioral harassment. NMFS generally predicts that marine mammals are likely to be behaviorally harassed in a manner considered to be Level B harassment when exposed to underwater anthropogenic noise above root-mean-squared pressure received levels (RMS SPL) of 120 dB re 1 μ Pa for continuous (*e.g.*, vibratory pile-driving, drilling) and above RMS SPL 160 dB re 1 μ Pa for non-explosive impulsive (*e.g.*, seismic airguns) or intermittent (*e.g.*, scientific sonar) sources. Generally speaking, Level B harassment take estimates based on these behavioral harassment thresholds are expected to include any likely takes by TTS as, in most cases, the likelihood of TTS occurs at distances from the source less than those at which behavioral harassment is likely. TTS of a sufficient degree can manifest as behavioral harassment, as reduced hearing sensitivity and the

potential reduced opportunities to detect important signals (conspecific communication, predators, prey) may result in changes in behavior patterns that would not otherwise occur.

The DOT&PF's proposed activity includes the use of continuous (vibratory pile driving) and intermittent (impact pile driving) sources, and therefore the RMS SPL thresholds of 120 and 160 dB re 1 μ Pa are applicable. DTH systems have both continuous, non-impulsive, and impulsive components as discussed in the *Description of Sound Sources* section above. When evaluating Level B harassment, NMFS recommends treating DTH as a continuous source and

applying the RMS SPL thresholds of 120 dB re 1 μ Pa.

Level A Harassment—NMFS' Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing (Version 2.0) (Technical Guidance, 2018) identifies dual criteria to assess auditory injury (Level A harassment) to five different marine mammal groups (based on hearing sensitivity) as a result of exposure to noise from two different types of sources (impulsive or non-impulsive). The DOT&PF's proposed construction includes the use of impulsive (impact pile driving) and non-impulsive (vibratory pile driving)

sources. As described above, DTH includes both impulsive and non-impulsive characteristics. When evaluating Level A harassment, NMFS recommends treating DTH as an impulsive source.

The thresholds used to identify the onset of PTS are provided in Table 4. The references, analysis, and methodology used in the development of the thresholds are described in NMFS' 2018 Technical Guidance, which may be accessed at: www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-acoustic-technical-guidance.

TABLE 4—THRESHOLDS IDENTIFYING THE ONSET OF PERMANENT THRESHOLD SHIFT

Hearing Group	PTS onset acoustic thresholds* (received level)	
	Impulsive	Non-impulsive
Low-Frequency (LF) Cetaceans	Cell 1: $L_{pk,flat}$: 219 dB; $L_{E,LF,24h}$: 183 dB	Cell 2: $L_{E,LF,24h}$: 199 dB.
Mid-Frequency (MF) Cetaceans	Cell 3: $L_{pk,flat}$: 230 dB; $L_{E,MF,24h}$: 185 dB	Cell 4: $L_{E,MF,24h}$: 198 dB.
High-Frequency (HF) Cetaceans	Cell 5: $L_{pk,flat}$: 202 dB; $L_{E,HF,24h}$: 155 dB	Cell 6: $L_{E,HF,24h}$: 173 dB.
Phocid Pinnipeds (PW) (Underwater)	Cell 7: $L_{pk,flat}$: 218 dB; $L_{E,PW,24h}$: 185 dB	Cell 8: $L_{E,PW,24h}$: 201 dB.
Otariid Pinnipeds (OW) (Underwater)	Cell 9: $L_{pk,flat}$: 232 dB; $L_{E,OW,24h}$: 203 dB	Cell 10: $L_{E,OW,24h}$: 219 dB.

* Dual metric acoustic thresholds for impulsive sounds: Use whichever results in the largest isopleth for calculating PTS onset. If a non-impulsive sound has the potential of exceeding the peak sound pressure level thresholds associated with impulsive sounds, these thresholds should also be considered.

Note: Peak sound pressure (L_{pk}) has a reference value of 1 μ Pa, and cumulative sound exposure level (L_E) has a reference value of 1 μ Pa²s. In this Table, thresholds are abbreviated to reflect American National Standards Institute standards (ANSI 2013). However, peak sound pressure is defined by ANSI as incorporating frequency weighting, which is not the intent for NMFS' 2018 Technical Guidance. Hence, the subscript "flat" is being included to indicate peak sound pressure should be flat weighted or unweighted within the generalized hearing range. The subscript associated with cumulative sound exposure level thresholds indicates the designated marine mammal auditory weighting function (LF, MF, and HF cetaceans, and PW and OW pinnipeds) and that the recommended accumulation period is 24 hours. The cumulative sound exposure level thresholds could be exceeded in a multitude of ways (*i.e.*, varying exposure levels and durations, duty cycle). When possible, it is valuable for action proponents to indicate the conditions under which these acoustic thresholds will be exceeded.

Ensonified Area

Here, we describe operational and environmental parameters of the activity that are used in estimating the area ensonified above the acoustic thresholds, including source levels and transmission loss coefficient.

The sound field in the project area is the existing background noise plus additional construction noise from the proposed project. Marine mammals are expected to be affected via sound generated by the primary components of the project (*i.e.*, impact pile installation, vibratory pile installation, vibratory pile removal, and DTH).

Sound Source Levels of Proposed Activities—The intensity of pile driving sounds is greatly influenced by factors such as the type of piles (material and diameter), hammer type, and the physical environment (*e.g.*, sediment

type) in which the activity takes place. The DOT&PF evaluated SPL and TL measurements available for certain pile types and sizes from similar activities elsewhere in Alaska or outside of Alaska and relied on relevant sound source verification studies to determine appropriate proxy levels for their proposed activities. Recently proposed and issued IHAs from southeast Alaska were also reviewed to identify the most appropriate SPLs and TL coefficients for use in this application. NMFS agrees that the SPL values and TL coefficients that the DOT&PF proposed for vibratory installation and removal and impact installation of 16-inch (40.64 cm), 20-inch (50.80 cm), and 24-inch (60.96 cm) steel piles are appropriate proxy levels for their proposed construction activities (see Table 5 for proposed proxy levels). However, NMFS finds that DOT&PF's proposed SPL values for

8-inch (20.32 cm) tension anchors and TL coefficients for all DTH activities (described in further detail below) are not consistent with what NMFS assesses to be the best available science, and instead proposes for use SPLs and TL coefficients for DTH consistent with NMFS' recommendations for analyses of noise from DTH systems (https://media.fisheries.noaa.gov/2022-11/PUBLIC%20DTH%20Basic%20Guidance_November%202022.pdf) (NMFS, 2022). NMFS specifically requests comments on its proposed SPL values and TL coefficients for DTH systems, assessment that these values are more appropriate than those proposed by DOT&PF, as well as on its DTH recommendations generally. Note that the values in Table 5 represent SPL referenced at a distance of 10 m from the source.

TABLE 5—SUMMARY OF UNATTENUATED IN-WATER PILE DRIVING PROXY LEVELS (AT 10 m) AND TRANSMISSION LOSS COEFFICIENTS

Pile type	Installation method	Peak SPL (dB re 1 μ Pa)	RMS SPL (dB re 1 μ Pa)	SEL _{ss} (dB re 1 μ Pa ² sec)	Reference (levels)
16-inch steel piles	Vibratory hammer	NA	158	NA	CALTRANS (2020).
20-inch steel piles	Vibratory hammer	NA	161	NA	Navy (2015).
24-inch steel piles	Vibratory hammer	NA	161	NA	Navy (2015).
20-inch steel piles	Impact hammer	208	187	176	CALTRANS (2020).
24-inch steel piles	Impact hammer	208	193	178	CALTRANS (2020).
8-inch tension anchors	DTH system	^a 170	156	^a 144	Reyff and Heyvaert (2019); Reyff (2020).
20-inch rock sockets	DTH system	184	167	159	Heyvaert and Reyff (2021).
24-inch rock sockets	DTH system	184	167	159	Heyvaert and Reyff (2021).

Notes: NMFS conservatively assumes that noise levels during vibratory pile removal are the same as those during installation for the same type and size pile; all SPLs are unattenuated and represent the SPL referenced at a distance of 10 m from the source; NA = Not applicable; dB re 1 μ Pa = decibels (dB) referenced to a pressure of 1 micropascal.

NMFS recommends that DTH system installation be treated as a continuous sound source for Level B behavioral harassment calculations and as an impulsive source for Level A harassment calculations (NMFS, 2022) given these systems produce noise including characteristics of both source types (described above in the *Description of Sound Sources* section). The DOT&PF reviewed projects that were most similar to the specified activity in terms of drilling activities, type and size of piles installed, method of pile installation, and substrate conditions. Data from DTH system installation of 24-inch (60.96-cm) piles in Tenakee Springs, Alaska, indicate a continuous RMS SPL of 167 dB, an impulsive peak SPL of 184 dB, and a SEL_{ss} level of 159 dB (all at 10 m) (Heyvaert and Reyff, 2021). Therefore, DOT&PF proposed these levels as proxy values for DTH system installation of 20- and 24-inch (50.80- and 60.96-cm) rock sockets during the proposed activities. NMFS concurs that these levels are appropriate proxy levels for the installation of rock sockets via DTH systems for the proposed project (Table 5).

TL coefficient data from Denes *et al.* (2016) and Heyvaert and Reyff (2021) indicate that sounds from 24-inch (60.96-cm) drilling rock sockets in Kodiak and Tenakee Springs, Alaska, decay at rates ranging from $18.9 \cdot \log_{10}(R)$ to $20.3 \cdot \log_{10}(R)$, where R indicates range from the subject pile, for RMS SPLs, respectively. Therefore, Reyff (2022) recommends in Appendix C of the DOT&PF's application that sounds from DTH activities are characteristic of a point source and proposed a TL coefficient of 19.0 be used as a proxy for 20- and 24-inch (50.80- and 60.96-cm) rock socket installation in Hydaburg (Denes *et al.*, 2016; Heyvaert and Reyff, 2021). While there is evidence that TL

coefficients can be high during DTH activities (*e.g.*, Denes *et al.*, 2016; Reyff, 2020; Heyvaert and Reyff, 2021), TL coefficient measurements reported from DTH activities are highly variable and in some cases have been reported to be lower, and more representative of practical spreading models (*i.e.*, $15 \cdot \log_{10}(R)$). For example, recent rock socket measurements from Tongass Narrows in Ketchikan, Alaska, located approximately 76 km east of Hydaburg, Alaska, reported TL coefficients of 14.1 for SEL_{ss}, 14.3 for RMS SPL, and 14.8 for Peak SPL measurements of 24-inch (60.96-cm) open-end steel piles for ranges recorded out to 80–95 m (Miner, 2023). Other rock socket measurements from Skagway, Alaska, reported TL coefficients of 13.3 for SEL_{ss} and 13.8 for Peak SPL measurements of 42-inch (106.68-cm) steel piles for ranges recorded out to 1,400 m from the pile (Reyff, 2020). Further, the TL measurements reported by Denes *et al.* (2016) and Heyvaert and Reyff (2021) in Kodiak and Tenakee Springs, Alaska, were also high for impact and vibratory pile driving. For example, in Tenakee Springs, TL coefficients for impact pile driving of 18-inch (45.75-cm) steel battered piles, 24-inch (60.96-cm) steel vertical piles, and 30-inch (76.20-cm) steel battered and vertical piles ranged from 18.8 to 19.1 for SEL_{ss}, 19.6 to 20.1 for RMS SPL, and 18.9 to 20.0 for Peak SPL measurements recorded out to 1,100 m (Heyvaert and Reyff, 2021). The TL coefficients reported for impact pile driving and vibratory pile driving of 24-inch (60.96-cm) piles in Kodiak, when considering monitoring ranges out to 1,125 m, were 20.3 and 21.9 for RMS SPL, respectively (Denes *et al.*, 2016). Therefore, the TL coefficients reported by these two studies, and used by Reyff (2022) and the DOT&PF to support a proxy TL coefficient of 19.0, may not be representative of TL coefficients in other

locations in southeast Alaska or potentially at those same locations under different conditions. In addition, all of the acoustic measurements (*i.e.*, for vibratory, impact, and DTH pile driving) from Kodiak were missing energy on the recordings between 50–300 Hz due to the shallow bathymetry in the region (which did not support propagation of low frequencies), making their data less suitable for use as proxy data as they did not include the full range of frequencies produced by the construction activities (Denes *et al.*, 2016).

As described in the *Description of Sound Sources* section, sound propagation, and thus TL, through an environment can be complicated and depend on a multitude of factors (*e.g.*, seabed type, bathymetry, and the local sound speed profiles, characteristics of the sound itself), which can vary temporally and spatially. Many of these factors that affect sound propagation and TL are thus site- and time-specific. For coastal activities, such as pile driving, if area-specific information on propagation/transmission loss is not available, NMFS generally recommends practical spreading ($TL = 15 \cdot \log_{10}(R)$) (*e.g.*, Stadler and Woodbury, 2009; CALTRANS, 2015; NMFS, 2020). There are no site specific TL data available for the drilling of rock sockets in Hydaburg, Alaska. Therefore, at this time, NMFS has preliminarily determined that DOT&PF's proposed TL coefficient of 19.0 for the installation of rock sockets during their proposed project is inappropriate, and instead proposes a default TL coefficient of 15.0 be used for these activities. This is consistent with the recommendations outlined in NMFS (2020) and NMFS (2022).

Underwater noise from tension anchor construction is typically lower than noise produced by other DTH activities. During tension anchor

construction, the casing used during drilling is inside a larger-diameter pile, reducing noise levels. In addition, anchor holes are substantially smaller in diameter and deeper than rock sockets, and therefore, result in much lower sound (Reyff and Heyvaert, 2019). The DOT&PF and NMFS agree that a continuous RMS SPL of 156 dB (at 10 m) (Reyff and Heyvaert, 2019) is the most appropriate proxy level to use for the installation of 8-inch (20.32-cm) tension anchors at this time. However, DOT&PF proposed that 8-inch (20.32-cm) tension anchors should be considered as a solely non-impulsive, continuous sound source when calculating Level A and Level B behavioral harassment rather than as having both impulsive (Level A) and continuous (Level B behavioral harassment) components as recommended by NMFS (2022). DOT&PF based this argument on the finding that Heyvaert and Reyff (2021) could not classify the tension anchor installation as impulsive for the purposes of Level A harassment zone calculations because the impulse sound level was generally not much louder than the continuous sound level. However, there is evidence that DTH piling and DTH drilling contains impulsive components (*i.e.*, pulsed sounds) (Guan *et al.*, 2022), including from Heyvaert and Reyff (2021) who reported that sounds from tension rock anchor installation had impulsive characteristics, but that the noise from these pulses were not distinctly higher than the constant drilling sounds. It is important to account for these impulsive characteristics since they have a greater potential to cause noise-induced hearing loss compared to non-impulsive sounds. Thus, there does not appear to be enough evidence to indicate that 8-inch (20.32-cm) rock tension anchor piles have no impulsive components. Therefore, as the data suggest is appropriate, NMFS proposes impulsive SEL_{LSS} values of 144 dB and 170 dB peak SPL (Reyff, 2020), respectively (at 10 m), for the DTH system installation of 8-inch (20.32-cm) tension anchors during the proposed activity.

DOT&PF propose a TL coefficient of 19.0 for 8-inch (20.32-cm) tension anchors based on the measurements

from Skagway, Alaska (Reyff and Heyvaert, 2019; Reyff, 2020) and Tenakee Springs, Alaska (Heyvaert and Reyff, 2021) as recommended in Reyff (2022) in Appendix C of the DOT&PF's application. These are the only two hydroacoustic studies both the DOT&PF and NMFS are aware of that have involved the installation of tension anchors. Reyff and Heyvaert (2019) and Reyff (2020) (which provides an update to Reyff and Heyvaert, 2019) reported a TL coefficient of 24.2 for RMS SPL values recorded from 36 to 110 m from the pile of 8-inch (20.32-cm) rock tension anchors in Skagway, Alaska. Heyvaert and Reyff (2021) reported a TL coefficient of 19.2 for RMS SPL values recorded from 9 to 900 m of 8-inch (20.32-cm) rock anchor casings installed within 24-inch (60.96-cm) diameter vertical piles and 17.0 for RMS SPL values recorded from 10 to 110 m of 8-inch (20.32-cm) rock anchor casings installed within 18-inch (45.75 cm) diameter battered piles in Tenakee Springs, Alaska.

As discussed above, TL measurements from this particular study in Tenakee Springs appear to be higher in general for all pile driving activities (vibratory and impact pile driving and DTH systems) and thus may not be representative of TL coefficients recorded elsewhere in southeast Alaska or under different circumstances at Tenakee Springs. For the Skagway dataset, sound level measurements were only made out to 110 m, and therefore it is unknown if the resulting TL coefficient is representative at greater distances. While there is data to suggest that TL coefficients from the installation of tension anchors may typically be higher than $15 \cdot \log_{10}(R)$ (*e.g.*, Reyff and Heyvaert, 2019; Reyff, 2020; Heyvaert and Reyff, 2021), these data are based on measurements of only a few piles and they were obtained from study sites located over 320 km away from Hydaburg, Alaska. Thus, given the lack of site specific TL measurements for the installation of tension anchors in Hydaburg, at this time, NMFS does not agree with the DOT&PF's proposed TL coefficient of 19.0 for the DTH installation of rock tension anchor piles and instead proposes a default TL coefficient of 15.0, which is consistent

with recommendations outlined in NMFS (2020) and NMFS (2022).

Estimated Harassment Isopleths—All Level B harassment isopleths are reported in Table 7 considering RMS SPLs and the default TL coefficient. Land forms (including causeways, breakwaters, islands, and other land masses) impede the transmission of underwater sound and create shadows behind them where sound from construction is not audible. At Hydaburg, Level B harassment isopleths from the proposed project will be blocked by Sukkwan Island, Spook Island, Mushroom Island, and the coastline along Prince of Wales Island both southeast and northwest of the project site. The maximum distance that a harassment isopleth can extend due to these land masses is 5,162 m.

The ensounded area associated with Level A harassment is technically challenging to predict due to the need to account for a duration component. Therefore, NMFS developed an optional User Spreadsheet tool to accompany the Technical Guidance (2018) that can be used to relatively simply predict an isopleth distance for use in conjunction with marine mammal density or occurrence to help predict potential takes. We note that because of some of the assumptions included in the methods underlying this optional tool, we anticipate that the resulting isopleth estimates are typically going to be overestimates of some degree, which may result in an overestimate of potential take by Level A harassment. However, this optional tool offers the best way to estimate isopleth distances when more sophisticated modeling methods are not available or practical. For stationary sources (such as from impact pile driving, vibratory pile driving, and DTH), the optional User Spreadsheet tool predicts the distance at which, if a marine mammal remained at that distance for the duration of the activity, it would be expected to incur PTS. Inputs used in the optional User Spreadsheet tool are reported in Table 6 and the resulting estimated isopleths are reported in Table 7. (Please see Table 6–5 in the DOT&PF's application for harassment isopleths calculated using the DTH TL coefficients and source levels for 8-in (20.32-cm) tension anchors proposed therein).

TABLE 6—NMFS USER SPREADSHEET INPUTS

	Vibratory pile driving				Impact pile driving		DTH	
	16-inch steel piles	20-inch steel piles	24-inch steel piles		20-inch steel piles	24-inch steel piles	20- and 24-inch rock socket	8-inch tension anchor
	Removal	Installation/ removal	Installation	Removal	Installation	Installation	Installation	Installation
Spreadsheet Tab Used	A.1) Non-Impul, Stat, Cont.	A.1) Non-Impul, Stat, Cont.	A.1) Non-Impul, Stat, Cont.	A.1) Non-Impul, Stat, Cont.	E.1) Impact pile driving.	E.1) Impact pile driving.	E.2) DTH Systems.	A.1) DTH Systems.
Source Level (SPL)	158 dB RMS	161 dB RMS	161 dB RMS	161 dB RMS	176 dB SEL ..	178 dB SEL ..	159 dB RMS	144 dB RMS.
Transmission Loss Coefficient.	15	15	15	15	15	15	15	15.
Weighting Factor Adjustment (kHz).	2.5	2.5	2.5	2.5	2	2	2	2.
Time to install/remove single pile (minutes).	30	15/30 ¹	15/30 ¹	30 .....	.....	.....	60–480 ²	60–240. ²
Number of strikes per pile ...	.....	.....	.....	.....	50	50	15	15.
Piles per day	2	2/10 ¹	2/10 ¹	2	1/2 ¹	1/2 ¹	1	1.
Distance of sound pressure level measurement (m).	10	10	10	10	10	10	10	10.

¹ A maximum scenario was calculated for this activity.² A range of scenarios was calculated for this activity.

TABLE 7—DISTANCES TO LEVEL A HARASSMENT, BY HEARING GROUP, AND DISTANCES AND AREAS OF LEVEL B HARASSMENT THRESHOLDS PER PILE TYPE AND PILE DRIVING METHOD

Activity	Pile size	Minutes (min) or strikes per pile	Piles per day	Level A harassment distance (m)					Level B harassment distance (m) all hearing groups	Level B harassment area (km ²) all hearing groups
				LF	MF	HF	PW	OW		
Vibratory Installation	20- and 24-inch	15 min	2	5	1	7	3	1	³ 5,412	⁴ 4.34
		30 ¹ min	¹ 10	20	2	30	13	1		
Vibratory Removal	16-inch	30 min	2	5	1	7	3	1	3,415	3.90
	24-inch	30 min	2	7	1	11	5	1	³ 5,412	⁴ 4.34
Impact Installation	20-inch	50 strikes	1	47	2	56	25	2	1,585	2.14
		50 ¹ strikes	¹ 2	74	3	88	40	3		
	24-inch	50 strikes	1	63	3	75	34	3	631	0.65
		50 ¹ strikes	¹ 2	100	4	119	54	4		
DTH (Rock Socket) ² ...	20- and 24-inch	60 min	1	359	13	427	192	14	³ 13,594	⁴ 4.34
		120 min	1	569	21	678	305	23		
		180 min	1	746	27	888	399	29		
		240 min	1	903	33	1,076	484	36		
		300 min	1	1,048	38	1,249	561	41		
		360 min	1	1,184	43	1,410	634	47		
		420 min	1	1,312	47	1,563	702	52		
		480 min	1	1,434	51	1,708	768	56		
DTH (Tension Anchor) ² .	8-inch	60 min	1	36	2	43	20	2	2,512	3.07
		120 min	1	57	2	68	31	3		
		180 min	1	75	3	89	40	3		
		240 min	1	91	4	108	4	4		
		300 min	1	105	4	125	57	5		
		360 min	1	119	5	141	64	5		
		420 min	1	132	5	157	71	6		
		480 min	1	144	6	171	77	6		

¹ A maximum scenario was calculated for this activity.² A range of scenarios was calculated for this activity.³ Harassment distances would be truncated where appropriate to account for land masses, to a maximum distance of 5,162 m.⁴ Harassment areas are truncated where appropriate to account for land masses, to a maximum area of 4.34 km².

Marine Mammal Occurrence and Take Estimation

In this section we provide information about the occurrence of marine mammals, including density or other relevant information that will inform the take calculations. We also describe how this information is synthesized to produce a quantitative estimate of the take that is reasonably likely to occur and proposed for authorization. Although construction is currently planned to begin in fall 2023, unexpected delays associated with

construction can occur. To account for this uncertainty, the following exposure estimates assume that construction would occur during the periods of peak abundance for those species for which abundance varies seasonally.

Due to the differences in the DTH analysis between the DOT&PF's application and this notice, estimated Level B harassment isopleths for DTH activities are larger than those calculated by the DOT&PF (Tables 6–4 and 6–5 in the DOT&PF's application versus Table 7 in this notice). However,

because Level B harassment isopleths are truncated by local land masses, the maximum estimated areas of ensonification for Level B harassment are equivalent. Therefore, no adjustment is needed to estimates of total take.

Steller Sea Lion

No density or abundance numbers exist for Steller sea lions in the proposed action area, and they are not known to regularly occur near Hydrburg. However, in context of a lack of local data, the DOT&PF

conservatively estimated that during peak salmon runs, 6 groups of 10 individuals could be exposed to project-related underwater noise each week during pile installation and removal activities, for a total of 240 exposures (4 weeks * 60 sea lions per week = 240 total exposures).

DOT&PF's largest estimated Level A harassment zone for Steller sea lions was 39 m (see Tables 6–4 and 6–5 in the DOT&PF's application). Based on this assumption, the DOT&PF assumed that it would be unlikely for a Steller sea lion to approach that closely and remain unobserved for a period of time long enough to incur PTS. While the harassment isopleths estimated herein are larger than those proposed by the DOT&PF (see Table 7), the largest Level A harassment zone for Steller sea lions is still only 59 m. Due to the small Level A harassment zones (Table 7) and the implementation of shutdown zones, which will be larger than Level A harassment zones (described below in the Proposed Mitigation section), NMFS concurs with the DOT&PF's assessment that take by Level A harassment is not anticipated for Steller sea lions. Therefore, NMFS proposes to authorize all 240 estimated exposures as takes by Level B harassment. Takes by Level A harassment for Steller sea lions are not proposed to be authorized.

Harbor Seal

Up to six known harbor seal haulouts are located near the proposed project area; however, they are all located outside of the estimated harassment zones, with the closest haulout located just over 4.5 km (2.8 mi) southeast of the proposed project site, but blocked by a land shadow (see Figure 4–2 in the DOT&PF's application). Within the project area, harbor seals remain relatively rare as described by local residents. The DOT&PF conservatively estimated that up to 8 harbor seals could be within estimated harassment zones each day during pile installation and removal activities, for a total of 208 exposures (26 days * 8 seals per day = 208 total exposures).

DOT&PF's largest estimated Level A harassment zone for harbor seals was 308 m (see Tables 6–4 and 6–5 in the DOT&PF's application). While there are no known harbor seal haulouts located within this distance, it is possible that harbor seals may approach and enter within this distance for sufficient duration to incur PTS. DOT&PF estimated that up to 12 harbor seals per week could occur within the Level A harassment zones. Based on this analysis, and the DOT&PF's proposal to implement a shutdown zone larger than

the largest Level A harassment zone (*i.e.*, 310 m, see Table 6–5 in the DOT&PF's application), the DOT&PF requested that 48 takes by Level A harassment (12 exposures per week * 4 weeks of pile installation = 48 exposures) and 160 takes by Level B harassment (208 total exposures minus 48 takes by Level A harassment) be proposed for authorization.

The largest Level A harassment zone for harbor seals, as estimated by NMFS, is 768 m. While there are still no known harbor seal haulouts within this distance, the likelihood of harbor seals occurring within the Level A harassment zones for sufficient duration to incur PTS increases. Further, the largest practicable shutdown zone that the DOT&PF states it can implement for harbor seals is 400 m (described below in the Proposed Mitigation section), which is smaller than the Level A harassment zones estimated to result from 240 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference, NMFS proposes to authorize additional takes by Level A harassment, as compared with the DOT&PF's request. Additional takes were determined by calculating the ratio of the largest Level A harassment area for 20- and 24-inch (50.8- and 60.96-cm) DTH activities (*i.e.*, 0.89 km² for a Level A harassment distance of 768 m) minus the area of the proposed shutdown zone for harbor seals (*i.e.*, 0.27 km² for a shutdown zone distance of 400 m) to the area of the Level B harassment isopleth (4.34 km² for a Level B harassment distance of 5,162 m) (*i.e.*, $(0.89 \text{ km}^2 - 0.27 \text{ km}^2) / 4.34 \text{ km}^2 = 0.14$). We then multiplied this ratio by the total number of estimated harbor seal exposures to determine additional take by Level A harassment (*i.e.*, $0.14 * 208 \text{ exposures} = 29.12 \text{ takes}$, rounded up to 30 takes). The total proposed take by Level A harassment was then calculated as the take originally proposed and requested by the DOT&PF plus the additional take calculated by NMFS (*i.e.*, $48 + 30$), for a total of 78 takes by Level A harassment. Takes by Level B harassment were calculated as the number of estimated harbor seal exposures minus the proposed amount of take by Level A harassment (*i.e.*, $208 - 78$). Therefore, NMFS proposes to authorize 78 takes by Level A harassment and 130 takes by Level B harassment for harbor seals, for a total of 208 takes.

Northern Elephant Seal

Northern elephant seal abundance throughout coastal southeast Alaska is low, and anecdotal reports have not

included northern elephant seals near the proposed project area. However, northern elephant seals have been observed elsewhere in southeast Alaska; therefore, this species could occur near the proposed project area. To account for this possibility, the DOT&PF estimated that one northern elephant seal could be within estimated harassment zones each week during pile installation and removal activities, for a total of four exposures (4 weeks * 1 northern elephant seal each week = 4 total exposures).

DOT&PF's largest estimated Level A harassment zone for northern elephant seals was 308 m (see Tables 6–4 and 6–5 in the DOT&PF's application). The DOT&PF assumed that northern elephant seals would be unlikely to approach this distance without detection while underwater activities are underway, and therefore did not request that takes by Level A harassment be authorized for northern elephant seals. However, the harassment isopleths for DTH activities estimated by NMFS are much larger. In addition, the largest practical shutdown zone the DOT&PF states it can implement for northern elephant seals (400 m) (described below in the Proposed Mitigation section) is smaller than the Level A harassment isopleths that result from 240 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference, NMFS followed the same method as described above for harbor seals to calculate take by Level A harassment to propose for northern elephant seals. This was achieved by calculating the ratio of the largest Level A harassment area for 20- and 24-inch (50.8- and 60.96-cm) DTH activities (*i.e.*, 0.89 km² for a Level A harassment distance of 768 m) minus the area of the proposed shutdown zone for elephant seals (*i.e.*, 0.27 km² for a shutdown zone distance of 400 m) to the area of the Level B harassment isopleth (4.34 km² for a Level B harassment distance of 5,162 m) (*i.e.*, $(0.89 \text{ km}^2 - 0.27 \text{ km}^2) / 4.34 \text{ km}^2 = 0.14$), and by multiplying this ratio by the total number of estimated northern elephant seal exposures (*i.e.*, $0.14 * 4 \text{ exposures} = 0.56 \text{ takes}$, rounded up to 1 take by Level A harassment). Takes by Level B harassment were calculated as the number of estimated northern elephant exposures minus the proposed amount of take by Level A harassment to be authorized (*i.e.*, $4 - 1$). Therefore, NMFS proposes to authorize one take by Level A harassment and three takes by Level B harassment for northern elephant seals, for a total of four takes.

Harbor Porpoise

There have been no systematic studies or observations of harbor porpoises specific to Hydaburg or Sukkwan Strait, and sightings of harbor porpoises have not been described in this region by local residents. As such, there is limited potential for them to occur in the proposed project area, but they could occur in low numbers as individuals have been observed in southern inland waters of southeast Alaska. Therefore, the DOT&PF estimated that up to two harbor porpoises could be within estimated harassment zones each day during pile installation and removal activities, for a total of 52 exposures (26 days * 2 porpoises per day = 52 exposures).

Harbor porpoises are small, lack a visible blow, have low dorsal fins, an overall low profile, and a short surfacing time, making them difficult to observe (Dahlheim *et al.*, 2015). These characteristics likely reduce the identification and reporting of this species. For these reasons, the DOT&PF requested that a small number of takes by Level A harassment be authorized for harbor porpoises. Based off of a maximum Level A harassment isopleth distance of 579 m for harbor porpoises estimated by the DOT&PF, the DOT&PF assumed that one pair of harbor porpoises may enter the Level A harassment zone every 7 days of in-water construction. Therefore, the DOT&PF requested that NMFS propose to authorize eight takes by Level A harassment for harbor porpoise for the proposed construction activities (4 weeks * 2 harbor porpoise per week = 8 takes by Level A harassment).

The maximum Level A harassment isopleth estimated by NMFS for harbor porpoises is 1,708 m, 2.9 times larger than the isopleth estimated by the DOT&PF (580 m). The largest practicable shutdown zone that the DOT&PF states it can implement for harbor porpoises is 500 m (described below in the Proposed Mitigation section), which is smaller than the Level A harassment isopleths estimated to result from 120 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference and the increased possibility of harbor porpoises occurring outside of the shutdown zone and in the Level A harassment zone long enough to incur PTS, NMFS proposes to authorize additional takes by Level A harassment, as compared with the DOT&PF's request. Additional takes were determined by calculating the ratio of the largest Level A harassment area for 20- and 24-inch (50.8- and 60.96-cm)

DTH activities (*i.e.*, 2.25 km² for a Level A harassment distance of 1,708 m minus the area of the proposed shutdown zone for harbor porpoises (*i.e.*, 0.42 km² for a shutdown zone distance of 500 m) to the area of the Level B harassment isopleth (4.34 km² for a Level B harassment distance of 5,162 m) (*i.e.*, (2.25 km² - 0.42 km²)/4.34 km² = 0.42). We then multiplied this ratio by the total number of estimated harbor porpoise exposures to determine additional take by Level A harassment (*i.e.*, 0.42 * 8 exposures = 3.36 takes, rounded up to 4 takes). The total proposed take by Level A harassment was then calculated as the take originally proposed and requested by the DOT&PF plus the additional take calculated by NMFS to account for the larger Level A harassment zones estimated by NMFS to result from DTH activities (*i.e.*, 8 + 4), for a total of 12 takes by Level A harassment. Takes by Level B harassment were calculated as the number of estimated harbor porpoise exposures minus the proposed amount of take by Level A harassment (*i.e.*, 52 - 12). Therefore, NMFS proposes to authorize 12 takes by Level A harassment and 40 takes by Level B harassment for harbor seals, for a total of 52 takes.

Dall's Porpoise

Dall's porpoises are not expected to occur in Sukkwan Strait because the shallow water habitat of the bay is atypical of areas where Dall's porpoises usually occur. However, recent research indicates that Dall's porpoises may opportunistically exploit nearshore habitats where predators, such as killer whales, are absent. Therefore, the DOT&PF anticipates that one large Dall's porpoise pod (15 individuals) could be within the estimated harassment zones during in-water construction, for a total of 15 possible exposures.

DOT&PF's largest estimated Level A harassment zone for Dall's porpoise was 579 m. Dall's porpoises typically appear in larger groups and exhibit behaviors that make them more visible and thus easier to observe at distance. Based on this assumption, the DOT&PF did not request any takes by Level A harassment for this species. However, similar to harbor porpoises, the maximum Level A harassment zone estimated by NMFS (1,708 m) is 2.9 times larger than the zone estimated by the DOT&PF. The largest practicable shutdown zone that the DOT&PF states it can implement for Dall's porpoises during this project is 500 m (described below in the Proposed Mitigation section), which is smaller than the Level A harassment zones

estimated by NMFS to result from 120 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference and the increased possibility of Dall's porpoises occurring outside of the shutdown zone and in the Level A harassment zones for sufficient duration to incur PTS, NMFS proposes to add additional takes by Level A harassment, as compared with the DOT&PF's request. Because Dall's porpoises typically occur in groups, NMFS proposes to authorize 15 takes (*i.e.*, one large pod) by Level A harassment in addition to the 15 takes by Level B harassment that the DOT&PF requested, for a total of 30 takes. This would help to ensure that the DOT&PF have enough takes to account for the possibility of one large pod occurring in either the Level A or the Level B harassment zone.

Pacific White-Sided Dolphin

Pacific white-sided dolphins do not generally occur in the shallow, inland waterways of southeast Alaska. There are no records of this species occurring in Sukkwan Strait, and it is uncommon for individuals to occur in the proposed project area. However, recent fluctuations in distribution and abundance decrease the certainty in this prediction. Therefore, the DOT&PF conservatively estimated that one large group (92 individuals) of Pacific white-sided dolphins could be within estimated harassment zones during the proposed in-water construction.

DOT&PF's largest estimated Level A harassment zone for Pacific white-sided dolphins was 37 m (see Tables 6-4 and 6-5 in the DOT&PF's application). Given the large group size and more conspicuous nature of Pacific white-sided dolphins, the DOT&PF did not request any takes by Level A harassment for this species as it would be unlikely they would approach this distance for sufficient duration to incur PTS. The largest Level A harassment zone estimated by NMFS for Pacific white sided dolphins is still only 51 m. Due to the small Level A harassment zones (Table 7) and the implementation of shutdown zones, which will be larger than Level A harassment zones (described below in the Proposed Mitigation section), NMFS concurs with the DOT&PF's assessment that take by Level A harassment is not anticipated for Pacific white-sided dolphins. Therefore, NMFS proposes to authorize all 92 estimated exposures as takes by Level B harassment. Takes by Level A harassment for Pacific white-sided dolphins are not proposed to be authorized.

Killer Whale

Killer whales are observed infrequently throughout Sukkwan Strait, and their presence near Hyدابurg is unlikely. However, anecdotal local information suggests that a pod may be seen in the proposed project area every few months. Therefore, the DOT&PF estimate that one killer whale pod of up to 15 individuals may be within estimated harassment zones once during the proposed pile installation and removal activities (15 total exposures).

DOT&PF's largest estimated Level A harassment zone for killer whales was 37 m (see Tables 6–4 and 6–5 in the DOT&PF's application). Because killer whales are unlikely to enter Sukkwan Strait and are relatively conspicuous, the DOT&OF did not request any takes by Level A harassment for this species as it would be unlikely they would approach this distance for sufficient duration to incur PTS. The largest Level A harassment zone for killer whales estimated by NMFS is still only 51 m (Table 7). Due to the small Level A harassment zones (Table 7) and the implementation of shutdown zones, which will be larger than Level A harassment zones (described below in the Proposed Mitigation section), NMFS concurs with the DOT&PF's assessment that take by Level A harassment is not anticipated for killer whales. Therefore, NMFS proposes to authorize all 15 estimated exposures as takes by Level B harassment. Takes by Level A harassment for killer whales are not proposed to be authorized.

Humpback Whale

Use of Sukkwan Strait by humpback whales is common but intermittent and dependent on the presence of prey fish. Based on anecdotal evidence from local residents, the DOT&PF predicts that four groups of two whales, up to eight individuals per week, may be within estimated harassment zones each week during the 4 weeks of the proposed pile installation and removal activities, for a total of 32 exposures (8 per week * 4 weeks = 32 total exposures). Wade (2021) estimated that approximately 2.4 percent of humpback whales in southeast Alaska are members of the Mexico DPS, while all others are members of the Hawaii DPS. Therefore, the DOT&PF estimates that 1 of the exposures (32 whales * 0.024 = 0.77 rounded up to 1) would be of Mexico DPS individuals and 31 exposures would be of Hawaii DPS individuals.

DOT&PF's largest estimated Level A harassment zone for humpback whales was 504 m (see Tables 6–4 and 6–5 in the DOT&PF's application). However,

due to the long duration of DTH piling that is anticipated, and the potential for humpback whales to enter the Level A harassment zones from around obstructions or landforms near the proposed project area, the DOT&PF requested that NMFS propose to authorize 4 takes by Level A harassment (equivalent to two groups of two individuals) of humpback whales. Due to the small percentage of humpback whales that may belong to the Mexico DPS in southeast Alaska, the DOT&PF assumes that all takes by Level A harassment will be attributed to Hawaii DPS whales.

The largest Level A harassment zone for humpback whales, as estimated by NMFS, is 1,435 m (Table 7). The largest practicable shutdown zone that the DOT&PF states it can implement for humpback whales during this project is 1,000 m (described below in the Proposed Mitigation section), which is smaller than the Level A harassment zones estimated by NMFS to result from 300 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference and the increased possibility of humpback whales occurring outside of the shutdown zone and in the Level A harassment zone long enough to incur PTS, NMFS proposes to add additional takes by Level A harassment, compared with the DOT&PF's request.

NMFS calculated additional takes by Level A harassment by determining the ratio of the largest Level A harassment area for 20- and 24-inch (50.8- and 60.96-cm) DTH activities (*i.e.*, 2.01 km² for a Level A harassment distance of 1,435 m) minus the area of the proposed shutdown zone for humpback whales (*i.e.*, 1.34 km² for a shutdown zone distance of 1,000 m) to the area of the Level B harassment isopleth (4.34 km² for a Level B harassment distance of 5,162 m) (*i.e.*, (2.01 km² – 1.34 km²) / 4.34 km² = 0.15). We then multiplied this ratio by the total number of estimated humpback whales exposures to determine additional take by Level A harassment (*i.e.*, 0.15 * 32 exposures = 4.80 takes, rounded up to 5 takes). The total proposed take by Level A harassment was then calculated as the take originally proposed and requested by the DOT&PF plus the additional take calculated by NMFS to account for the larger Level A harassment zones estimated to result from DTH activities (*i.e.*, 4 + 5), for a total of 9 takes by Level A harassment. Takes by Level B harassment were calculated as the number of estimated humpback whale exposures minus the proposed amount of take by Level A harassment (*i.e.*, 32 – 9). Therefore, NMFS proposes to

authorize 9 takes by Level A harassment and 23 takes by Level B harassment for humpback whales, for a total of 32 takes. Given that approximately 2.4 percent of humpback whales in southeast Alaska are members of the Mexico DPS, NMFS assumes that one of the proposed take by Level B harassment may be attributed to a humpback whale from the Mexico DPS (32 * 2.4 percent = 0.77, rounded up to 1 take). All other takes by Level B harassment and all takes by Level A harassment (*i.e.*, 31) are assumed to be attributed to humpback whales from the Hawaii DPS.

Minke Whale

Minke whale abundance throughout southeast Alaska is low, and anecdotal reports have not included minke whales near the proposed project area. However, minke whales are distributed throughout a wide variety of habitats and have been observed elsewhere in southeast Alaska; therefore, this species could occur near the proposed project area. NMFS has previously estimated that three individual minke whales could occur near Metlakatla every 4 months during a similar activity (86 FR 43190, August 6, 2021). Therefore, DOT&PF conservatively estimated that up to three minke whales may be exposed to project-related underwater noise during the proposed pile installation and removal activities.

DOT&PF's largest estimated Level A harassment zone for minke whales was 504 m (see Tables 6–4 and 6–5 in the DOT&PF's application). Due to the low likelihood of minke whale occurrence near the proposed project site, the DOT&PF did not request any takes by Level A harassment for this species. However, the maximum Level A harassment isopleth estimated by NMFS for minke whales is 1,435 m. The largest practicable shutdown zone that the DOT&PF states it can implement for minke whales during this project is 1,000 m (described below in the Proposed Mitigation section), which is smaller than the Level A harassment isopleth estimated by NMFS to result from 300 or more minutes of 20- and 24-inch (50.8- and 60.96-cm) DTH rock socket installation. To account for this difference and the increased possibility of minke whales occurring outside of the shutdown zone and within the Level A harassment zone long enough to incur PTS, NMFS proposes to add takes by Level A harassment, compared with the DOT&PF's request.

NMFS calculated takes by Level A harassment by determining the ratio of the largest Level A harassment area for 20- and 24-inch (50.8- and 60.96-cm)

DTH activities (*i.e.*, 2.01 km² for a Level A harassment distance of 1,435 m) minus the area of the proposed shutdown zone for minke whales (*i.e.*, 1.34 km² for a shutdown zone distance of 1,000 m) to the area of the Level B harassment isopleth (4.34 km²) for a Level B harassment distance of 5,162 m) (*i.e.*, (2.01 km² – 1.34 km²)/4.34 km² = 0.15). We then multiplied this ratio by

the total number of estimated minke whales exposures to determine take by Level A harassment (*i.e.*, 0.15 * 3 exposures = 0.45 takes, rounded up to 1 take by Level A harassment). Takes by Level B harassment were calculated as the number of estimated minke whale exposures minus the proposed amount of take by Level A harassment (*i.e.*, 3 – 1). Therefore, NMFS proposes to

authorize one take by Level A harassment and two takes by Level B harassment for minke whales, for a total of three takes.

In summary, the total amount of Level A harassment and Level B harassment authorized for each marine mammal stock is presented in Table 8.

TABLE 8—AMOUNT OF TAKE AS A PERCENTAGE OF STOCK ABUNDANCE, BY STOCK AND HARASSMENT TYPE

Species	Stock or DPS	Authorized take			Percent of stock
		Level A	Level B	Total	
Steller sea lion	Eastern	0	240	240	0.56
Harbor seals	Dixon/Cape Decision	78	130	208	0.89
Northern elephant seals	CA Breeding	1	3	4	<0.01
Harbor porpoises	Southeast Alaska	12	40	52	¹ 0.47
Dall's porpoises	Alaska	15	15	30	² 0.23
Pacific white-sided dolphins	N Pacific	0	92	92	0.34
Killer whales	Eastern North Pacific Alaska Resident	0	15	15	³ 0.78
	Eastern Northern Pacific Northern Resident.				³ 4.97
	West Coast Transient				³ 4.30
Humpback whales	Central N Pacific	9	23	32	0.32
Minke whales	Alaska	1	2	3	.....

¹ NMFS does not have an official abundance estimate for this stock; therefore, this percentage is based off of the most recent abundance estimate for this stock (11,146; Hobbs and Waite, 2010).

² NMFS does not have an official abundance estimate for this stock; therefore, this percentage is based off of the minimum population estimate for this stock (13,110; Muto *et al.*, 2022).

³ NMFS conservatively assumes that all 15 takes occur to each stock.

Proposed Mitigation

In order to issue an IHA under section 101(a)(5)(D) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to the activity, and other means of effecting the least practicable impact on the species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of the species or stock for taking for certain subsistence uses (latter not applicable for this action). NMFS regulations require applicants for incidental take authorizations to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting the activity or other means of effecting the least practicable adverse impact upon the affected species or stocks, and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as subsistence uses where applicable, NMFS considers two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or

stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned), the likelihood of effective implementation (probability implemented as planned); and

(2) The practicability of the measures for applicant implementation, which may consider such things as cost, and impact on operations.

The DOT&PF must employ the following standard mitigation measures, as included in the proposed IHA:

- Ensure that construction supervisors and crews, the monitoring team and relevant DOT&PF staff are trained prior to the start of all pile driving and DTH activity, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood. New personnel joining during the project must be trained prior to commencing work;

- Avoid direct physical interaction with marine mammals during construction activity. If a marine mammal comes within 10 m of such activity, operations shall cease. Should a marine mammal come within 10 m of

a vessel in transit, the boat operator would reduce vessel speed to the minimum level required to maintain steerage and safe working conditions. If human safety is at risk, the in-water activity will be allowed to continue until it is safe to stop;

- Employ PSOs and establish monitoring locations as described in Section 5 of the IHA. The DOT&PF must monitor the project area to the maximum extent possible based on the required number of PSOs, required monitoring locations, and environmental conditions. For all pile driving and DTH activities at least two PSOs must be used;

- For all pile driving/removal activities, a minimum 30 m shutdown zone must be established. The purpose of a shutdown zone is generally to define an area within which shutdown of activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). Shutdown zones will vary based on the type of driving/removal activity type and by marine mammal hearing group (see Table 9). Here, shutdown zones are larger than or equivalent to the calculated Level A harassment isopleths shown in Table 7, except when indicated due to practicability and effectiveness concerns. These concerns include the limited viewpoints available

to station PSOs along Sukkwan Strait, the presence of landmasses that may obstruct viewpoints, and decreased effectiveness in sighting marine mammals at increased distances. Further, shutdown zones at greater distances than proposed in Table 9

would likely result in the DOT&PFs activities being shut down more frequently than is practicable for them to maintain their project schedule. Note the shutdown zones for DTH activity proposed in this notice differ from those proposed by the DOT&PF (see Table 6–

5 of their application) based on the increased Level A harassment isopleth estimates resulting from NMFS' analysis (see detailed discussion in the Estimated Take section);

TABLE 9—PROPOSED SHUTDOWN ZONES DURING PROJECT ACTIVITIES

Activity	Pile size	Minutes (min) or strikes per pile	Piles per day	Shutdown zone (m)				
				LF	MF	HF	PW	OW
Vibratory Installation	20- and 24-inch ..	≤30 min	≤10	30	30	30	30	30
Vibratory Removal	16- and 24-inch ..	30 min	2	30	30	30	30	30
Impact Installation	20-inch	50 strikes	1	50	30	60	30	30
		50 strikes	2	80	30	90	¹ 40	30
		50 strikes	1	70	30	80	40	30
		50 strikes	2	¹ 100	30	120	60	30
DTH (Rock Socket)	20- and 24-inch ..	60 min	1	360	30	430	200	30
		120 min	1	570	30	² 500	310	30
		180 min	1	750	30	² 500	400	30
		240 min	1	1,000	40	² 500	² 400	40
		300 min	1	² 1,000	40	² 500	² 400	50
		360 min	1	² 1,000	50	² 500	² 400	50
		420 min	1	² 1,000	50	² 500	² 400	60
		480 min	1	² 1,000	60	² 500	² 400	60
DTH (Tension Anchor)	8-inch	60 min	1	40	30	50	30	30
		120 min	1	60	30	70	40	30
		180 min	1	80	30	90	¹ 40	30
		240 min	1	100	30	110	30	30
		300 min	1	110	30	130	60	30
		360 min	1	120	30	150	70	30
		420 min	1	140	30	160	80	30
		480 min	1	150	30	180	80	30

¹ The proposed shutdown zone is equivalent to the Level A harassment distance.

² The proposed shutdown is smaller than the Level A harassment distance.

- DOT&PF anticipates that the maximum number of piles to be installed and/or the daily duration of pile driving or DTH use may vary significantly, with large differences in maximum zone sizes possible depending on the work planned for a given day (Table 7). Given this uncertainty, DOT&PF will utilize a tiered system to identify and monitor the appropriate Level A harassment zones and shutdown zones on a daily basis, based on the maximum expected number of piles to be installed (impact or vibratory pile driving) or the maximum expected DTH duration for each day. At the start of each work day, DOT&PF will determine the maximum scenario for that day (according to the defined duration intervals in Tables 7 and 9), which will determine the appropriate Level A harassment isopleth and associated shutdown zone for that day. This Level A harassment zone (Table 7) and associated shutdown zone (Table 9) must be observed by PSO(s) for the entire work day, regardless of whether DOT&PF ultimately meets the anticipated scenario parameters for that day;

- Marine mammals observed anywhere within visual range of the PSO will be tracked relative to construction activities. If a marine

mammal is observed entering or within the shutdown zones indicated in Table 9, pile driving or DTH activities must be delayed or halted. If pile driving or DTH activities are delayed or halted due to the presence of a marine mammal, the activity may not commence or resume until either the animal has voluntarily exited and been visually confirmed beyond the shutdown zone (Table 9) or 15 minutes have passed without re-detection of the animal;

- Monitoring must take place from 30 minutes prior to initiation of pile driving (*i.e.*, pre-clearance monitoring) through 30 minutes post-completion of pile driving or DTH activity;

- Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead PSO to determine that the shutdown zones indicated in Table 9 are clear of marine mammals. Pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals;

- The DOT&PF must use soft start techniques when impact pile driving. Soft start requires contractors to provide an initial set of three strikes at reduced energy, followed by a 30-second waiting period, then two subsequent reduced energy strike sets. A soft start must be

implemented at the start of each day's impact pile driving and at any time following cessation of impact pile driving for a period of 30 minutes or longer. Soft starts will not be used for vibratory pile installation and removal or for DTH activities. PSOs shall begin observing for marine mammals 30 minutes before "soft start" or in-water pile installation or removal begins;

- Pile driving activity must be halted upon observation of either a species for which incidental take is not authorized or a species for which incidental take has been authorized but the authorized number of takes has been met, entering or within the harassment zone;

Based on our evaluation of the applicant's proposed measures, as well as other measures considered by NMFS, NMFS has preliminarily determined that the proposed mitigation measures provide the means of effecting the least practicable impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, areas of similar significance, and on the availability of such species or stock for subsistence uses.

Proposed Monitoring and Reporting

In order to issue an IHA for an activity, section 101(a)(5)(D) of the

MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104(a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present while conducting the activities. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (*e.g.*, presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or cumulative, acute or chronic), through better understanding of: (1) action or environment (*e.g.*, source characterization, propagation, ambient noise); (2) affected species (*e.g.*, life history, dive patterns); (3) co-occurrence of marine mammal species with the activity; or (4) biological or behavioral context of exposure (*e.g.*, age, calving or feeding areas);
- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (*e.g.*, marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and
- Mitigation and monitoring effectiveness.

Visual Monitoring

Monitoring must be conducted by qualified, NMFS-approved PSOs, in accordance with the following:

- PSOs must be independent of the activity contractor (*e.g.*, employed by a subcontractor) and have no other assigned tasks during monitoring periods. At least one PSO must have prior experience performing the duties of a PSO during construction activity

pursuant to a NMFS-issued IHA or Letter of Concurrence. Other PSOs may substitute other relevant experience, education (degree in biological science or related field), or training for prior experience performing the duties of a. PSOs must be approved by NMFS prior to beginning any activity subject to these IHAs;

- DOT&PF must employ at least two PSOs during all pile driving and DTH activities. A minimum of one PSO must be assigned to the active pile driving or DTH location to monitor for marine mammals and implement shutdown/delay procedures when applicable by calling for the shutdown to the hammer operator. At least one additional PSO is also required, and should be placed at the best practical vantage point(s) to ensure that the shutdown zones are fully monitored and as much as the Level B harassment zones are monitored as practicable; though the observation points may vary depending on the construction activity and location of the piles;

- Where a team of three or more PSOs is required, a lead observer or monitoring coordinator must be designated. The lead observer must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization;

- PSOs would use a hand-held GPS device, rangefinder, or reticle binoculars to verify the required monitoring distance from the project site;

- PSOs must record all observations of marine mammals, regardless of distance from the pile being driven. PSOs shall document any behavioral reactions in concert with distance from piles being driven or removed;

- PSOs must have the following additional qualifications:

- Ability to conduct field observations and collect data according to assigned protocols;

- Experience or training in the field identification of marine mammals, including the identification of behaviors;

- Sufficient training, orientation, or experience with the construction operation to provide for personal safety during observations;

- Writing skills sufficient to record required information including but not limited to the number and species of marine mammals observed; dates and times when in-water construction activities were conducted; dates, times, and reason for implementation of mitigation (or why mitigation was not implemented when required); and marine mammal behavior; and

- Ability to communicate orally, by radio or in person, with project personnel to provide real-time information on marine mammals observed in the area as necessary.

Reporting

A draft marine mammal monitoring report would be submitted to NMFS within 90 days after the completion of pile driving and DTH activities, or 60 days prior to a requested date of issuance of any future IHAs for projects at the same location, whichever comes first. The reports would include an overall description of work completed, a narrative regarding marine mammal sightings, and associated PSO data sheets. Specifically, the reports must include:

- Dates and times (begin and end) of all marine mammal monitoring;
- Construction activities occurring during each daily observation period, including the number and type of piles driven or removed and by what method (*i.e.*, impact, vibratory, or DTH) and the total equipment duration for vibratory installation, removal and DTH for each pile or total number of strikes for each pile (impact driving);
- PSO locations during marine mammal monitoring;
- Environmental conditions during monitoring periods (at beginning and end of PSO shift and whenever conditions change significantly), including Beaufort sea state and any other relevant weather conditions including cloud cover, fog, sun glare, and overall visibility to the horizon, and estimated observable distance;
- Upon observation of a marine mammal, the following information: name of PSO who sighted the animal(s) and PSO location and activity at time of sighting; time of sighting; identification of the animal(s) (*e.g.*, genus/species, lowest possible taxonomic level, or unidentified), PSO confidence in identification, and the composition of the group if there is a mix of species; distance and bearing of each marine mammal observed relative to the pile being driven for each sighting (if pile driving was occurring at time of sighting); estimated number of animals (minimum, maximum, and best estimate); estimated number of animals by cohort (adults, juveniles, neonates, group composition, sex class, *etc.*); animal's closest point of approach and estimated time spent within the harassment zone; description of any marine mammal behavioral observations (*e.g.*, observed behaviors such as feeding or traveling), including an assessment of behavioral responses thought to have resulted from the activity (*e.g.*, no

response or changes in behavioral state such as ceasing feeding, changing direction, flushing, or breaching);

- Number of marine mammals detected within the harassment zones and shutdown zones, by species;
- Detailed information about any implementation of any mitigation triggered (e.g., shutdowns and delays), a description of specific actions that ensued, and resulting changes in behavior of the animal(s), if any;

If no comments are received from NMFS within 30 days, the draft final reports would constitute the final reports. If comments are received, a final report addressing NMFS comments must be submitted within 30 days after receipt of comments.

Reporting Injured or Dead Marine Mammals

In the event that personnel involved in the construction activities discover an injured or dead marine mammal, the IHA-holder must immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS (PR.ITP.MonitoringReports@noaa.gov), and to the Alaska Regional Stranding Coordinator as soon as feasible. If the death or injury was clearly caused by the specified activity, the DOT&PF must immediately cease the specified activities until NMFS is able to review the circumstances of the incident and determine what, if any, additional measures are appropriate to ensure compliance with the terms of the IHAs. The DOT&PF must not resume their activities until notified by NMFS. The report must include the following information:

- Time, date, and location (latitude and longitude) of the first discovery (and updated location information if known and applicable);
- Species identification (if known) or description of the animal(s) involved;
- Condition of the animal(s) (including carcass condition if the animal is dead);
- Observed behaviors of the animal(s), if alive;
- If available, photographs or video footage of the animal(s); and
- General circumstances under which the animal was discovered.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival

(50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.*, population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of marine mammals that might be “taken” through harassment, NMFS considers other factors, such as the likely nature of any impacts or responses (*e.g.*, intensity, duration), the context of any impacts or responses (*e.g.*, critical reproductive time or location, foraging impacts affecting energetics), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS’ implementing regulations (54 FR 40338, September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the baseline (*e.g.*, as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

To avoid repetition, the majority of our analysis applies to all the species listed in Table 2, given that many of the anticipated effects of the DOT&PF’s construction activities on different marine mammal stocks are expected to be relatively similar in nature. Where there are meaningful differences between species or stocks, or groups of species, in anticipated individual responses to activities, impact of expected take on the population due to differences in population status, or impacts on habitat, they are described independently in the analysis below.

Pile driving and DTH activities associated with the project, as outlined previously, have the potential to disturb or displace marine mammals. Specifically, the specified activities may result in take, in the form of Level B harassment and, for some species Level A harassment, from underwater sounds generated by pile driving and DTH systems. Potential takes could occur if marine mammals are present in zones ensnified above the thresholds for Level B harassment or Level A harassment, identified above, while activities are underway.

The DOT&PF’s proposed activities and associated impacts will occur within a limited, confined area of the stocks’ range. The work would occur in the vicinity of the seaplane dock

immediately adjacent to Hydaburg and sound from the proposed activities would be blocked by Sukkwan Island, Spook Island, Mushroom Island, and the coastline along Prince of Wales Island both southeast and northwest of the proposed project site (see Figure 1–2 in the DOT&PF’s application) to a maximum distance of 5,162 m and area of 4.34 km². The intensity and duration of take by Level A harassment and Level B harassment will be minimized through use of mitigation measures described herein. Further the amount of take authorized is small when compared to stock abundance. In addition, NMFS does not anticipate that serious injury or mortality will occur as a result of the DOT&PF’s planned activity given the nature of the activity, even in the absence of required mitigation.

Exposures to elevated sound levels produced during pile driving and DTH may cause behavioral disturbance of some individuals. Behavioral responses of marine mammals to pile driving, pile removal, and DTH systems at the proposed project site are expected to be mild, short term, and temporary. Effects on individuals that are taken by Level B harassment, as enumerated in the Estimated Take section, on the basis of reports in the literature as well as monitoring from other similar activities, will likely be limited to reactions such as increased swimming speeds, increased surfacing time, or decreased foraging (if such activity were occurring) (*e.g.*, Thorson and Reyff, 2006). Marine mammals within the Level B harassment zones may not show any visual cues they are disturbed by activities or they could become alert, avoid the area, leave the area, or display other mild responses that are not observable such as changes in vocalization patterns or increased haul out time (Thorson and Reyff, 2006). Additionally, some of the species present in the region will only be present temporarily based on seasonal patterns or during transit between other habitats. These temporarily present species will be exposed to even smaller periods of noise-generating activity, further decreasing the impacts. Most likely, individual animals will simply move away from the sound source and be temporarily displaced from the area, although even this reaction has been observed primarily only in association with impact pile driving. Because DOT&PF’s activities could occur during any season, takes may occur during important feeding times. The project area though represents a small portion of available foraging habitat and impacts

on marine mammal feeding for all species should be minimal.

The activities analyzed here are similar to numerous other construction activities conducted along southeastern Alaska (*e.g.*, 86 FR 43190, August 6, 2021; 87 FR 15387, March 18, 2022), which have taken place with no known long-term adverse consequences from behavioral harassment. These reactions and behavioral changes are expected to subside quickly when the exposures cease and, therefore, no such long-term adverse consequences should be expected (*e.g.*, Graham *et al.*, 2017). The intensity of Level B harassment events will be minimized through use of mitigation measures described herein, which were not quantitatively factored into the take estimates. The DOT&PF will use at least two PSOs stationed strategically to increase detectability of marine mammals during in-water pile driving and DTH activities, enabling a high rate of success in implementation of shutdowns to avoid or minimize injury for most species. Further, given the absence of any major rookeries and haulouts within the estimated harassment zones, we assume that potential takes by Level B harassment would have an inconsequential short-term effect on individuals and would not result in population-level impacts.

As stated in the mitigation section, DOT&PF will implement shutdown zones that equal or exceed many of the Level A harassment isopleths shown in Table 8. Take by Level A harassment is proposed for authorization for some species (harbor seals, northern elephant seals, harbor porpoises, Dall's porpoises, humpback whales, and minke whales) to account for the potential that an animal could enter and remain within the Level A harassment zone for a duration long enough to incur PTS. Any take by Level A harassment is expected to arise from, at most, a small degree of PTS because animals would need to be exposed to higher levels and/or longer duration than are expected to occur here in order to incur any more than a small degree of PTS.

Due to the levels and durations of likely exposure, animals that experience PTS will likely only receive slight PTS, *i.e.*, minor degradation of hearing capabilities within regions of hearing that align most completely with the frequency range of the energy produced by DOT&PF's proposed in-water construction activities (*i.e.*, the low-frequency region below 2 kHz), not severe hearing impairment or impairment in the regions of greatest hearing sensitivity. If hearing impairment does occur, it is most likely that the affected animal will lose a few

dBs in its hearing sensitivity, which in most cases is not likely to meaningfully affect its ability to forage and communicate with conspecifics. There are no data to suggest that a single instance in which an animal accrues PTS (or TTS) and is subject to behavioral disturbance would result in impacts to reproduction or survival. If PTS were to occur, it would be at a lower level likely to accrue to a relatively small portion of the population by being a stationary activity in one particular location. Additionally, and as noted previously, some subset of the individuals that are behaviorally harassed could also simultaneously incur some small degree of TTS for a short duration of time. Because of the small degree anticipated, though, any PTS or TTS potentially incurred here is not expected to adversely impact individual fitness, let alone annual rates of recruitment or survival.

Theoretically, repeated, sequential exposure to pile driving noise over a long duration could result in more severe impacts to individuals that could affect a population. However, the limited number of non-consecutive pile driving days for this project and the absence of any pinniped haulouts or other known cetacean residency patterns in the proposed action area means that these types of impacts are not anticipated.

For all species except humpback whales, there are no known BIAs near the project zone that will be impacted by DOT&PF's planned activities. For humpback whales, the whole of southeast Alaska is a seasonal feeding BIA from May through September (Wild *et al.*, 2023), however, Sukkwan Strait is a small passageway and represents a very small portion of the total available habitat. Also, while southeast Alaska is considered an important area for feeding humpback during this time, it is not currently designated as critical habitat for humpback whales (86 FR 21082, April 21, 2021).

The project is also not expected to have significant adverse effects on any marine mammal habitat. The project activities will not modify existing marine mammal habitat since the project will occur within the same footprint as existing marine infrastructure. Impacts to the immediate substrate are anticipated, but these would be limited to minor, temporary suspension of sediments, which could impact water quality and visibility for a short amount of time but which would not be expected to have any effects on individual marine mammals.

In addition, impacts to marine mammal prey species are expected to be

minor and temporary and to have, at most, short-term effects on foraging of individual marine mammals, and likely no effect on the populations of marine mammals as a whole. Overall, the area impacted by the project is very small compared to the available surrounding habitat, and does not include habitat of particular importance. The most likely impact to prey will be temporary behavioral avoidance of the immediate area. During construction activities, it is expected that some fish and marine mammals would temporarily leave the area of disturbance, thus impacting marine mammals' foraging opportunities in a limited portion of the foraging range. But, because of the relatively small area of the habitat that may be affected, and lack of any habitat of particular importance, the impacts to marine mammal habitat are not expected to cause significant or long-term negative consequences.

In summary and as described above, the following factors primarily support our preliminary determination that the impacts resulting from this activity are not expected to adversely affect any of the species or stocks through effects on annual rates of recruitment or survival:

- No serious injury or mortality is anticipated or authorized;
- Level A harassment proposed for authorization is expected to be of a lower degree that would not impact the fitness of any animals;
- Anticipated incidents of Level B harassment consist of, at worst, temporary modifications in behavior;
- The required mitigation measures (*i.e.*, soft starts, shutdown zones) are expected to be effective in reducing the effects of the specified activity by minimizing the numbers of marine mammals exposed to injurious levels of sound, and by ensuring that any take by Level A harassment is, at most, a small degree of PTS;
- The intensity of anticipated takes by Level B harassment is low for all stocks and will not be of a duration or intensity expected to result in impacts on reproduction or survival;
- Minimal impacts to marine mammal habitat/prey are expected;
- The only known area of specific biological importance covers a broad area of southeast Alaska for humpback whales, and the project area is a very small portion of that BIA. No other known areas of particular biological importance to any of the affected species or stocks are impacted by the activity, including ESA-designated critical habitat;
- The project area represents a very small portion of the available foraging area for all potentially impacted marine

mammal species and stocks and anticipated habitat impacts are minor; and

- Monitoring reports from similar work in southeast Alaska have documented little to no effect on individuals of the same species impacted by the specified activities.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the proposed monitoring and mitigation measures, NMFS preliminarily finds that the total marine mammal take from the proposed activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers

As noted previously, only small numbers of incidental take may be authorized under section 101(a)(5)(A) and (D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. When the predicted number of individuals to be taken is fewer than one-third of the species or stock abundance, the take is considered to be of small numbers. Additionally, other qualitative factors may be considered in the analysis, such as the temporal or spatial scale of the activities.

The maximum annual amount of take NMFS proposes to authorize for five marine mammal stocks is below one-third of the estimated stock abundance for all species (in fact, take of individuals is less than five percent of the abundance of all affected stocks, see Table 8). The number of animals proposed for authorization to be taken from these stocks would be considered small relative to the relevant stock's abundances even if each estimated take occurred to a new individual. Some individuals may return multiple times in a day, but PSOs would count them as separate individuals if they cannot be individually identified.

The Alaska stock of Dall's porpoise has no official NMFS abundance estimate for this area, as the most recent estimate is greater than eight years old. Abundance estimates for Dall's porpoise in inland waters of southeast Alaska were calculated from 19 line-transect vessel surveys from 1991 to 2012

(Jefferson *et al.*, 2019). Abundance across the whole period was estimated at 5,381 (CV = 0.25), 2,680 (CV = 0.20), and 1,637 (CV = 0.23) in the spring, summer, and fall, respectively (Jefferson *et al.*, 2019). The minimum population estimate (N_{MIN}) for the entire Alaska stock is assumed to correspond to the point estimate of a 2015 vessel-based abundance computed by Rone *et al.* (2017) in the Gulf of Alaska ($N = 13,110$; CV = 0.22) (Muto *et al.*, 2022); however, the study area of this survey corresponds to a small fraction of the range of the stock and, thus it is reasonable to assume that the stock size is equal to or greater than that estimate (Muto *et al.*, 2022). Therefore, the 22 takes of this stock proposed for authorization clearly represent small numbers of this stock.

Likewise, the Southeast Alaska stock of harbor porpoise has no official NMFS abundance estimate as the most recent estimate is greater than 8 years old. Aerial surveys of this stock were conducted in June and July 1997 and resulted in an abundance estimate of 11,146 harbor porpoise in the coastal and inland waters of southeast Alaska (Hobbs and Waite, 2010). The minimum population estimate for this stock is 1,057 individuals; however, this estimate represents some portion of the total number of animals in the stock and is not corrected for animals missed on the survey track line for which the estimate is based. Therefore, this estimate is negatively biased (Muto *et al.*, 2022). Regardless, the 52 takes of this stock proposed for authorization represent small numbers of this stock.

There is no current or historical estimate of the Alaska minke whale stock, but minke whale abundance has been estimated to be over 1,000 whales in portions of Alaska (Muto *et al.*, 2022) so the 3 takes proposed for authorization represent small numbers of this stock. Additionally, the range of the Alaska stock of minke whales is extensive, stretching from the Canadian Pacific coast to the Chukchi Sea, and DOT&PF's project area impacts a small portion of this range. Therefore, the three takes of minke whale proposed for authorization is small relative to estimated survey abundance, even if each proposed take occurred to a new individual.

Based on the analysis contained herein of the proposed activity (including the proposed mitigation and monitoring measures) and the anticipated take of marine mammals, NMFS preliminarily finds that small numbers of marine mammals would be taken relative to the population size of the affected species or stocks.

Unmitigable Adverse Impact Analysis and Determination

In order to issue an IHA, NMFS must find that the specified activity will not have an "unmitigable adverse impact" on the subsistence uses of the affected marine mammal species or stocks by Alaskan Natives. NMFS has defined "unmitigable adverse impact" in 50 CFR 216.103 as an impact resulting from the specified activity: (1) that is likely to reduce the availability of the species to a level insufficient for a harvest to meet subsistence needs by: (i) causing the marine mammals to abandon or avoid hunting areas; (ii) directly displacing subsistence users; or (iii) placing physical barriers between the marine mammals and the subsistence hunters; and (2) that cannot be sufficiently mitigated by other measures to increase the availability of marine mammals to allow subsistence needs to be met.

Alaska Natives have traditionally harvested subsistence resources in southeast Alaska for many hundreds of years, particularly large terrestrial mammals, marine mammals, salmon, and other fish (Alaska Department of Fish and Game (ADF&G), 1997). Harbor seals and sea otters are reported to be the marine mammal species most regularly harvested for subsistence in the waters surrounding Hydaburg (NOAA, 2013). An estimated 14.4 harbor seals were harvested by Hydaburg residents every year from 2000 through 2008 (ADF&G, 2009a, 2009b). Hunting usually occurs in the late fall and winter (ADF&G, 2009a). The ADF&G has not recorded harvest of cetaceans from Hydaburg (ADF&G, 2022). There are no subsistence activities near the proposed project that target humpback whales, and subsistence hunters rarely target Steller sea lions near the proposed project area.

Approximately 93 percent of Hydaburg residents identified as Alaska Native (Sill and Koster, 2017) in 2012. Nearly half of all households harvested wild resources in 2012, with nearly all Hydaburg households using salmon, non-salmon fish, marine invertebrates, and vegetation (Sill and Koster, 2017). Only six percent of Hydaburg households participated in the hunting, use, or receiving of harbor seals in 2012, whereas up to eight percent used sea otters (Sill and Koster, 2017). Based on data from 2012, marine mammals account for approximately one percent (1,666 pounds or 756 kg) of all subsistence harvest in Hydaburg (Sill and Koster, 2017).

All proposed pile driving and DTH activities will take place in the vicinity of seaplane dock immediately adjacent

to Hydaburg where subsistence activities do not generally occur. The proposed project will not have an adverse impact on the availability of marine mammals for subsistence use at locations farther away. Some minor, short-term disturbance of the harbor seals or sea otters could occur, but this is not likely to have any measurable effect on subsistence harvest activities in the region. No changes to availability of subsistence resources will result from the specified activities. Additionally, DOT&PF is working with Haida Elders on the project to raise awareness and collaborate on the project within the local community.

Based on the description of the specified activity, the measures described to minimize adverse effects on the availability of marine mammals for subsistence purposes, and the proposed mitigation and monitoring measures, NMFS has preliminarily determined that there will not be an unmitigable adverse impact on subsistence uses from the DOT&PF's proposed activities.

Endangered Species Act

Section 7(a)(2) of the ESA (16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species, in this case with NMFS' Alaska Regional Office (AKRO).

NMFS is proposing to authorize take of the Central North Pacific stock of humpback whales, of which a portion belong to the Mexico DPS of humpback whales, which are ESA-listed. The

Permits and Conservation Division has requested initiation of section 7 consultation with the AKRO for the issuance of this IHA. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to the DOT&PF for conducting pile driving and DTH activities during of the Hydaburg Seaplane Base Refurbishment Project in Hydaburg, Alaska beginning in September 2023, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>.

Request for Public Comments

We request comment on our analyses, the proposed authorization, and any other aspect of this notice of proposed IHA for the proposed construction activities. We also request comment on the potential renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform decisions on the request for this IHA or a subsequent renewal IHA.

On a case-by-case basis, NMFS may issue a one-time, 1-year renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical or nearly identical activities as described in the Description of Proposed Activities section of this notice is planned, or (2) the activities as described in the Description of Proposed Activities section of this notice would not be completed by the

time the IHA expires and a renewal would allow for completion of the activities beyond that described in the *Dates and Duration* section of this notice, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA);

- The request for renewal must include the following:

- (1) An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take); and

- (2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

Dated: July 10, 2023.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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